

ORDINANCE NO. 2020-02

AN ORDINANCE OF THE CITY OF GRAND MARAIS, MINNESOTA, AMENDING GRAND MARAIS ZONING DEALING WITH RESIDENTIAL USES

THE CITY COUNCIL OF THE CITY OF GRAND MARAIS DOES ORDAIN (deleted material is lined out; new material is underlined; subsections which are not being amended are omitted, some subsections relocated as presented below):

Section 1. That Chapter 19 of the City Code of Grand Marias, Minnesota, which chapter is entitled “Zoning Ordinance (Revised 2008)”, be amended as follows:

CITY OF GRAND MARAIS ZONING ORDINANCE

Table of Contents

<u>Section</u>	<u>Page</u>
19.01 Scope and Interpretation	1
19.02 Definitions	1
19.03 Zoning Districts	6
19.04 R-1 Permanent Residence <u>Residential</u> District	<u>6</u>
19.05 R-2 Multiple Family Residential District <u>RCN Resort/Commercial Neighborhood</u>	<u>8</u>
<u>19.05A Lot Dimension Standards for Residential Districts (R-1, RCN)</u>	
19.06 Downtown Districts	9
19.07 C/I Service Commercial-Industrial District	13
19.07A Communications District	18
19.08 PR Protected Resources	18
19.09 PARK Public Parkland	19
19.10 RC Recreational/Commercial	20
19.11 SC Community Services	20
19.12 BDA Business Development Area	21
19.13 RCN Resort/Commercial Neighborhood <u>Use Specific Standards</u>	<u>23</u>
19.13A Tabulation of District Provisions & Dimensional Requirements	27
19.14 General Regulations	29-59
Scope of Regulations	29
Erection of more than one Principal structure on a Lot	29
Accessory Buildings	29
Height Regulations	30
Yard Regulations	30
Vision Clearance	31
Street e Closures	32
Areas under Water	32
Essential Services	32
Structures to have Access	32
Sign Regulations	32-42
Off-Street Parking and Loading and Unloading Requirements	43
Minimum Mobile Home Requirements	46
Foundation Requirements	48
Automobile Service Stations in the H61 District	48

	Manufactured housing Regulations	49
	Junked Vehicles	50
	Landscape Preservation Standards	50
	Runoff and Erosion Control Standards	51
	North Shore Management Plan	52
	General Requirements for Motels and Hotels	57
19.15	Planned Unit Development	59
19.16	Non-Conforming Uses	62
19.17	Conditional Use Permits	63
19.18	The Administrative Official	64
19.19	Building and Use Permits	65
19.20	Adjustments and Variances	66
19.21	Amendments to the Zoning Ordinance	68
19.22	Violations and Penalties	69
19.23	Effective Date	70

19.02 - DEFINITIONS

Subdivision 2. Definitions

For the purpose of this chapter, certain words are defined as follows:

Accessory Dwelling Unit -- A dwelling unit that is located on the same lot as a principal one family dwelling to which it is accessory, and that is smaller in area to the principal dwelling. The two types of accessory dwelling units include:

1. Attached/internal means an accessory dwelling unit located within the walls of an existing or newly constructed residential building or garage building, which may include a basement unit, upper floor unit, or an addition to the principal dwelling specifically for the ADU;
2. Detached means an accessory dwelling unit that is located as a freestanding building on the same lot as the principal residential building, which may include a detached house, tiny house, or a unit incorporated into a detached garage.

Alley -- A public or private right-of-way less than thirty (30) feet in width which affords secondary means of access to abutting property.

Apartment -- A room or suite of rooms designed for, intended for, or used as a residence for one family or individual and equipped with cooking facilities.

~~Apartment Building -- Three or more dwelling units grouped in one building.~~

Arts and Cultural Uses -- Establishments where the intellectual and artistic manifestations of society are documented, created, or displayed, such as museums, art galleries and studios, gardens, or any other historic or educational purpose.

Auto Oriented Services -- Any commercial entity designed to serve primarily automobile traffic, such as gas stations, auto repair, carwash, businesses with drive thru windows.

Block -- A tract of land bounded by streets or a combination of streets and public parks, cemeteries, railroad rights of way, shorelines, unsubdivided acreage or boundary line of the corporate limits of the City.

Boarding House -- Any dwelling other than a hotel or motel where meals or lodging and meals for compensation are provided for five (5) or more persons pursuant to previous arrangements.

Building -- Any structure for the shelter, support or enclosure of persons, animals, chattel, or property of any kind; and when separated by bearing walls without openings, each portion of such building so separated shall be deemed a separate building.

Building, Accessory -- A subordinate building, the use of which is incidental to that of the ~~principle~~ principal building on the same lot.

Building Height -- The vertical distance from the average of the lowest and the highest point of that portion of the lot covered by the building to the highest point of the roof, to the deck line of mansard roofs, and to the mean height between eaves and ridge for gable, hip and gambrel roofs.

Cottage Courtyard Development -- Cluster of one-family principal dwellings (3 to 10 units), in the form of smaller detached houses, arranged around a shared courtyard or open space that is typically perpendicular to the street. The shared courtyard takes the place of individual rear yards and becomes an important community-enhancing element of this housing type. Cottage courtyard housing may consist of site-built houses, manufactured and modular houses, or tiny houses.

Deck -- A horizontal platform, any part of which is more than 18” off the ground, except railings or seats, attached or adjacent and functionally related to a building. Any deck-like structure 18” and under does not require a land use permit.

Dwelling, ~~Single One~~ Family -- A detached ~~residential~~ dwelling ~~unit other than a mobile/manufactured home,~~ designed for and occupied by one family only, including a manufactured and modular house construction types and a tiny house. (~~Derivation: Council action July 28, 1982~~)

Dwelling, Tiny House – A small detached one family dwelling that has a total floor area of 400 sq. ft. or less, excluding lofts and porches, which is placed on a permanent foundation and complies with the MN State Building Code.

Dwelling, Two Family -- A detached residential building containing two dwelling units, designed for occupancy by not more than two families.

~~Dwelling, Multiple Family~~ — ~~A residential building designed for or occupied by three or more families, with the number of families in residence not exceeding the number of dwelling units provided.~~

Dwelling, Small Apartment – A smaller scale multi-unit residential building that consists of three (3) to six (6) side-by-side or stacked apartment units on one lot and typically with one shared building entry. This housing type has the general scale and appearance of a large-sized house and can fit on a typical detached single-family lot.

Dwelling, Large Apartment – A larger scale multi-unit residential building that consists of seven (7) or more side-by-side or stacked apartment units on one lot and typically with one shared building entry. This housing type is generally larger-scale in terms of street frontage, wider and deeper than a typical detached single-family house and lot.

Dwelling, Attached Rowhouse or Townhouse – An attached residential building designed for or used exclusively for two (2) to eight (8) dwelling units per building, which are attached horizontally by at least one (1) common wall extending from the foundation to the roof, located on individual lots, and provide separate entrances from the outside for each unit.

Dwelling Unit -- One room, or rooms connected together, constituting a separate, independent housekeeping establishment for owner occupancy, or rental or lease on a weekly, monthly, or longer basis, and physically separated from any other rooms or dwelling units which may be in the same structure, and containing independent cooking and sleeping facilities.

Family -- Any number of individuals living together on the premises as a single non-profit housekeeping unit (~~except for necessary servants~~) as distinguished from a group occupying a boarding house, lodging house, hotel, club, fraternity or sorority house.

Floor Area -- The sum of the gross horizontal areas of the several floors of a building, measured from the exterior walls, including basements and attached accessory buildings.

Garage, Private -- An accessory building for storage of self-propelled vehicles and tools and equipment maintained as incidental to the principal use of the premises.

Garage, Public -- Any premises except those defined as a private garage used for the storage or care of self-propelled vehicles and/or where any such vehicles are equipped for operation, repair, or are kept for remuneration, hire, or sale.

Home Occupation -- Any use customarily conducted entirely within a dwelling or accessory building and carried on by members of a family residing therein, which use is clearly incidental and secondary to the use of the dwelling for dwelling purposes and does not change the character thereof. Clinics, hospitals, lodging, mortuaries, motor vehicle repairing for hire, welding, animal hospitals and the maintenance of

animals, except as provided in Section 19.04., Subdivision 2-6, shall not be deemed to be home occupations. (Ord. 2007-02)

Hotel -- Lodging facilities consisting of more than 10 lodging units. (Ord 2016-02 3/30/2016)

Junk Yard -- Land or buildings where waste, discarded, or salvaged materials are bought, sold, exchanged, stored, cleaned, packed, disassembled or handled, including but not limited to scrap metal, rags, paper, rubber products, glass products, lumber products and products resulting from the wrecking of automobiles or other machinery.

Loading Area -- Any area where trucks are parked, maneuvered, or loaded or unloaded of materials or equipment.

Lodging -- A building, structure, enclosure, or any part thereof used as, maintained as, advertised as, or held out to be rented, leased, or sold to the public for sleeping accommodations for periods of less than 30 continuous days.

Lot -- One unit of a recorded plot or subdivision, which unit has frontage on a public street and is occupied, or to be occupied, by a building and its accessory buildings, and including as a minimum, such open spaces as are required under this chapter.

Lot Area -- The land area within the lot lines.

Lot, Corner -- A lot situated at the intersection of two or more streets.

Lot Coverage -- The total allowable amount of lot area, expressed as a percentage, which may be covered by a principal structure and its accessory structures.

Lot Depth -- The average distance between the front and rear lot line (the greater frontage of a corner lot shall be deemed its depth and the lesser frontage its width).

Lot, Double Frontage -- An interior lot having frontage on two streets.

Lot, Interior -- A lot other than a corner lot.

Lot Width -- The horizontal straight line distance between the side lot lines at the setback line.

~~Dwelling, Mobile/~~Manufactured Home -- A ~~detached residential one-family~~ dwelling ~~unit~~ designed for transportation after fabrication on streets or highways on its own wheels or on flatbed or other trailers, and arriving at the site where it is to be occupied as a dwelling complete and ready for occupancy except for minor and incidental unpacking and assembly operations, located on permanent foundations, connected to utilities, and the like, and in conformance with Minnesota Statutes Chapter 327.31, Subdivision 6 or amendments thereto. A travel trailer, camper, or motor home is not to be considered as a ~~mobile manufactured~~ home. (Derivation: Council action July 28, 1982)

Manufactured Home Building Code -- "Manufactured Home Building Code" means, for manufactured homes manufactured after July 1, 1972, and prior to June 15, 1976, the standards code promulgated by the American National Standards Institute and identified as ANSI A119.1, including all revisions thereof in effect on May 21, 1971, or the provisions of the National Fire Protection Association and identified as NFPA 501B, and further revisions adopted by the commissioner of labor and industry. "Manufactured Home Building Code" means, for manufactured homes constructed after June 14, 1976, the manufactured home construction and safety standards promulgated by the United States Department of Housing and Urban Development which are in effect at the time of the manufactured home's manufacture.

