

Chapter 4

DISTRICT USE REGULATIONS

11-4-1: AG AGRICULTURAL DISTRICT:

A. Purpose And Intent: This district is primarily established to encourage the long term continuation of agricultural and related uses in the city in areas which are both suitable for agriculture and are not planned for urban development. (Ord. B, 9-19-1989)

B. Permitted Uses:

Agriculture, including accessory and related uses.

Commercial greenhouses and landscape nurseries.

Commercial livestock, furbearing animals, and fowl; dairy farming; and commercial horse stables provided:

1. The site shall not be less than twenty (20) acres in size;
2. All structures shall be located a minimum of seventy five feet (75') from all residential property lines.

Essential service facilities.

Keeping of horses, provided:

1. All structures shall be located a minimum of seventy five feet (75') from all residential property lines.
2. Subject to the regulations regarding the care and keeping of horses within the city contained in [title 7, chapter 4](#) of this code.

Single-family detached dwellings, subject to section [11-2-15](#) of this title. (Ord. B, 9-19-1989; amd. Ord. B-153, 4-1-2005)

C. Accessory Uses:

Agricultural product stands.

Gazebos and screened porches.

Home occupations, subject to section [11-2-16](#) of this title.

Private detached garages.

Private outdoor recreation, customarily associated with a residence. Swimming pools shall be subject to section [5-3-1](#) of this code.

Recreation vehicle storage, subject to section [8-2-5](#) of this code.

Roomers, a maximum of two (2) per dwelling unit.

Satellite dishes and solar collectors, subject to section [11-2-12](#) of this title. (Ord. B, 9-19-1989; amd. Ord. B-141, 7-20-2004)

D. Conditional Uses:

AM radio antennas and supporting towers and related accessory structures. This use may be permitted only on properties situated in that part of the city north and east of State Trunk Highway 55.

Cement or concrete production provided the site has an approved mineral extraction permit in compliance with section [11-10-4](#), "Mineral Extraction", and section [11-10-7](#), "Conditional Use Permits", of this title. In addition to these sections, the performance standards outlined in subsection [11-10-4J](#) of this title shall apply.

Commercial outdoor recreation.

Golf courses, including accessory and related uses.

Kennels, provided:

1. The site shall not be less than twenty (20) acres in size.
2. All structures shall be located a minimum of seventy five feet (75') from all residential property lines.
3. Subject to the regulations regarding the care and keeping of animals within the city contained in [title 7, chapter 4](#) of this code.

Mineral extraction, provided the site is east of State Trunk Highway 52 on properties situated within one-half ($\frac{1}{2}$) mile of County State Aid Highway 42.

Public parks, owned and operated by a governmental unit, including recreational facilities and structures consistent with the public area.

Transmission facilities greater than one-fourth ($\frac{1}{4}$) mile in length. (Ord. B, 9-19-1989; amd. Ord. B-132, 8-7-2003; Ord. B-153, 4-1-2005)

E. Uses Permitted By PUD:

None. (Ord. B, 9-19-1989)

F. Minimum Lot Requirements And Setbacks: (See also subsection [11-5-2C](#), "Supplementary Yard Regulations", of this title.)

1. Minimum lot area: 2.5 acres.
2. Minimum lot width: Three hundred feet (300').
3. Minimum front yard setback:
 - a. Principal structure: Fifty feet (50').
 - b. Accessory structure: Fifty feet (50').
 - c. Surface parking, excluding driveways: Fifty feet (50').
4. Minimum side yard setback:
 - a. Principal structure: Thirty feet (30').
 - b. Accessory structure: Thirty feet (30').
 - c. Surface parking, including driveways: Five feet (5').
5. Minimum rear yard setback:
 - a. Principal structure: Thirty feet (30').
 - b. Accessory structure: Thirty feet (30').
 - c. Surface parking, excluding driveways: Five feet (5').
6. Maximum gross density: One dwelling unit/forty (40) acres.
7. Maximum building height:
 - a. Principal structure: Fifty feet (50').
 - b. Accessory structure: Seventy five feet (75'). (Ord. B-96, 12-2-1997)

11-4-2: AG-P AGRICULTURAL PRESERVE DISTRICT:

A. Purpose And Intent: This district is expressly established to allow landowners to comply with

the requirements of the metropolitan area agricultural preserves act, Minnesota statutes, chapter 473H. (Ord. B-96, 12-2-1997)

B. Permitted Uses:

Agriculture, including accessory and related uses.