Marina -- A facility for water based activities related to the storing, servicing, fueling, berthing, and securing of pleasure boats.

Modular Home -- A one-family dwelling not built on-site, but which is constructed in accordance with applicable standards adopted in Minnesota Rules, chapter 1360 or 1361, and attached to a foundation designed to the State Building Code.

Non-Conforming Use -- A use lawfully in existence on August 5, 1971, the effective date of this chapter or upon any subsequent amendment, and not conforming to the regulations for the district in which it is situated, except that such a use is not non-conforming if it would be authorized under a conditional use permit where located.

Persons -- Any individual, firm, partnership, corporation, company, association, joint stock association or body politic; includes any trustee, receiver, assignee, or similar representative thereof.

Premises -- A lot or plot with the required front, side and rear yards for a dwelling or other use as allowed under this chapter.

Retail -- Establishments primarily engaged in selling goods or merchandise to the general public for personal or household consumption and rendering services incidental to the sale of such goods. Retail may also include manufacturing of goods to be sold on or off site so long as retail sales remain the primary component of the commercial activity.

Services -- Establishments primarily engaged in providing assistance, as opposed to products, to individuals, business, industry, government, and other enterprises, personal, business, repair, and amusement services; health, legal, engineering and other professional services; educational services, membership organizations, and other miscellaneous services.

Setback -- The shortest horizontal distance between the lot line and the foundation wall of a building or the allowable building line as defined by the yard regulations of this chapter.

Sign -- A name, identification, display, illustration, or device which is affixed to or represented directly or indirectly upon a building, structure, or land in view of the general public and which directs attention to a product, place, activity, purpose, institution or business.

Sign, Advertising -- A sign which directs attention to a business, commodity, service, activity or entertainment not necessarily conducted, sold or offered upon the premises where such a sign is located.

Sign, Business -- A sign which directs attention to a business or profession or a commodity, service, or entertainment sold or offered upon the premises where such a sign is located.

Sign, Flashing -- Any illuminated sign on which such illumination is not kept stationary or constant in intensity and color at all times when such sign is in use.

Sign, Illuminated -- Any sign which has characters, letters, figures, designs, or outlines illuminated by electric lights or luminous tubes as a part of the sign.

Sign, Nameplate -- Any sign which states the name or address or both of the business or occupancy of the lot where the sign is placed.

Sign, Rotating -- A sign which revolves or rotates on its axis by mechanical means.

Sign, Surface Area of -- The entire area within a single continuous perimeter enclosing the extreme limits of the actual sign surface, not including any structural elements outside the limits of such sign and not forming an integral part of the display. Only one side of a double-face or V-type sign structure shall be used in computing total surface area.

Story -- That portion of the building included between the surface of any floor and the surface of the next floor above it, or, if there is no floor above it, the space between the floor and the ceiling next above it.

Story, Half -- A story with at least two, opposite exterior sides meeting a sloping roof not more than two feet above the floor of such story.

Street Line -- The right-of-way line of a street.

Structure -- Anything constructed or erected, the use of which requires location on the ground or attachment to something having a location on the ground.

Structural Alteration -- Any change or addition to the supporting members of a building such as bearing walls, columns, beams or girders.

Subdivision -- A described tract of land which is to be or has been divided into two (2) or more lots or parcels, any of which resultant parcels is less than two and one-half (2 1/2) acres in area and one hundred fifty (150) feet in width, for the purpose of transfer of ownership or building development, or if a new street is involved, any division of a parcel of land. The term includes resubdivision, and, where it is appropriate to the context, relates either to the process of subdivision or to the land subdivided.

Use -- The purpose for which land or premises or a building thereon is designated, arranged or intended, or for which it is or may be occupied or maintained.

Use, Accessory -- A use clearly incidental or accessory to the principal use of a lot or building located on the same lot as the accessory use, but not including commercial uses in the R-1 or R-2 zones.

Use, Principal -- The main use of land or buildings as distinguished from subordinate or accessory uses. A principal use may be either permitted or conditional.

Variance -- A modification or variation of the provisions of this chapter, as applied to a specific piece of property, except that modification in the allowable uses within a district shall not be considered a variance.

Yard -- A space on the same lot with a building open and unobstructed from the ground to the sky, except for fences five (5) feet or less in height, and trees and shrubs.

Yard, Front -- A yard extending across the front of the lot between the side yard lines and lying between the center line of the road or highway and the nearest line of the building.

Yard, Rear -- An open space unoccupied except for accessory buildings on the same lot with a building between the rear lines of the building and the rear line of the lot, for the full width of the lot. In the case of a corner lot, there is no rear yard.

Yard, Side -- An open, unoccupied space on the lot with a building between the building and the side line of the lot.

19.03 ZONING DISTRICTS

Subdivision 1. Establishment of Districts

For the purpose of this chapter, the City is divided into the following districts:

- R-1 ~~Permanent Residence~~Residential District
- RCN Resort/Commercial Neighborhood
- ~~R-2 Multiple Family Residential District~~
- Downtown Districts
 - DW Core Downtown Waterfront District
 - H61 Highway 61 Corridor District
 - MU Commercial-Residential Mixed Use District
- C/I Service Commercial - Industrial District
- COM Communications District
- PR Protected Resources
- PARK Public Parkland
- RC Recreation/Commercial
- SC Community Services
- BDA Business Development Area
- ~~RCN Resort/Commercial Neighborhood~~

19.04 R-1 ~~PERMANENT RESIDENTIAL~~CE DISTRICT

Subdivision 1. Purpose

The R-1 ~~Permanent~~Residential~~ce~~ District is intended to provide a healthy, safe and attractive residential environment, protect property values and the environment and ~~provide~~offer ~~a mix of residential options~~broad variety of housing types that meet people’s lifecycle and affordability needs, both ~~year-round and seasonal~~and year around.

Subdivision 2. Permitted Principal Uses

Within an R-1 District, unless otherwise provided by this chapter, no uses are permitted except the following:

1. ~~One and two~~ family ~~attached dwellings, including mobile/manufactured homes~~ (Derivation: Council Action July 28, 1982), including manufactured and modular house construction types.
2. Two family dwelling.
3. Small apartment dwelling.
4. Large apartment dwelling.
5. Attached rowhouse or townhouse dwelling.
6. Cottage courtyard development.
- ~~27.~~ Parks and recreational areas owned or operated by governmental agencies.
- ~~38.~~ Public elementary or high schools, or private schools with an equivalent curriculum.

~~49. Churches, parish homes, convents, children's nurseries and schools, provided that no building shall be located within fifty (50) feet of any abutting lot in any residential district.~~

~~5. Accessory uses.~~

Subdivision 3. Principal Uses by Conditional Use Permit

Buildings or land may be used for the following if granted a Conditional Use Permit as provided in Section 19.17:

~~1. Rental of rooms for three to eight unrelated persons on a premises on a monthly or longer basis.~~

~~21. ManufacturedMobile home park developments, subject to the regulations use specific standards as established in Section 19.1413 (6), Subdivision 13, General Regulations: Mobile Home Park Requirements.~~

~~3. Home occupations as defined in Section 19.02, Subdivision 2. (Derivation: Council Action, April 16, 1979).~~

~~4. Apartment buildings and multiple dwelling units, townhouse developments and row houses.~~

~~52. Planned Unit Developments.~~

Subdivision 4. Permitted Accessory Uses

~~1. Accessory building.~~

~~2. Accessory dwelling unit.~~

Subdivision 5. Conditional Accessory Uses

~~1. Home occupation.~~

Subdivision 46. Height, Yard Setbacks, Lot Area and Coverage Requirements

~~1. R-1 lot dimension standards shall be as established in Table 19.05A.~~

~~2. R-1 building and yard dimension standards are established as follows.~~

~~A. Building height – maximum of 35 ft., with the following exceptions:~~

~~Height, yard setbacks, lot area and coverage requirements shall be as stated in Section 19.13, District Provisions and Dimensional Requirements.~~

~~i. Cottage courtyard development structures - 20 ft.~~

~~B. Front yard setback - minimum of 25 ft., or if two or more lots on the same block face have dwellings, the minimum setback shall be the setback of the dwelling closest to the street and the maximum setback shall be the setback of the dwelling farthest from the street.~~

~~C. Side yard setback - minimum of 5 ft., with the following exceptions:~~

~~i. Attached rowhouse or townhouse dwellings – zero between dwellings and 10 ft. minimum on each side of the attached residential building.~~

~~ii. Small and large apartment dwellings – minimum of 10 ft.~~

- D. Rear yard setback – minimum of 25 ft.
- E. Corner yard setback – minimum of 25 ft., or if two or more lots on the same block face have dwellings, the minimum setback shall be the setback of the dwelling closest to the street and the maximum setback shall be the setback of the dwelling farthest from the street
- F. Setback from abutting residential property – minimum of 50 ft. for churches, parish homes, convents, children’s nurseries and schools

Subdivision 57. General Requirements

Additional regulations applicable in the R-1 District are set forth in Section 19.14, General Regulations.

19.05 ~~R-2~~RCN RESORT/COMMERCIAL NEIGHBORHOOD MULTIPLE FAMILY RESIDENTIAL DISTRICT

~~Subdivision 1. Purpose~~

~~The R-2 Multiple Family Residential District is intended to provide areas suitable for the location of apartment buildings, row housing, and the like, which maintain density and space standards that will ensure a wholesome living environment and which effectively relate to the comprehensive plan for community development.~~

~~Subdivision 2. Permitted Principal Uses~~

~~Within an R-2 District, unless otherwise provided by this chapter, no uses are permitted except the following:~~

- ~~1. One and two family attached dwellings, including mobile/manufactured homes.~~
- ~~2. Parks and recreational areas owned by governmental agencies.~~
- ~~3. Public elementary or high schools, or private schools with an equivalent curriculum.~~
- ~~4. Churches, parish homes, convents, children's nurseries and schools, provided that no building shall be located within fifty (50) feet of any abutting lot in any residential district.~~
- ~~5. Accessory uses.~~

~~Subdivision 3. Uses by Conditional Use Permit~~

~~Buildings or land may be used for the following if granted a Conditional Use Permit as provided in Section 19.17:~~

- ~~1. Apartment Buildings and multiple dwelling units, townhouse developments and row houses.~~
- ~~2. Planned Unit Developments.~~
- ~~3. Home occupations as defined in 19.02, Subdivision 2.~~

~~Subdivision 4. Height, Yard Setbacks and Lot Area and Coverage Requirements~~

~~Height, yard setbacks and lot area and coverage requirements shall be as stated in Section 19.13, District Provisions and Dimensional Requirements.~~

~~Subdivision 5. General Requirements~~

~~Additional regulations applicable in the R-2 District are set forth in Section 19.14, General Regulations.~~

Subdivision 1. Purpose

The RCN District is intended to provide for a mix of residential broad variety of housing types, low intensity commercial, and governmental uses. It is further specifically intended that the district's internal development be of a residential scale and appearance comparable-complimentary with the surrounding residential area. The purpose and intent of the resort/commercial neighborhood district is to permit the

designation of suitable locations for small scale low intensity resort/commercial facilities within or adjacent to areas or neighborhoods which are essentially residential in nature.

Subdivision 2. Permitted Principal Uses

Within an RCN District, unless otherwise provided by this chapter, no uses are permitted except the following:

1. One ~~and two~~-family ~~attached~~ dwellings, ~~including mobile/manufactured homes.~~
2. Two family dwelling.
3. Small apartment dwelling.
4. Large apartment dwelling.
5. Attached rowhouse or townhouse dwelling.
6. Cottage courtyard development.
- ~~72.~~ Parks and recreational areas owned or operated by governmental agencies.
- ~~3.~~ ~~Accessory uses.~~

Subdivision 3. Uses by Conditional Use Permit

Buildings or land may be used for the following if granted a Conditional Use Permit as provided in Section 19.17:

1. Lodging.
2. Bed and ~~B~~breakfast homes.
3. Manufactured home park development, subject to the regulations as established in Section 19.13 (6).
- ~~34.~~ Government building, ~~provided that no building shall be located within fifty (50) feet of any abutting lot in any residential district.~~
- ~~4.~~ Home occupations as defined in Section 19.02m Subdivision 2.
- ~~55.~~ Self-service laundromats ~~and car washes.~~
- ~~66.~~ ~~Apartment buildings and multiple dwelling units.~~
- ~~7~~Planned unit developments.
- ~~78.~~ Churches, parish homes, convents, children's nurseries and schools, ~~provided that no building shall be located within fifty (50) feet of any abutting lot in any residential district.~~

Subdivision 4. Permitted Accessory Uses

1. Accessory building.
2. Accessory dwelling unit.

Subdivision 5. Conditional Accessory Uses

1. Home occupation.

Subdivision 46. Height, Yard Setbacks and Lot Area and Coverage Requirements

~~Height, yard setbacks and lot area and coverage requirements shall be as stated in Section 19.13, District provisions and Dimensional Requirements.~~

1. RCN lot dimension standards shall be as established in Table 19.05A.
2. RCN building and yard dimension standards are established as follows.
 - A. Building height – maximum of 35ft., with the following exceptions:
 - i. Cottage courtyard development structures - 20 ft.
 - B. Front yard setback – minimum of 25 ft. or if two or more lots on the same block face have dwellings, the minimum setback shall be the setback of the dwelling closest to the street and the maximum setback shall be the setback of the dwelling farthest from the street.
 - C. Side yard setback – minimum of 5 ft., with the following exceptions:
 - i. Attached rowhouse or townhouse dwellings – zero between dwellings and 10 ft. minimum on each side of the attached residential building.
 - ii. Small and large apartment dwellings – minimum of 10 ft.
 - D. Rear yard setback – minimum of 25 ft.
 - ~~A-E.~~ Corner yard setback – minimum of 25 ft., or if two or more lots on the same block face have dwellings, the minimum setback shall be the setback of the dwelling closest to the street and the maximum setback shall be the setback of the dwelling farthest from the street.
 - F. Setback from abutting residential property – minimum of 50 ft. for government buildings, churches, parish homes, convents, children’s nurseries and schools

Subdivision 57. General Regulation

Additional regulations applicable in the RCN District are set forth in Section 19.14, General Regulations.

19.05A LOT DIMENSION STANDARDS FOR RESIDENTIAL DISTRICTS (R-1, RCN)

	<u>Lot Area, Minimum (sq. ft.) <i>Connected to city sewer</i></u>	<u>Lot Area, Minimum (sq. ft.) <i>Not connected to city sewer</i></u>	<u>Lot Width, Minimum (ft.) <i>Connected to city sewer</i></u>	<u>Lot Width, Minimum (ft.) <i>Not connected to city sewer</i></u>	<u>Lot Coverage, Maximum</u>
<u>One family dwelling, including manufactured and modular house construction types</u>	<u>4,000</u>	<u>1.61 acres</u>	<u>40</u>	<u>200</u>	<u>50%</u>
<u>Two family dwelling</u>	<u>5,000</u>	<u>1.61 acres</u>	<u>40</u>	<u>200</u>	<u>50%</u>
<u>Small apartment dwelling (3 to 6 units)</u>	<u>5,000 or 1,250 per unit, whichever is greater</u>	<u>1.61 acres</u>	<u>50</u>	<u>200</u>	<u>50%</u>
<u>Large apartment dwelling (7 or more units)</u>	<u>10,000 or 1,000 per unit, whichever is greater</u>	<u>1.61 acres</u>	<u>75</u>	<u>200</u>	<u>50%</u>
<u>Rowhouse or townhouse dwelling (up to 8 units)</u>	<u>2,400</u>	<u>1.61 acres</u>	<u>18</u>	<u>200</u>	<u>50%</u>
<u>Cottage courtyard development (3 to 10 units)</u>	<u>10,000</u>	<u>1.61 acres</u>	<u>100</u>	<u>200</u>	<u>50%</u>
<u>Manufactured home park development (minimum of 3 units)</u>	<u>10,000</u>	<u>1.61 acres</u>	<u>100</u>	<u>200</u>	<u>50%</u>
<u>All other uses</u>	<u>10,000</u>	<u>1.61 acres</u>	<u>75</u>	<u>200</u>	<u>50%</u>

19.06 DOWNTOWN DISTRICTS

19.06.10 DW CORE DOWNTOWN WATERFRONT DISTRICT

Subdivision 3. Uses by Conditional Use Permit

Buildings and land may be used for the following if granted a Conditional Use Permit as provided in Section 19.17:

Conditional Uses:

1. Residential above the first floor
2. Three-story buildings
3. Structures over 10,000 square feet
4. Improvements to and restoration of existing ~~single and multiple family~~ dwellings as regulated in Section 19.04, R-1 Residence District (Ord. 2003-03)
5. Any water dependent industrial or water dependent transportation use; provided that the Planning Commission finds that the proposed use is advantageously served in this location through the direct access to water transportation for receipt or shipment of supplies, goods, or commodities.
6. Docks, wharfs, and other facilities used in connection with water transportation, navigation, or industrial uses.
7. Lodging on the first floor.

Subdivision 4. Heights, Yard Setbacks and Lot Coverage Requirements

The height, yard setbacks and lot coverage requirements shall be those stated in Section 19.13^A, District Provisions and Dimensional Requirements.

19.06.20 H61 HIGHWAY 61 CORRIDOR DISTRICT

Subdivision 4. Heights, Yard Setbacks and Lot Coverage Requirements

The height, yard setbacks and lot coverage requirements shall be those stated in Section 19.13^A, District Provisions and Dimensional Requirements.

19.06.30 MU COMMERCIAL-RESIDENTIAL MIXED USE DISTRICT

Subdivision 1. Purpose

The Commercial-Residential Mixed Use district can be characterized as a transition zone from the downtown and Highway 61 commercial areas to the residential parts of Grand Marais, and an expansion area for the downtown commercial uses. The MU district is intended to ~~Promote~~ promote the current character of a neighborhood that includes a mix of residential, lodging, professional and small scale retail uses that are compatible with this character. Site design standards for new development, re-development and expansion should reflect the mixed use character and reflect the current lot coverage and setback characteristics found within the concept area.

Subdivision 2. Permitted Principal Uses

Within the MU District, unless otherwise provided by this chapter, no uses are permitted except the following:

Permitted uses:

1. ~~Single-One~~ family ~~residence~~dwelling.
2. ~~Multi family residence (2-4 units)~~Two family dwelling.
3. ~~Small apartment~~ dwelling.
4. ~~Large apartment~~ dwelling.
5. ~~Attached rowhouse or townhouse~~ dwelling.
- ~~2-6.~~ ~~Cottage courtyard~~ development.
- ~~3-7.~~ Services, excluding auto oriented services.
- ~~4-8.~~ Arts and cultural ~~uses.~~
- ~~5-9.~~ Retail.
- ~~6-10.~~ Bed and breakfasts, (subject to regulations in 19.13 ~~subd. 6, 2-(1).~~

Subdivision 3. Uses by Conditional Use Permit

Buildings and land may be used for the following if granted a Conditional Use Permit as provided in Section 19.17:

1. Small scale lodging (10 units or less).
- ~~2. Multi family residence (5-10 units)~~
- ~~3-2.~~ Building height of 35 feet when no significant impact to views and improved design.
- ~~4-3.~~ Deviation from rear and side-yard setbacks may be allowed after evaluating impacts on public safety, neighboring properties, parking and a storm water management plan is put in place.

Subdivision 4. Heights, Yard Setbacks and Lot Coverage Requirements

The height, yard setbacks and lot coverage requirements shall be those stated in Section 19.13 ~~A~~, District Provisions and Dimensional Requirements.

19.07 C/I SERVICE COMMERCIAL-INDUSTRIAL DISTRICT

Subdivision 3. Uses by Conditional Use Permit

Buildings or land may be used for the following if granted a Conditional Use Permit as provided in Section 19.17:

1. Improvements to existing ~~single and multiple family~~ dwellings as regulated in Section 19.04, R-1 Residential ~~alee~~ District.
2. Light manufacturing and processing operations, excluding sawmill operations.
3. ~~Single-One~~ family dwellings.
4. Enclosed warehousing structures.

Subdivision 4. Heights, Yard Setbacks and Lot Coverage Requirements

The height, yard setbacks and lot coverage requirements shall be those stated in Section 19.13 ~~A~~, District Provisions and Dimensional Requirements.

19.08 PR PROTECTED RESOURCES

Subdivision 4. Height, Yard Setbacks and Lot Coverage

The height, yard setbacks, and lot coverage requirement for the PR District shall be those stated in Section 19.13 A District Provisions and Dimensional Requirements.

19.09 PARK PUBLIC PARKLAND

Subdivision 4. Height, Yard Setbacks and Lot Coverage Requirement

The height, yard setbacks, and lot coverage requirement for the PARK District shall be those stated in Section 19.13 A District Provisions and Dimensional Requirements.

19.10 RC RECREATIONAL/COMMERCIAL

Subdivision 4. Height, Yard Setbacks and Lot Coverage Requirements

The height, yard setbacks, and lot coverage requirement for the RC District shall be those stated in Section 19.13 A District Provisions and Dimensional Requirements.

19.11 SC COMMUNITY/SERVICES

Subdivision 4. Height, Yard Setbacks and Lot Coverage Requirements

The height, yard setbacks, and lot coverage requirement for the SC District shall be those stated in Section 19.13 A District Provisions and Dimensional Requirements.

19.12 BDA BUSINESS DEVELOPMENT AREA

Subdivision 5. Performance Standards

1. All required setback areas shall be left in natural vegetation to provide for visual screening from adjacent properties and roadways. Additional planting may be required at the discretion of the Planning Commission to achieve visual screening. No parking areas, service yards, storage areas, lighting or structures are permitted within the required setback areas.
2. Lighting shall not be placed in the required setback areas. Any lighting must be directed inward and not toward any property line. No upward directed lighting shall be permitted.
3. Noise, measured at the property line, shall not be objectionable in frequency or intensity. The general noise level of the surrounding properties shall serve as a guide in judging this standard.
4. Odor from any industrial process must not be discernible at it's property line. Processes that are prone to produce objectionable odors must present specific plans for odor control at the time of permit application.
5. Vibration shall not be discernible to human sense of feeling at it's property line.