Commercial livestock, furbearing animals, and fowl; dairy farming; and commercial horse stables provided:

1. The site shall not be less than twenty (20) acres in size;
2. All structures shall be located a minimum of seventy five feet (75') from all residential property lines.
3. Subject to the regulations regarding the care and keeping of horses within the city in [title 7, chapter 4](#) of this code.

Essential service facilities.

Keeping of horses, provided:

1. All structures shall be located a minimum of seventy five feet (75') from all residential property lines.
2. The maximum number of horses shall not exceed one per two (2) acres. Subject to the regulations regarding the care and keeping of horses within the city in [title 7, chapter 4](#) of this code.

Single-family detached dwellings, subject to section [11-2-15](#) of this title. (Ord. B-96, 12-2-1997; amd. Ord. B-153, 4-1-2005)

C. Accessory Uses:

Agricultural product stands.

Gazebos and screened porches.

Home occupations, subject to section [11-2-16](#) of this title.

Private detached garages.

Private outdoor recreation, customarily associated with a residence. Swimming pools shall be subject to section [5-3-1](#) of this code.

Recreation vehicle storage, subject to section [8-2-5](#) of this code.

Roomers, a maximum of two (2) per dwelling unit.

Satellite dishes and solar collectors, subject to section [11-2-12](#) of this title. (Ord. B-96, 12-2-1997; amd. Ord. B-141, 7-20-2004)

D. Conditional Uses:

Public parks, owned and operated by a governmental unit, including recreational facilities and structures consistent with the public area.

Transmission facilities greater than one-fourth ($\frac{1}{4}$) mile in length.

E. Uses Permitted By PUD:

None.

F. Minimum Lot Requirements And Setbacks: (See also subsection [11-5-2C](#), "Supplementary Yard Regulations", of this title.)

1. Minimum lot area: Forty (40) acres.
2. Minimum lot width: Three hundred feet (300').
3. Minimum front yard setback:
 - a. Principal structure: Fifty feet (50').
 - b. Accessory structure: Fifty feet (50').
 - c. Surface parking, excluding driveways: Fifty feet (50').
4. Minimum side yard setback:
 - a. Principal structure: Thirty feet (30').
 - b. Accessory structure: Thirty feet (30').
 - c. Surface parking, excluding driveways: Five feet (5').
5. Minimum rear yard setback:
 - a. Principal structure: Thirty feet (30').
 - b. Accessory structure: Thirty feet (30').
 - c. Surface parking, excluding driveways: Five feet (5').
6. Maximum gross density: One dwelling unit/forty (40) acres.

7. Maximum building height:

- a. Principal structure: Fifty feet (50').
- b. Accessory structure: Seventy five feet (75'). (Ord. B-96, 12-2-1997)

11-4-3: RR RURAL RESIDENTIAL DISTRICT:

A. Purpose And Intent: It is the purpose of this district to provide for a large lot rural residential lifestyle which is separate from and not in conflict with commercial agricultural activities. Within these districts, public sewer and water systems are not available and on site systems shall meet the city's minimum requirements. (Ord. B, 9-19-1989)

B. Permitted Uses:

Commercial horse stables, provided:

1. Lot is not less than twenty (20) acres;
2. All structures shall be located a minimum of seventy five feet (75') from all residential property lines.
3. Subject to the regulations regarding the care and keeping of horses within the city contained in [title 7, chapter 4](#) of this code.