6. Smoke shall be measured at the point of emission and not exceed 20 percent visual opacity.
7. Fumes or gases shall not be emitted at any point in concentrations that are noxious, toxic or corrosive.
8. Every operation shall be carried on with reasonable precautions against fire and explosive hazards.

~~Subdivision 6.19.13~~ ~~Performance Standards~~ USE SPECIFIC STANDARDS

~~The following controls shall be satisfied when new construction, change of use or other activity requiring a land use permit takes place in the Resort/Commercial Neighborhood (RCN). The following uses are required to satisfy specific standards with a proposed new construction, change of use or other activity in order to gain approval of a land use permit. These standards are applicable in all districts where the subject use is permitted or requires a conditional use permit.~~

1. Bed and ~~B~~breakfast ~~H~~omes
 - A. A maximum of five (5) bedrooms may be rented with a maximum occupancy of ten (10) persons at one time.
 - B. Off-street parking shall be provided with a minimum of one space per guest room and one space for the operator.
 - C. Bed and breakfast facilities shall meet lot size and all setback requirements for the zone district in which they are located.
 - D. Signs shall be limited to a maximum size of six (6) square feet.
 - E. The owner or manager shall be in residence when rooms are being rented by paying guests.
 - F. The facility shall not be used for commercial, receptions, parties, etc. for other than overnight guests.
 - G. A license is required from the State of Minnesota.
 - H. If ownership is transferred, an amended conditional use permit must be applied for by the new owner within 60 days of the change of ownership. The conditional use permit will terminate if the amended permit is not requested within 60 days.
 - I. Lighting shall not be placed in required setback areas and must be directed inward and not toward any property line. No upward directed lighting shall be permitted. All lighting on premises must be directed inward and not create glare on adjacent properties.

~~2. — Government Buildings~~

~~A. — Setback from residential property: 50 feet.~~

~~B. — Signs:~~

~~1. — One sign not to exceed 24 square feet shall be allowed.~~

~~2. — No internally illuminated signs shall be allowed.~~

- ~~3. Free standing signs shall not exceed ten feet in height.~~
- ~~4. Signs shall be setback at least five feet from the street right of way.~~
- ~~5. No roof signs shall be allowed.~~

~~3.2. Self-service laundromats and car washes~~

A. Lighting:

Lighting shall not be placed in required setback areas and must be directed inward and not toward any property line. No upward directed lighting shall be permitted. All lighting on premises must be directed inward and not create glare on adjacent properties.

~~B. Signs:~~

- ~~1. One sign not to exceed 32 square feet shall be allowed.~~
- ~~2. No internally illuminated signs shall be allowed.~~
- ~~3. Free standing signs shall not exceed ten feet in height.~~
- ~~4. Signs shall be setback at least five feet from the street right of way.~~
- ~~5. No roof signs shall be allowed.~~

~~4.3. Churches~~

A. Lighting:

Lighting shall not be placed in required setback areas and must be directed inward and toward any property line. No upward directed lighting shall be permitted. All lighting on premises must be directed inward and not create glare on adjacent properties.

~~B. Signs:~~

- ~~1. One sign not to exceed 32 square feet shall be allowed.~~
- ~~2. No internally illuminated signs shall be allowed.~~
- ~~3. Free standing signs shall not exceed ten feet in height.~~
- ~~4. Signs shall be setback at least five feet from the street right of way.~~
- ~~5. No roof signs shall be allowed.~~

4. Manufactured home.

~~4.A. Manufactured homes shall be built in conformity with the Manufactured Home Building Code [Minnesota Statutes 327.31 to 327.364].~~

~~2. Foundations. All such homes shall be constructed or placed upon either a concrete block or treated wood foundation with concrete footings.~~

~~3. Minimum Width. The minimum width of the main portion of the structure shall not be less than seventeen (17) feet, as measured across the narrowest portion.~~

~~4. Roofs. The pitch of the main roof shall not be less than three (3) feet of rise for each twelve (12) feet of horizontal run; flat or shed roofs are not permitted. The roof shall be covered with shingles or tiles customarily used for conventional dwellings and have eaves of not less than six (6) inches.~~

~~5. Siding Materials. The home shall have exterior siding of a conventional dwelling type material. Any metal siding must have horizontal edges and overlap in sections no wider than twelve (12) inches. Sheet metal siding is not permitted. The exterior siding shall extend to the ground, except that when a concrete foundation is used the siding need not extend below the top of the foundation.~~

~~6. Variance. Manufactured homes which vary from these requirements may be permitted in residential zoning districts when authorized by a conditional use permit, granted by the City Council. Before any such permit is granted the City Council shall find as a fact that the value~~

~~of the adjacent properties will not be diminished by the placement of the manufactured home. The conditional use permit shall state any conditions which may be set by the City Council.~~

~~7. Violation. Violation of this ordinance will be a misdemeanor.~~

~~8. Non-Conforming Uses. The present owner of a non-conforming manufactured/mobile home may continue to own it and may maintain his/her manufactured/mobile home upon the property owned by him/her for as long as the dwelling is habitable and able to be maintained in a state of reasonable repair. This shall be determined by the City Council. In the event the present owner shall sell the property, the non-conforming home must be brought into compliance with this ordinance or else the home shall not be permitted on the premises. (Derivation: Council Action December 14, 1988)~~

5. Attached rowhouse or townhouse dwelling.

A. Each dwelling with street frontage shall have a principal entrance facing the front property line and street.

B. Access to off-street parking shall be from an alley.

6. Large apartment dwelling.

A. Exterior waste and recycling facilities shall be located in the rear yard and screened with a fence.

B. Surface parking areas shall be screened from adjacent residential lots with landscaping or fencing.

C. A building more than 50 feet in width should be divided into increments of no more than 48 feet through articulation of the façade. This could be achieved through the combinations of the following techniques:

- i. Divisions or breaks in materials
- ii. Window bays
- iii. Separate entrances and entry treatments
- iv. Use of architectural details such as parapets

5. Cottage courtyard development.

A. Minimum distance between dwelling units shall be 10 ft.

B. Each cottage courtyard development shall provide a shared courtyard which is centrally located, allowing each dwelling unit to be located adjacent to the shared courtyard. Minimum width and depth of the shared courtyard shall be 20 ft.

C. Each dwelling with street frontage shall have a principal entrance facing the front property line and street. Each dwelling that does not have street frontage shall have a principal entrance facing the shared courtyard.

D. Pedestrian paths shall be provided to ensure pedestrian access from each individual dwelling unit to the front property line and street.

E. All parking shall be provided in a shared parking area in the rear yard that accommodates a minimum of one off-street parking space per dwelling unit.

4-6. Manufactured home park development.

~~1. Minimum Density and Area Open Space Requirements: Lot areas and density as hereby established shall be considered the minimum requirements within a mobile home park.~~

~~1. Minimum area requirements for a mobile home park shall be five (5) acres and shall not be less than one hundred fifty (150) feet in width.~~

~~2.~~ A minimum of five hundred (500) square feet per mobile home shall be provided for definable play areas and open space within the mobile-manufactured home park. Such areas of open space and/or play areas shall not be areas included within any setback nor shall they include any areas of less than twenty (20) feet in length or width.

~~3. Minimum lot area per unit shall be five thousand (5,000) square feet, excluding private drives, parking spaces and street rights of way.~~

~~2.~~ Lot Coverage and Setback Requirements:

~~1. Maximum lot coverage for mobile home parks shall be twenty five (25) percent.~~

~~2.~~ Minimum distance between units shall be not less than twenty (20) feet, or the sum of the heights of the two units, whichever is greater; the point of measurement being a straight line between the closest point of the units being measured.

~~3.~~ When a mobile-manufactured home park abuts a single family residential use area, there shall be a minimum setback on that side of fifty (50) feet between the street right-of-way line and any mobile-manufactured home park use; which setback area shall act as buffer zone and shall be landscaped according to a landscape plan, to be submitted at the time of application - such plan shall show the type of planting material, size, and planting schedule.

~~4. Street access shall not be permitted into or upon minor single family residential area streets.~~

~~3.~~ General Internal Park Development Requirements:

~~1.~~ There shall be a minimum front yard setback from the mobile-manufactured home unit to the internal private street line of fifteen (15) feet.

~~2.~~ The mobile-manufactured home stand shall be at such elevation, distance and angle relative to the street and driveway that placement and removal of the mobile-manufactured home with a car, tow truck, or other customary moving equipment is practical. The mobile-manufactured home stand shall have a longitudinal grade of less than four (4) percent and transverse crown or grade to provide adequate surface drainage. The manufactured home stand shall be compacted and surfaced with a material which will prevent the growth of vegetation while supporting the maximum anticipated loads during all seasons.

~~3.~~ The entire mobile-manufactured home park shall be landscaped (excluding hard surfaced areas) and there shall be planted, or otherwise located, one shade tree with a minimum diameter of two (2) inches placed and maintained near each unit pad.

All utilities supplied by the mobile-manufactured home park shall be underground - this shall include sanitary sewer, municipal water and electricity - when piped fuel and/or gas is provided by the mobile-manufactured home park to each mobile-manufactured home stand, such service shall also be located underground.

~~4. Enclosed storage lockers when provided shall be located either adjacent to the mobile home in a mobile home park or at such other place in the park as to be convenient to the unit for which it is provided. Storage of large items such as boats, boat trailers, etc., shall not be accomplished at the site of the mobile home unit, but rather shall be provided in a separate screened area of the park.~~

~~4.~~ Parking and Internal Private Street Requirements:

~~1. Parking:~~

~~1. Off street parking areas shall be surfaced in accordance with the street surface standards below.~~

~~2. All required off street parking space shall be located not further than two (200) feet from the unit or units for which they are designed.~~

~~3. A minimum of one and one fourth (1 1/4) spaces of parking must be provided for each mobile home unit space provided within the park. The one unit space for occupant use must be within the distance from the unit established above. The remaining spaces equivalent to one fourth (1/4) spaces must be in group compounds at an appropriate location within the park.~~

~~1. Streets:~~

~~1.i.~~ Streets shall be of sufficient width so as to permit ease of access to the mobile manufactured home parking stands units and the placement and removal of mobile-manufactured homes without causing damage to or otherwise jeopardizing the safety of any occupants or mobile-manufactured homes in the park.

~~1.ii.~~ Streets shall have a minimum width so as to permit two (2) moving lanes of traffic. Minimum laneed width shall be ten (10) feet.

~~1.iii.~~ Public access to a mobile-manufactured home park shall be so designed as to permit a minimum number of ingress and egress points to control traffic movement, and to keep undesirable traffic out of the park.

~~1.iv.~~ Streets shall be graded to their full width to provide proper grades for pavements and sidewalks to have adequate surface drainage to the storm sewer system. The improvements shall extend continuously from existing improved streets to provide access to each lot-unit and to provide connections to existing or future streets at the boundaries of the mobile-manufactured home park.

~~1.v.~~ Streets and parking areas shall be surfaced for all weather travel with not less than, four (4) inches of crushed stone, gravel, or other suitable base material topped with not less than one and one-half (1-1/2) inches of bituminous concrete, or four (4) inches of Portland cement concrete. The surface shall be limited at the edge by a Portland cement curb not less than four (4) inches high.

~~1. Storage: Enclosed storage lockers when provided shall be located either adjacent to the mobile home in a mobile home park or at such other place in the park as to be convenient to the unit for which it is provided. Storage of large items such as boats, boat trailers, etc., shall not be accomplished at the site of the mobile home unit, but rather shall be provided in a separate screened area of the park.~~

~~2.~~ Registration:

~~1.~~ It shall be the duty of the operator of the mobile-manufactured home park to keep a register containing a record of all mobile-manufactured home owners and occupants located within the park. The register shall contain the following information:

~~1.a.~~ The name and address of each mobile-manufactured home occupant.

~~1.b.~~ The name and address of the owner of each mobile-manufactured home.

~~1.c.~~ The make, model, year and license number of each ~~mobile~~ manufactured home.

~~1.d.~~ The state, territory or county issuing such a license.

~~1.e.~~ The date of the arrival and departure of each ~~mobile~~-manufactured home.

~~1.f.~~ The number and type of motor vehicles of residents in the park.

~~1.~~ The park shall keep the register available for inspection at all times by the City and County law enforcement officers, public health officials, and other public officers whose duty necessitates acquisition of the information contained in the register. The register record for each occupant and/or ~~mobile~~ manufactured home registered shall not be destroyed until after a period of three (3) years following the date of departure of the registrant from the park.

~~3.~~ Maintenance: The operator of any ~~mobile~~-manufactured home park, or a duly authorized attendant or caretaker, shall be in charge at all times to keep the ~~mobile~~manufactured home park, its facilities and equipment, in a clean, orderly and sanitary condition. The attendant or caretaker shall be answerable, with said operator for the violation of any provisions of these regulations to which said operator is subject.

7. Accessory dwelling unit (ADU).

A. Shall comply with all requirements for accessory buildings in Section 19.14, Subd. 3, except for the following:

i. A detached ADU shall be located in the rear yard of the lot.

ii. A detached ADU shall have a minimum of five (5) foot side and rear yard setbacks.

iii. A detached ADU shall have a maximum building height of 20 feet or the height of the principal dwelling, whichever is less.

B. Minimum distance between a detached ADU and any other buildings on the same lot of five (5) feet.

C. Maximum size of an ADU may not exceed the total square footage of the principal dwelling or 1,000 square feet, whichever is less. For an ADU incorporated into a detached garage, the garage square footage shall not be included in this calculation.

D. One off-street parking space per ADU shall be provided in addition to the off-street parking required for the principal dwelling.

E. A separate outside entrance is necessary for an attached/internal ADU and the entrance shall be located either on the side or rear of the principal dwelling.

F. An existing accessory structure may not be converted into an ADU if the above requirements are not met.

G. More than one ADU is allowed on the same lot if the above requirements are met.

H. The ADU shall not be sold independently of the principal residential dwelling and may not be a separate tax parcel.

~~1.8.~~ Hotel in commercial districts.

~~1.—Goal~~

~~To establish standards for the development of motels and hotels as permitted uses for commercially zoned property.~~

~~2.—Definitions~~

~~For these purposes, “motel and hotels” will be defined as any lodging facility consisting of more than 10 lodging units. (Rev. Ord. 2016-02-3/30/2016)~~

~~3.—Requirements~~

~~4.A. Minimum lot size: Minimum lot area for any hotel or motel development shall be 12,000 square feet.~~

~~4.B. Density: The total square footage of the inside living space shall not exceed 35% of the total lot area. In determining the amount of inside living space, the space occupied by decks, patios, stoops and steps will not be considered.~~

~~4.C. Minimum setbacks:~~

Side yard if on shoreline:	35 feet.
Side yard if bordering residential zone district:	25 feet.
Rear yard if bordering residential zone district:	25 feet.
Lake Superior:	40 feet from vegetation line.

~~4.D. Minimum lot width: 100 feet.~~

~~4.E. Maximum building height: 30 feet.~~

~~4.F. Open space requirement: At least 30% of the project area must be preserved as open space. In shoreland areas a minimum of 25% of lot frontage, as measured at the building setback line, must be preserved as open space.~~

~~4.G. Any public or private supply of water for domestic purposes must meet or exceed standards for water quality of the Minnesota Department of Health and the Minnesota Pollution Control Agency.~~

~~4.H. The project must be connected to the public sewer system. All new units must utilize water conserving plumbing fixtures and have water meters installed and accessible which serve all sewage generating appliances.~~

~~4.I. Parking and loading requirements: One (1) off-street parking space for each room or unit shall be required. One (1) off-street parking space shall be required for each non-resident employee. For motels or hotels with restaurants and/or bars, one off-street parking space shall be required for each five (5) seats, based on maximum seating capacity. One (1) loading space shall be required for each structure over 20,000 square feet of gross floor area.~~

~~4.J. Application criteria: The application shall provide a detail development plan which shall include the following:~~

~~4.i. The property under consideration, including property boundaries, contours, on-site features, roads, lakes, rivers, and other relevant features.~~

4.ii. Building elevations, location on site, proposed uses, number of units and commercial operations, including a floor plan for all structures.

4.iii. A concept statement describing the project.

4.iv. Parking areas and driveways for both residences and commercial activities, vehicle loading/unloading areas, proposed road entrances, and projected traffic generation of the proposed development.

4.v. Proposed phasing of the final development.

4.vi. Description of how the project will operate after completion.

4.vii. Nature of proposed ownership after completion.

4.viii. Proposed fire protection.

4.ix. Proposed homeowners association agreement, where applicable.

4.x. Detailed landscape plan which shows existing vegetation and proposed alterations and new plantings and landscaping.

4.xi. Open space location and use.

4.xii. Water sources and water supply system plans.

4.xiii. Proposed sewage treatment system plans.

4.xiv. Storm water runoff plans (construction and operation).

4.xv. Erosion control plan for shoreline, where applicable.

4.xvi. Erosion control plan for site (construction and operation).

4.xvii. Evidence of application for appropriate permits, state and federal.

4.xviii. Evidence of availability of necessary public utilities.

4.9. Hotel in RCN district

4.A. Required Setback Areas

A detailed landscaping plan shall be submitted for all the required setback areas to achieve visual screening. No parking areas, service yards, storage areas, lighting or structures are permitted within the required setback areas.

4.B. Lighting

Lighting shall not be placed in required setback areas and must be directed inward and not toward any property line. No upward directed lighting shall be permitted. All lighting on premises must be directed inward and not create glare on adjacent properties.

4.C. Noise

Noise, measured at the property line, shall not be objectionable in frequency or intensity. The general noise level of surrounding properties shall serve as a guide in judging this standard. This ordinance shall adopt by reference, Minnesota Pollution Control Agency Rules, Chapter 7010, Noise Pollution Control Rules.

~~4.D.~~ Minimum Lot Area: 12,000 square feet.

~~4.E.~~ Open Space Requirement

At least 30% of the lot area must be preserved as open space. Open space does not include parking areas.

~~4.F.~~ Density

The total square footage of the rental units shall not exceed 30% of the total lot area.

~~G.~~ Parking

One off-street parking space is required for each rental or living unit. One additional off-street parking space is required for each non-resident employee.

~~4.10.~~ Automobile Service Stations in the H61 Highway 61 Corridor District

~~4.A.~~ Purpose. It is the purpose of this regulation to permit the development of automobile service stations without any repair service in the H61 zone district in a manner that will promote and improve the general health, safety, convenience and welfare of the citizens. The service station parcel must abut Minnesota Trunk Highway 61.

~~4.B.~~ General Requirements:

~~4.i.~~ Minimum required frontage on Highway 61: 100 feet.

~~4.ii.~~ Minimum required setback for gas pumps from any public right-of-way: 25 feet.

~~4.iii.~~ Applicant shall submit a site plan of the proposed development which shall include the following information:

~~4.a.~~ Survey of parcel showing perimeter dimensions of development area.

~~4.b.~~ Location and size of any proposed building(s).

~~4.c.~~ Number and location of gas pumps.

~~4.d.~~ Location of driveway entrances and indication of all paved areas. Curb and gutter shall be provided on all street rights-of-way, except for driveway entrances.

~~4.e.~~ Location, material and size of all buried fuel tanks.

~~4.f.~~ Highway and street rights-of-way.

~~4.iv.~~ Any building shall be designed to be compatible with surrounding land uses. All exterior wall surfaces or buildings shall be of the same or equivalent facing material used on the front of the building. Such surfaces shall be of wood siding, face brick, stone, curtain wall or of a compatible equivalent material. Final building design shall be approved by the City Council prior to the issuance of any building permit, and shall meet the Fire Zone Regulations of Chapter 21.

~~4.v.~~ No automobile repairs shall be made or offered to customers, including, but not limited to, lubrication, oil change, tire repair, battery charge, and replacement of fan belts, hoses and wiper blades. (Derivation: Council Action: May 28, 1986 and June 11, 1986).

~~2. Signs~~

~~1. One sign not to exceed 32 square feet shall be allowed.~~

~~2. No internally illuminated signs shall be allowed.~~

~~3. Free standing signs shall not exceed 10 feet in height.~~

- ~~4. Signs shall be setback at least 5 feet from the street right of way.~~
- ~~5. No roof signs shall be allowed.~~

19.13A TABULATION OF NON-RESIDENTIAL DISTRICT PROVISIONS AND DIMENSIONAL REQUIREMENTS

	DW	H61	MU	C/I	PR	PARK	RC	SC	BDA
1. Height	30 ft	30/35 ft*	30/35 ft†	35 ft	15ft	30 ft	35 ft	35 ft	35 ft
2. Yard Setback (structure only)									
a) Front: Bldg line to right-of-way line	Not required	Not required	Not required	10 ft	25 ft	25 ft	25 ft	25 ft	65 ft‡
b) Side (each side)	Not required	Not required	Not required	15 ft	15 ft	25 ft	20 ft§ 50 ft**	20 ft§ 50 ft**	20 ft§ 50 ft**
c) Rear	Not required	Not required	Not required	20 ft	25 ft	25 ft	20 ft§ 50 ft**	20 ft§ 50 ft**	20 ft§ 50 ft**
d) Corner (2 street exposure)	Not required	Not required	Not required	10 ft Error! Bookmar k not defined.	25 ft Error! Bookmar k not defined.	25 ft**	25 ft**	25 ft**	65 ft Error! Bookmar k not defined.
3. Total Required Lot Area									
a) connected to city sewer	As needed	As needed	As needed	10,000 sq ft	10,000 sq ft	10,000 sq ft	10,000 sq ft	10,000 sq ft	10,000 sq ft
b) not connected to city sewer	As needed	As needed	As needed	1.61 ac.	1.61 ac.	1 ac	1 ac	1 ac	1 ac
4. Width									
a) connected to city sewer	As needed	As needed	As needed	As needed	As needed	75 ft	75 ft	As needed	As needed
b) not connected to city sewer	As needed	As needed	As needed	200 ft	200 ft	200 ft	200 ft	200 ft	200 ft
5. Depth									
a) connected to city sewer	As needed	As needed	As needed	As needed	As needed	120 ft	120 ft	As needed	As needed

* Building height is 30 feet. However, 35 feet may be allowed as a conditional use. The impact on views as a result of the additional 5 feet will be an important consideration.