Essential service facilities except electrical substations and switching substations.

Keeping of horses, provided:

1. All structures shall be located a minimum of seventy five feet (75') from all residential property lines.
2. The maximum number of horses shall not exceed one per two (2) acres. Subject to the regulations regarding the care and keeping of horses within the city contained in [title 7, chapter 4](#) of this code.

Single-family detached dwellings, subject to section [11-2-15](#) of this title. (Ord. B-96, 12-2-1997; amd. Ord. B-153, 4-1-2005)

C. Accessory Uses:

Construction office, temporary.

Gazebos and screened porches.

Home occupations, subject to section [11-2-16](#) of this title.

Private detached garages.

Private outdoor recreation, customarily associated with a residence. Swimming pools subject to section [5-3-1](#) of this code.

Recreation vehicle storage, subject to section [8-2-5](#) of this code.

Roomers, a maximum of two (2) per dwelling unit.

Sales office, temporary.

Satellite dishes and solar collectors, subject to section [11-2-12](#) of this title. (Ord. B-96, 12-2-1997; amd. Ord. B-141, 7-20-2004; Ord. B-145, 11-3-2004)

D. Conditional Uses:

Commercial greenhouses and landscape nurseries.

Golf courses, including accessory and related uses.

Kennels, provided:

1. The site shall not be less than twenty (20) acres in size.
2. All structures shall be located a minimum of seventy five feet (75') from all residential property lines.
3. No outdoor keeping of animals or dog runs shall be permitted.
4. Subject to the regulations regarding the care and keeping of animals within the city contained in [title 7, chapter 4](#) of this code.

Public parks, owned and operated by a governmental unit, including recreational structures and facilities.

Transmission facilities greater than one-fourth ($1/4$) mile in length. (Ord. B-96, 12-2-1997; amd. Ord. B-153, 4-1-2005)

E. Uses Permitted By PUD:

None.

F. Minimum Lot Requirements And Setbacks: (See also subsection [11-5-2C](#), "Supplementary Yard

Regulations", of this title.)

1. Minimum lot area:
 - a. Platted land: 2.5 acres.
 - b. Unplatted land: Five (5) acres.
2. Minimum lot width:
 - a. Platted land: Two hundred feet (200').
 - b. Unplatted land: Three hundred feet (300').
3. Minimum front yard setback:
 - a. Principal structure: Forty feet (40').
 - b. Accessory structure: Forty feet (40').
 - c. Surface parking, excluding driveways: Forty feet (40').
4. Minimum side yard setback:
 - a. Principal structure: Thirty feet (30').
 - b. Accessory structure: Thirty feet (30').
 - c. Surface parking, including driveways: Five feet (5').
5. Minimum rear yard setback:
 - a. Principal structure: Thirty feet (30').
 - b. Accessory structure: Thirty feet (30').
 - c. Surface parking, excluding driveways: Five feet (5').
6. Maximum gross density: One dwelling unit/five (5) acres.
7. Maximum building height:
 - a. Principal structure: Thirty five feet (35').
 - b. Accessory structure: Thirty five feet (35'). (Ord. B-96, 12-2-1997)

11-4-4: RL VERY LOW DENSITY SINGLE-FAMILY RESIDENTIAL DISTRICT:

- A. Purpose And Intent: The purpose of this district is to allow low density residential development within the metropolitan urban service area while minimizing negative environmental impacts on areas with greatest physical amenities (rolling topography, forest, wildlife habitat, water

bodies). Single-family detached dwelling cluster development will be encouraged as a tool to protect unique physical features and restrict development to the most suitable locations. The twenty thousand (20,000) square foot minimum lot size will accommodate larger homes than the R-1 (10,000 square foot minimum lot size) district, will mandate increased structure separation and will allow for more selective siting of homes. The lower maximum density of one dwelling unit per acre will result in preservation of natural amenities within the context of providing urban services.

B. Permitted Uses:

Essential service facilities except electrical substations and switching stations.

Licensed child daycare, for twelve (12) or fewer persons. Unlicensed facilities subject to the requirements of customary home occupations in section [11-2-16](#) of this title.

Residential facilities, licensed by the state of Minnesota, serving six (6) or fewer persons.

Single-family detached dwellings, subject to section [11-2-15](#) of this title. (Ord. B-96, 12-2-1997)

C. Accessory Uses:

Construction office, temporary.

Gazebos and screened porches.

Home occupations, subject to section [11-2-16](#) of this title.

Private detached garages.

Private outdoor recreation, customarily associated with a residence. Swimming pools subject to section [5-3-1](#) of this code.

Recreation vehicle storage, subject to section [8-2-5](#) of this code.

Roomers, a maximum of two (2) per dwelling unit.

Sales office, temporary.

Satellite dishes and solar collectors, subject to section [11-2-12](#) of this title. (Ord. B-96, 12-2-1997; amd. Ord. B-141, 7-20-2004; Ord. B-145, 11-3-2004)

D. Conditional Uses:

Golf courses, including accessory and related uses.

Public parks, owned and operated by a governmental unit, including recreational facilities and

structures consistent with the public area.

Transmission facilities greater than one-fourth ($\frac{1}{4}$) mile in length.

E. Uses Permitted By PUD:

Single-family detached dwelling cluster developments with a net density up to 2.5 dwelling units per acre in concentrations of residential units intended to minimize impact on ponds, lakes, wetlands, woodlands, floodplains, significant trees and woodlands, steep slopes and other natural or unique features elsewhere in the district. Such areas may be included within conservation easements or other forms of public or private open space. All developments including common open space are required to have homeowners' associations in accordance with subsection [11-2-18N](#) of this title.

F. Minimum Lot Requirements And Setbacks: (See also subsection [11-5-2C](#), "Supplementary Yard Regulations", of this title.)

1. Minimum lot area: Twenty thousand (20,000) square feet.
2. Minimum lot width: One hundred ten feet (110').
3. Minimum lot depth: One hundred eighty feet (180').
4. Minimum front yard setback:
 - a. Principal structure: Thirty feet (30').
 - b. Accessory structure: Thirty feet (30').
 - c. Surface parking, excluding driveways: Thirty feet (30').
5. Minimum side yard setback:
 - a. Principal structure: Fifteen feet (15').
 - b. Accessory structure: Fifteen feet (15').
 - c. Surface parking, including driveways: Fifteen feet (15').
6. Minimum rear yard setback:
 - a. Principal structure: Thirty feet (30').
 - b. Accessory structure:
 - (1) One hundred twenty (120) square feet or less: Fifteen feet (15').
 - (2) Larger than one hundred twenty (120) square feet: Thirty feet (30').
 - c. Surface parking, excluding driveways: Five feet (5').

7. Maximum gross density: One dwelling unit/acre.
8. Maximum building height:
 - a. Principal structure: Thirty five feet (35').
 - b. Accessory structure: Eighteen feet (18').
9. Maximum lot coverage: Thirty percent (30%). (Ord. B-96, 12-2-1997)

11-4-5: R-1 LOW DENSITY RESIDENTIAL DISTRICT:

A. Purpose And Intent: This is a low density residential district that is intended to accommodate newer single-family detached housing development within the metropolitan urban service area. Dwelling units within this district are intended to be connected to the public sewer and water systems. (Ord. B-22, 9-24-1992; amd. Ord. B-96, 12-2-1997)

B. Permitted Uses:

Essential service facilities except electrical substations and switching stations.

Licensed child daycare for twelve (12) or fewer persons. Unlicensed child daycare shall comply with the requirements for customary home occupations in section [11-2-16](#) of this title.

Residential facilities, licensed by the state of Minnesota, serving six (6) or fewer persons.

Single-family detached dwellings, subject to section [11-2-15](#) of this title. (Ord. B, 9-19-1989)

C. Accessory Uses:

Cemeteries, accessory to churches and places of worship.