† Building height is limited to 30 feet, but 35 feet can be allowed as a conditional use if the additional height does not significantly impact views.

‡ From street centerline

§ If non-residential

** If residential

b) not connected to city sewer	As needed	As needed	As needed	N/A	N/A	350 ft	350 ft	350 ft	350 ft
	DW	H61	MU	C/I	PR	PARK	RC	SC	BDA
6. Allowable % lot coverage	N/A	N/A	N/A	50%	10%	10%	25%	25%	N/A
7. Lot area per dwelling	N/A	N/A	N/A	N/A	N/A	N/A	Error! Bookmark not defined.	Error! Bookmark not defined.	N/A
8. Boundary line setback for structures from "R" districts	50 ft	50 ft	50 ft	50 ft	50 ft	50 ft	50 ft	50 ft	50 ft
9. Performance standards	Yes ^{††}	Yes ^{††}	Yes ^{††}	Yes ^{††}	N/A	N/A	N/A	N/A	Yes ^{††}
10. Screening and landscaping	Error! Bookmark not defined. §§	Error! Bookmark not defined. §§	Error! Bookmark not defined.						
11. General Regulations	Section 19.14	Section 19.14	Section 19.14	Section 19.14	Section 19.14	Section 19.14	Section 19.14	Section 19.14	Section 19.14
12. Special district	***	***	***	†††	---	none	none	none	none
13. Minimum building width	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A

^{††} Section 19.07, Subdivision 5

^{††} Section 19.12, Subdivision 5

^{§§} Section 19.07, Subdivision 6

^{***} Lighting and glare; sign overhang - Section 19.06, Subdivision 5.

^{†††} Traffic circulation, Section 19.07, Subdivision 7.

19.14 GENERAL REGULATIONS

Subdivision 2. ~~Erection of more than one principal structure on a lot~~

~~In any district, more than one structure housing a permitted or permissible principal use may be erected on a single lot, provided that yard and other requirements of this chapter shall be met for each structure as though it were on an individual lot.~~

Subdivision 3.—Accessory Buildings

1. In case an accessory building is attached to the main building, it shall be made structurally a part of the main building and shall comply in all respects with the requirements of this chapter applicable to the main building. An accessory building, unless attached to and made a part of the main building, shall not be closer than five (5) feet to the main building.
2. A detached accessory building shall not be located in any required front yard, except where such front yard lies between the building line and the shoreline, in which case such arrangement may be permitted.
3. A detached accessory building not over (1) story and not exceeding twelve (12) feet in height shall occupy not more than thirty (30) percent of the area of any side or rear yard, providing further that no detached accessory building shall be placed nearer than two and one-half (2-1/2) feet from any side or rear lot line, except that a two-stall garage may be used jointly and solely by the families living on two (2) adjacent lots and may be built so as to place one (1) stall on each side or rear lot line, provided that the two (2) stalls are separated by a fire wall.
4. Decks located in the side or rear yard of a lot and under 4' in height are accessory structures and may be located up to 2 1/2' from the side or rear lot line.

Subdivision 43. Height Regulations

Subdivision 54. Yard Regulations

Subdivision 65. Vision Clearance

Subdivision 76. Street Closures

Subdivision 87. Areas Under Water

Subdivision 98. Essential Services

| **Subdivision ~~109~~. Structures to have Access**

| **Subdivision ~~110~~. Sign Regulations**

4. NO SIGN PERMIT REQUIRED

Sign permits are not required for the following:

- a. Campaign signs posted by a bona fide candidate for political office or by a political issue or a political candidate may be placed on private property in any district with the permission of the tenant or owner. No campaign sign shall be posted on public property. Only one campaign sign per street frontage per candidate is allowed. The maximum area for such a sign is 8 square feet. Any one dimension of the sign cannot exceed 4 feet. Such signs may be posted for a period of not more than 30 days before an election and must be removed not more than 10 days after an election. The tenant and the owner of the private property on which the sign is displayed are both responsible for the removal of all such signs.

For the purposes of this provision, a primary election and the following general election held in the same year for the same office shall be considered one election.

- b. Lettering or symbols which are an integral part of the design of a gasoline or other pump utilized in the operation of a service station shall be permitted. The dimensions of such lettering or symbols are to be included in total surface area allowed for the business operated on the premises.
- c. A window sign affixed to or within 12 inches of the interior of a window and not exceeding 20% of the window area.
- d. Signs erected by a government unit.
- e. Memorial signs or tablets containing the name of the building, its use and date of erection when cut or built into the walls of the building and constructed of bronze, brass, stone or marble, or similar substance, in harmony with the exterior appearance of the building.
- f. The flag of any state or nation respectfully displayed.
- g. Advertising signs located on the vehicles of common carriers or motor vehicles bearing current license plates. Such vehicles must either be traveling or be lawfully parked upon the public right-of-way.
- h. Banners, pennants and temporary signs upon private property used for grand openings, special events and holidays, but each such sign must be given approval for a temporary sign permit by the Zoning Administrator and such approval is to be for a period of 30 days or less at the discretion of the Zoning Administrator.
- i. Free standing or portable signs for garage sales or similar events occurring within the corporate limits of the City, not exceeding 4 square feet in sign surface area, erected on private property with permission of the landowner and displayed for not more than 3 days. At least one dimension of the sign must be a minimum of 1 foot. The occupant of

the private property on which the sign is displayed is responsible for the removal of such sign.

- j. Signs denoting the architect, engineer or contractor when placed upon work under construction, provided the total sign area of all such signs does not exceed 12 square feet and provided that the sign is removed upon completion of construction or prior to a date 6 months after the sign is first placed on the property, whichever is earlier.
- k. Signs for the purpose of selling or leasing individual lots or buildings, provided:
 - 1) Such sign shall not exceed 12 square feet in area;
 - 2) Only one such sign is permitted per street frontage upon which the property abuts; and,
 - 3) Such signs shall be removed within 7 days following the lease or sale.
- l. One identification sign identifying an owner or occupant of a building, not exceeding 2 square feet, and the sign shall not contain any advertising information except identifying the occupation of the occupant.

*i. Directional signs, not illuminated and not exceeding 2 square feet, displaying directional information only for community organizations, such as churches, schools, hospitals, nursing homes, clubs, libraries or similar uses, and excluding office or commercial establishments. Only one such sign for each avenue or street directly leading to the establishment shall be allowed.

*ii. Government funding signs that do not exceed 32 square feet in size.

6. SIGNS PERMITTED BY ZONING DISTRICTS

a. Permitted signs in ~~any permanent residence~~ the Residential dD District (R-1) ~~or medium-density multiple dwelling residence district (R-2)~~ may be erected subject to the following provisions:

- 1) An identification sign identifying the owner or occupant of a building or dwelling unit as provided in subsection D.
- 2) A sign with a maximum surface of 4 square feet may be allowed for home occupation or business in lieu of any other identification sign. Such sign may be illuminated in accordance with this Ordinance.
- 3) One on-site identification sign (per street front) not to exceed 24 square feet in surface area, displaying information for churches, schools, hospitals, nursing homes, clubs, libraries, or similar use. Such sign may be illuminated in accordance with this Ordinance.

b. Permitted signs in the Resort/Commercial Neighborhood District (RCN) for hotels, government buildings, churches, and self-service laundromats may be erected subject to the following provisions:

- 1) One sign not to exceed 32 square feet shall be allowed, except a sign for a government building may not exceed 24 square feet.
- 2) No internally illuminated signs shall be allowed.

3) Free standing signs shall not exceed ten feet in height.

4) Signs shall be setback at least five feet from the street right-of-way.

5) No roof signs shall be allowed.

bc. Permitted signs in the Downtown Districts (DW, H61, MU), the service commercial industrial district (C/I), and the business development area district (BDA) may be erected subject to the following provisions:

1) Sign Area:

- a) The total surface area of all business signs for a particular business property shall not exceed 1.5 square feet per lineal foot of lot frontage area, or 50 square feet in area, whichever is greater. Such signs may be illuminated in accordance with this Ordinance.
- b) For Corner lots, the frontage used to determine allowable sign area shall be the least dimension along a street, but an equivalent sign area shall be allowed facing the intersecting street.

2) Wall Signs:

- a) No wall sign, including cutout letters, shall project more than 6 inches from the building wall.
- b) The top edge of a wall sign shall not extend beyond the mid-point of the roof as measured -from peak to the eaves on a peaked roof building or to the top of the facade on a flat roof building.
- c) No wall sign shall extend beyond the end of the wall to which it is attached.
- d) Wall signs painted on a building shall be governed by the square footage limitations specified in Section F.2.a. (1) of this Ordinance.

3) Projecting Signs:

- a) The top edge of a projecting sign shall not be higher than the eave line of a one-story building and the top edge of the sign may not be higher than the bottom of the sills of the first level of windows above the first story in a multiple story building. Such sign shall be a minimum of 8 feet above grade when located adjacent to or projecting over a pedestrian way.
- b) A projecting sign shall not exceed 30 square feet in surface area. Said signs shall be limited to one sign per principal occupant of a building frontage.
- c) Projecting sign shall not be more than 15 feet above grade.
- d) A projecting sign shall not project more than 5 feet from the wall of the building to which it is attached.

4) Freestanding Signs:

- a) Shall not exceed a height of 30 feet above grade.
 - b) The base of the advertising area shall be a minimum of 8 feet above grade when located within 5 feet of a pedestrian way unless the base and pedestal is designed so as to not interfere with pedestrians.
 - c) Shall not exceed 100 square feet of surface area.
 - d) Limited to 1 sign per 100 feet of street frontage or less and to only one sign for any additional street frontage beyond 100 feet. Only one street shall be used in computing this dimension.
- 5) Portable Signs:
- a) There shall be no more than one portable sign per business.
 - b) All portable signs shall be 24 inches wide and 48 inches high. The size of a portable sign shall not be included in the total square footage allowed on other permitted signs.
 - c) Portable signs shall be displayed only during the hours the business is open.
 - d) An annual permit is required for all portable signs. Permits for portable signs shall expire on the last day of each year.
- 6) Window Signs:
- a) No Window sign shall occupy more than 20% of the total area of the window in which the sign is located.
 - b) The surface area of such sign is not to be included in the overall computation of the square footage allowed on other permitted signs.
- 7) Awnings and Canopies:
- a) May be no less than 7.5 feet above grade when overhanging the right-of-way and shall not project beyond two feet inside the curb line.
 - b) Letter or symbols must be painted on or attached flat against the surface of, but not extending beyond or attached to the underside of the canopy or awing.
 - c) Letters or symbols painted on or attached to the canopy or awning shall not exceed 10 inches in height.
 - d) The only sign allowed on awnings or canopies shall be the name of the store, logo, date the business was founded, and the street number. The combined area of such sign shall be counted as part of the total square footage allowed on the permitted signs.
- 8) Roof Signs:
- ~~a)~~ Allowed by conditional use permit only.

~~2-b)~~ Such signs shall not project higher than 5 feet above the height of the building to which it is attached. For a building less than 50' in width the sign shall not extend more than 10% of the building width above the roof.

~~3-c)~~ Height of roof signs shall not exceed 30' above grade.

d) The bottom of roof signs shall be no higher than the height of the roof where attached

9) Graphic Signs:

a) Allowed by conditional use permit only.

~~ed.~~ Permitted signs in the Service-Commercial Industrial Zone District (C/I) may be erected subject to the following provisions:

1) Billboards

a) Billboards shall be limited to one for a lot of 100 foot frontage or less and to only one additional sign for additional lot frontage beyond 100 feet.

b) Billboards shall not be larger than 100 square feet per face.

c) Billboards shall be spaced at least 350 lineal feet from another billboard.

d) Billboards shall not be permitted to be erected within 100 feet of an adjoining residential district boundary line or any public park, school, library, church or government building.

e) The maximum height of all billboards shall not exceed 20 feet above ground.

f) Billboards erected side by side, back to back, or in a V-type construction by one owner shall be deemed to be one sign structure and will be required to have only one permit. Each side of a sign of a sign structure so designed shall be directed toward a different direction of travel, making it impractical to simultaneously view both sides of the structure from any one traffic lane.

g) An annual permit is required for all billboards.

1) An applicant shall submit at the time of application any fee or fees required by ordinances of the City.

2) All applicants will be issued or denied by the Zoning Administrator within 30 days after receipt of the application in the Zoning Office.

3) Request for permit renewals will not be accepted more than 60 calendar days prior to the expiration date of the permit.

4) Permits for billboards shall expire on the last day of each year.

- 5) When a permit is granted for a billboard, the permit holder will be furnished a permit identification number. This number must be affixed by the permit holder to the supporting structure nearest the roadway and in such manner and height so as to be identified from the nearest traffic lane.
- 6) When a permit is revoked or has expired, applications for a permit for that site will be accepted from new applicants only after the billboard of the former permit holder has been completely removed.
- 7) For the purpose of this ordinance, a billboard for which a permit can be issued shall, when erected, be a complete billboard, advertising a product or legend. A billboard painted out, or painted over, or is advertising space for lease and has so existed for one permit period shall not be considered for a permit or renewal. Where there are only posts, a partial structure, company name markers, or no structure at all, a renewal will not be issued.

Subdivision ~~1211~~. Off-Street Parking and Loading-Unloading Space Requirements

1. Parking Space Requirements:

The required parking and loading spaces shall be provided on the premises of each use, except for non-residential uses within the Downtown Districts (DW, H61, MU). Residential uses in the Downtown Districts (DW, H61, MU) must comply with the parking requirements in section 19.02. Each parking space shall contain a minimum area of not less than three hundred (300) square feet, including access drives, and a width of not less than nine (9) feet, and a depth not less than twenty (20) feet. The minimum number of required off-street parking spaces for various uses shall be as follows:

- a. One and two family dwelling - One (1) parking space per unit. No garage shall be converted into living space unless other acceptable on-site parking space is provided.
- b. Apartments - One ~~and one half (1 1/2)~~ parking spaces for each apartment, except housing for the elderly projects, which shall provide three-tenths (.3) parking space for each dwelling unit.
- c. ~~Mobile-Manufactured~~ Home Park - One and one-fourth (1-1/4) parking spaces per ~~mobile-manufactured~~ home ~~berth~~unit. All required off-street parking spaces shall be located not further than two (200) feet from the unit or units for which they are designed. The one unit space for occupant use must be within the distance from the unit established above. The remaining spaces equivalent to one-fourth (1/4) spaces must be in group compounds at an appropriate location within the park.
- d. Lodging - One (1) parking space for each rental room or suite.
- e. Churches - One (1) parking space for each four (4) seats, based on the design capacity of the main seating area.
- f. Elementary School or Junior High School - Two (2) parking spaces for each classroom.
- g. Senior High School - One (1) parking space for each classroom plus one (1) parking space for each ten (10) students, based on design capacity.
- h. Public Administration Buildings, Community Center, Public Library, Museum, Art Galleries, Post Office, and other public service buildings - One (1) parking space for each five hundred (500) square feet of floor area in the principal structure.
- i. Assembly or Exhibition Hall, Armory, Auditorium, Theater or Sports Arena - One (1) parking space for each four (4) seats, based upon design capacity.
- j. Golf Course, Golf Clubhouse, Country Club, Swimming Club, Tennis Club, Public Swimming Pool - Thirty-six (36) spaces, plus one (1) space for each five hundred (500) square feet of floor area in the principal structure.
- k. Hospitals - One (1) parking space for each three (3) beds; convalescent or nursing homes - one (1) parking space for each four (4) beds.

- l. Automobile Service Station - Four (4) parking spaces plus two (2) parking spaces for each service stall. Such parking spaces shall be in addition to gas pump service area.
- m. Drive-in Restaurant - Twenty (20) parking spaces or one (1) space for each twenty (20) square feet of floor area, whichever is greater.
- n. Restaurant, Cafe, Night Club, Tavern or Bar - One (1) parking space for each one hundred (100) square feet of floor area.
- o. Bowling Alley - Ten (10) parking spaces for each bowling lane.
- p. Miniature Golf Course, Archery Range or Golf Driving Range - Ten (10) parking spaces.
- q. Professional Offices, Medical and Dental Clinics and Animal Hospital – Three (3) parking spaces for each five hundred (500) square feet of floor area.
- r. Office Building - Three (3) parking spaces for each five hundred (500) square feet of floor area.
- s. Retail Stores and Service Establishments - One (1) parking space for each two hundred (200) square feet of floor area.
- t. Research, Experimental or Testing Stations - One (1) parking space for each employee on the major shift or one (1) off-street parking space for each five hundred (500) square feet of gross floor area within the building, whichever is the greater.
- u. Auto Sales, Trailer Sales, Marine and Boat Sales, Implement Sales, Garden Supply Store, Building Materials Sales, Auto Repair - One (1) parking space for each five hundred (500) square feet of floor area.
- v. Shopping Center - Where several business uses are grouped together according to a general development plan, on-site automobile parking shall be provided in a ratio of not less than three (3) square feet of gross parking area for each one (1) square foot of gross floor area; separate on-site space shall be provided for loading and unloading.
- w. Storage, Wholesale or Warehouse Establishments - One (1) parking space for each two (2) employees on the major shift or one (1) space for each two thousand (2,000) square feet of floor area, whichever is greater, plus one (1) space for each company motor vehicle when customarily kept on the premises.
- x. Manufacturing or Processing Plant - One (1) off-street parking space for each two (2) employees on the major shift or one (1) off-street parking space for each one thousand (1,000) square feet of gross floor area within the building, whichever is greater, plus one (1) space for all company motor vehicles when customarily kept on the premises.

~~Subdivision 13. Minimum Mobile Home Park Requirements~~

- ~~1. Minimum Density and Area Requirements: Lot areas and density as hereby established shall be considered the minimum requirements within a mobile home park.~~

- a. ~~Minimum area requirements for a mobile home park shall be five (5) acres and shall not be less than one hundred fifty (150) feet in width.~~
 - b. ~~A minimum of five hundred (500) square feet per mobile home shall be provided for definable play areas an open space within the mobile home park. Such areas of open space and/or play areas shall not be areas included within any setback nor shall they include any areas of less than twenty (20) feet in length or width.~~
 - c. ~~Minimum lot area per unit shall be five thousand (5,000) square feet, excluding private drives, parking spaces and street rights of way.~~
2. ~~Lot Coverage and Setback Requirements:~~
- a. ~~Maximum lot coverage for mobile home parks shall be twenty five (25) percent.~~
 - b. ~~Minimum distance between units shall be not less than twenty (20) feet, or the sum of the heights of the two units, whichever is greater; the point of measurement being a straight line between the closest point of the units being measured.~~
 - c. ~~When a mobile home park abuts a single family residential use area, there shall be a minimum setback on that side of fifty (50) feet between the street right of way line and any mobile home park use; which setback area shall act as buffer zone and shall be landscaped according to a landscape plan, to be submitted at the time of application—such plan shall show the type of planting material, size, and planting schedule.~~
 - d. ~~Street access shall not be permitted into or upon minor single family residential area streets.~~
3. ~~General Internal Park Development Requirements:~~
- a. ~~There shall be a minimum front yard setback from the mobile home unit to the street line of fifteen (15) feet.~~
 - b. ~~The mobile home stand shall be at such elevation, distance and angle relative to the street and driveway that placement and removal of the mobile home with a car, tow truck, or other customary moving equipment is practical. The mobile home stand shall have a longitudinal grade of less than four (4) percent and transverse crown or grade to provide adequate surface drainage. The stand shall be compacted and surfaced with a material which will prevent the growth of vegetation while supporting the maximum anticipated loads during all seasons.~~
 - c. ~~The entire mobile home park shall be landscaped (excluding hard surfaced areas) and there shall be planted, or otherwise located, one shade tree with a minimum diameter of two (2) inches placed and maintained near each unit pad.~~
 - d. ~~All utilities supplied by the mobile home park shall be underground—this shall include sanitary sewer, municipal water and electricity—when piped fuel and/or gas is provided by the mobile home park to each mobile home stand, such service shall also be located underground.~~
4. ~~Parking and Street Requirements:~~
- a. ~~Parking:~~

- ~~1. Off street parking areas shall be surfaced in accordance with the street surface standards below.~~
- ~~2. All required off street parking space shall be located not further than two (200) feet from the unit or units for which they are designed.~~
- ~~3. A minimum of one and one fourth (1 1/4) spaces of parking must be provided for each mobile home unit space provided within the park. The one unit space for occupant use must be within the distance from the unit established above. The remaining spaces equivalent to one-fourth (1/4) spaces must be in group compounds at an appropriate location within the park.~~

~~b. Streets:~~

- ~~1. Streets shall be of sufficient width so as to permit ease of access to the mobile home parking stands and the placement and removal of mobile homes without causing damage to or otherwise jeopardizing the safety of any occupants or mobile homes in the park.~~
- ~~2. Streets shall have a minimum width so as to permit two (2) moving lanes of traffic. Minimum land width shall be ten (10) feet.~~
- ~~3. Public access to a mobile home park shall be so designed as to permit a minimum number of ingress and egress points to control traffic movement, and to keep undesirable traffic out of the park.~~
- ~~4. Streets shall be graded to their full width to provide proper grades for pavements and sidewalks to have adequate surface drainage to the storm sewer system. The improvements shall extend continuously from existing improved streets to provide access to each lot and to provide connections to existing or future streets at the boundaries of the mobile home park.~~
- ~~5. Streets and parking areas shall be surfaced for all weather travel with not less than, four (4) inches of crushed stone, gravel, or other suitable base material topped with not less than one and one half (1 1/2) inches of bituminous concrete, or four (4) inches of Portland cement concrete. The surface shall be limited at the edge by a Portland cement curb not less than four (4) inches high.~~

~~5. Storage:~~

~~Enclosed storage lockers when provided shall be located either adjacent to the mobile home in a mobile home park or at such other place in the park as to be convenient to the unit for which it is provided. Storage of large items such as boats, boat trailers, etc., shall not be accomplished at the site of the mobile home unit, but rather shall be provided in a separate screened area of the park.~~

~~6. Registration:~~

- ~~a. It shall be the duty of the operator of the mobile home park to keep a register containing a record of all mobile home owners and occupants located within the park. The register shall contain the following information:~~
 - ~~1. The name and address of each mobile home occupant.~~

- ~~2. The name and address of the owner of each mobile home.~~
- ~~3. The make, model, year and license number of each mobile home.~~
- ~~4. The state, territory or county issuing such a license.~~
- ~~5. The date of the arrival and departure of each mobile home.~~
- ~~6. The number and type of motor vehicles of residents in the park.~~

- ~~b. The park shall keep the register available for inspection at all times by the City and County law enforcement officers, public health officials, and other public officers whose duty necessitates acquisition of the information contained in the register. The register record for each occupant and/or mobile home registered shall not be destroyed until after a period of three (3) years following the date of departure of the registrant from the park.~~

~~7. Maintenance:~~

~~The operator of any mobile home park, or a duly authorized attendant or caretaker, shall be in charge at all times to keep the mobile home park, its facilities and equipment, in a clean, orderly and sanitary condition. The attendant or caretaker shall be answerable, with said operator for the violation of any provisions of these regulations to which said operator is subject.~~

Subdivision 1412. Foundation Requirements

All residential structures shall be constructed or placed on either a concrete ~~block~~ or treated wood foundation with concrete footings. (Derivation: Council Action July 28, 1982).

~~**Subdivision 15. Automobile Service Stations in the H61 Highway 61 Corridor District**~~

- ~~1. Purpose. It is the purpose of this regulation to permit the development of automobile service stations without any repair service in the H61 zone district in a manner that will promote and improve the general health, safety, convenience and welfare of the citizens. The service station parcel must abut Minnesota Trunk Highway 61.~~

~~2. General Requirements:~~

- ~~a. Minimum required frontage on Highway 61: 100 feet.~~
- ~~b. Minimum required setback for gas pumps from any public right of way: 25 feet.~~
- ~~c. Applicant shall submit a site plan of the proposed development which shall include the following information:

 - ~~1. Survey of parcel showing perimeter dimensions of development area.~~
 - ~~2. Location and size of any proposed building(s).~~
 - ~~3. Number and location of gas pumps.~~
 - ~~4. Location of driveway entrances and indication of all paved areas. Curb and gutter shall be provided on all street rights of way, except for driveway entrances.~~
 - ~~5. Location, material and size of all buried fuel tanks.~~
 - ~~6. Highway and street rights of way.~~~~
- ~~d. Any building shall be designed to be compatible with surrounding land uses. All exterior wall surfaces or buildings shall be of the same or equivalent facing material used on the front of the building. Such surfaces shall be of wood siding, face brick, stone, curtain wall or of a compatible equivalent material.~~

~~Final building design shall be approved by the City Council prior to the issuance of any building permit, and shall meet the Fire Zone Regulations of Chapter 21.~~

- ~~e. No automobile repairs shall be made or offered to customers, including, but not limited to, lubrication, oil change, tire repair, battery charge, and replacement of fan belts, hoses and wiper blades. (Derivation: Council Action: May 28, 1986 and June 11, 1986).~~

~~Subdivision 16. Manufactured Housing Regulations~~

- ~~1. Manufactured Homes: Manufactured homes, built in conformity with Minnesota Statutes 327.31 to 327.34, shall be authorized in the R-1 and R-2 Residential Districts if such dwellings comply with the following conditions:~~
 - ~~a. Zoning. Such houses shall comply with all zoning regulations for the zoning district in which they are located.~~
 - ~~b. Permits. A building permit and any other required permits shall be obtained for such manufactured housing.~~
 - ~~c. Foundations. All such homes shall be constructed or placed upon either concrete block or treated wood foundation with concrete footings.~~
 - ~~d. Minimum Width. The minimum width of the main portion of the structure shall not be less than seventeen (17) feet, as measured across the narrowest portion.~~
 - ~~e. Roofs. The pitch of the main roof shall not be less than three (3) feet of rise for each twelve (12) feet of horizontal run; flat or shed roofs are not permitted. The roof shall be covered with shingles or tiles customarily used for conventional dwellings and have eaves of not less than six (6) inches.~~
 - ~~f. Siding Materials. The home shall have exterior siding of a conventional dwelling type material. Any metal siding must have horizontal edges and overlap in sections no wider than twelve (12) inches. Sheet metal siding is not permitted. The exterior siding shall extend to the ground, except that when a concrete foundation is used the siding need not extend below the top of the foundation.~~
 - ~~g. Variance. Manufactured homes which vary from these requirements may be permitted in residential zoning districts when authorized by a conditional use permit, granted by the City Council. Before any such permit is granted the City Council shall find as a fact that the value of the adjacent properties will not be diminished by the placement of the manufactured home. The conditional use permit shall state any conditions which may be set by the City Council.~~
 - ~~h. Violation. Violation of this ordinance will be a misdemeanor.~~
 - ~~i. Non-Conforming Uses. The present owner of a non-conforming manufactured home may continue to own it and may maintain his/her manufactured home upon the property owned by him/her for as long as the dwelling is habitable and able to be maintained in a state of reasonable repair. This shall be determined by the City Council. In the event the present owner shall sell the property, the non-conforming home must be brought into compliance with this ordinance or else the home shall not be permitted on the premises. (Derivation: Council Action December 14, 1988)~~

Subdivision ~~17~~13. Junked Vehicles

2. Residential Property. The parking, storage, repairing, dismantling, demolition or abandonment of junk vehicles is prohibited in the R-1 zoning districts ~~R-1 and R-2~~, except a resident may repair one vehicle registered in the name of the resident upon the property occupied by the resident if the period of repair does not exceed 60 consecutive days.

Subdivision ~~18~~14. Landscape Preservation Standards

Subdivision 15. Runoff and Erosion Control Standards

Subdivision 16. North Shore Management Plan

1. Regulations (for the purpose of this ordinance, all lands within the city limits will be classified as part of the North Shore Management Area).
 - a. North Shore Management Planning Area: All lands between Lake Superior and a line formed by the 40 acre subdivision lines of the rectangular coordinate system established in the U.S. Public Land survey nearest to the landward side of a line 1,000 feet from the shoreline of Lake Superior or 300 feet landward from the centerline of U.S. Highway 61, whichever is greater.
 - b. North Shore Management Areas:
 1. Protected Resources District.
 2. Residential District.
 3. Commercial District.
 4. Resort Commercial District.
 5. Industrial District.
 - c. North Shore Management Areas. Definition, Permitted and Conditional Use.
 1. Protected Resources District.
See Section 19.08 PR, Protected Resources
See Section 19.09 PARK Public Parkland
 2. Residential District.
See Section 19.04 R-1 Permanent Residential
~~See Section 19.05 R-2 Multiple Family Residential~~
See Section 19.11 SC Community/Services

~~Subdivision 21. General Requirements for Motels and Hotels~~

~~A. Goal~~

~~To establish standards for the development of motels and hotels as permitted uses for commercially zoned property.~~

~~B. Definitions~~

~~For these purposes, "motels and hotels" will be defined as any lodging facility consisting of more than 10 lodging units. (Rev. Ord. 2016 02 3/30/2016)~~

~~C. Requirements~~

~~1. Minimum lot size: Minimum lot area for any hotel or motel development shall be 12,000 square feet.~~

~~2. Density: The total square footage of the inside living space shall not exceed 35% of the total lot area. In determining the amount of inside living space, the space occupied by decks, patios, stoops and steps will not be considered.~~

~~3. Minimum setbacks:~~

~~Side yard if on shoreline: 35 feet.~~

~~Side yard if bordering residential zone district: 25 feet.~~

~~Rear yard if bordering residential zone district: 25 feet.~~

~~Lake Superior: 40 feet from vegetation line.~~

~~4. Minimum lot width: 100 feet.~~

~~5. Maximum building height: 30 feet.~~

~~6. Open space requirement: At least 30% of the project area must be preserved as open space. In shoreland areas a minimum of 25% of lot frontage, as measured at the building setback line, must be preserved as open space.~~

~~7. Any public or private supply of water for domestic purposes must meet or exceed standards for water quality of the Minnesota Department of Health and the Minnesota Pollution Control Agency.~~

~~8. The project must be connected to the public sewer system. All new units must utilize water conserving plumbing fixtures and have water meters installed and accessible which serve all sewage generating appliances.~~

~~9. Parking and loading requirements: One (1) off street parking space for each room or unit shall be required. One (1) off street parking space shall be required for each non resident employee. For motels or hotels with restaurants and/or bars, one off street parking space shall be required for each five (5) seats, based on maximum seating capacity. One (1) loading space shall be required for each structure over 20,000 square feet of gross floor area.~~

~~10. Application criteria: The application shall provide a detail development plan which shall include the following:~~

~~a. The property under consideration, including property boundaries, contours, on-site features, roads, lakes, rivers, and other relevant features.~~

- ~~b. Building elevations, location on site, proposed uses, number of units and commercial operations, including a floor plan for all structures.~~
- ~~c. A concept statement describing the project.~~
- ~~d. Parking areas and driveways for both residences and commercial activities, vehicle loading/unloading areas, proposed road entrances, and projected traffic generation of the proposed development.~~
- ~~e. Proposed phasing of the final development.~~
- ~~f. Description of how the project will operate after completion.~~
- ~~g. Nature of proposed ownership after completion.~~
- ~~h. Proposed fire protection.~~
- ~~i. Proposed homeowners association agreement, where applicable.~~
- ~~j. Detailed landscape plan which shows existing vegetation and proposed alterations and new plantings and landscaping.~~
- ~~k. Open space location and use.~~
- ~~l. Water sources and water supply system plans.~~
- ~~m. Proposed sewage treatment system plans.~~
- ~~n. Storm water runoff plans (construction and operation).~~
- ~~o. Erosion control plan for shoreline, where applicable.~~
- ~~p. Erosion control plan for site (construction and operation).~~
- ~~q. Evidence of application for appropriate permits, state and federal.~~
- ~~r. Evidence of availability of necessary public utilities.~~