Construction office, temporary.

Gazebos and screened porches.

Home occupations, subject to section [11-2-16](#) of this title.

Private detached garages.

Private outdoor recreation customarily associated with a residence. Swimming pools shall be subject to section [5-3-1](#) of this code.

Recreation vehicle storage, subject to section [8-2-5](#) of this code.

Roomers, a maximum of two (2) per dwelling unit.

Sales office, temporary.

Satellite dishes and solar collectors, subject to section [11-2-12](#) of this title. (Ord. B-96, 12-2-1997; amd. Ord.B-141, 7-20-2004; Ord. B-145, 11-3-2004)

D. Conditional Uses:

Child daycare, Montessori schools, and nurseries, within churches, places of worship, and elementary and secondary educational institutions.

Churches and places of worship regardless of religious affiliation. Churches and places of worship must have direct access to or be within three hundred feet (300') of a collector, minor arterial or principal arterial street.

Elementary and secondary educational institutions and facilities.

Public parks, owned and operated by a governmental unit, including recreational facilities and structures consistent with the public area.

Transmission facilities greater than one-fourth ($\frac{1}{4}$) mile in length.

E. Uses Permitted By PUD:

Single-family detached dwelling cluster developments. All developments including common open space are required to have homeowners' associations in accordance with subsection [11-2-18N](#) of this title.

F. Minimum Lot Requirements And Setbacks: (See also subsection [11-5-2C](#), "Supplementary Yard Regulations", of this title.)

1. Minimum lot area:

- a. Interior lots: Ten thousand (10,000) square feet.
- b. Corner lots: Twelve thousand (12,000) square feet.

2. Minimum lot width:

- a. Interior lots: Eighty feet (80').
- b. Corner lots: Ninety five feet (95').

3. Minimum lot depth: One hundred twenty five feet (125').

4. Minimum front yard setback:

- a. Principal structure, including garage: Thirty feet (30').
 - b. Accessory structure: Thirty feet (30').
 - c. Established principal and accessory structures: Where forty percent (40%) or more of the lots on any block are developed with buildings, if the average front yard is less than the required front yard, the average or twenty feet (20'), whichever is greater, shall be the required front yard.
5. Minimum side yard setback:
- a. Principal structure: Ten feet (10').
 - b. Accessory structure: Ten feet (10'). (Ord. B-96, 12-2-1997)
 - c. Surface parking, including driveways: Five feet (5'). (Ord. B-114, 3-6-2001)
6. Minimum rear yard setback:
- a. Principal structure: Thirty feet (30').
 - b. Accessory structure:
 - (1) One hundred twenty (120) square feet or less: Five feet (5').
 - (2) Larger than one hundred twenty (120) square feet: Thirty feet (30'). (Ord. B-96, 12-2-1997)
 - c. Surface parking, excluding driveways: Five feet (5'). (Ord. B-114, 3-6-2001)
7. Maximum gross density: 2.5 dwelling units/acre.
8. Maximum building height:
- a. Principal structure: Thirty five feet (35').
 - b. Accessory structure: Eighteen feet (18').
9. Maximum lot coverage: Thirty percent (30%). (Ord. B-96, 12-2-1997)

11-4-6: R-1A LOW DENSITY RESIDENTIAL DISTRICT:

A. Purpose And Intent: This is a low density residential district that is intended to preserve the character of existing single-family neighborhoods platted on or before 1979 within the metropolitan urban service area. Dwelling units within this district are intended to be connected to the public sewer and water systems. (Ord. B-22, 9-24-1992)

B. Permitted Uses:

Essential service facilities except electrical substations and switching stations.

Licensed child daycare for twelve (12) or fewer persons. Unlicensed child daycare shall comply with the requirements for customary home occupations in section [11-2-16](#) of this title.

Residential facilities, licensed by the state of Minnesota, serving six (6) or fewer persons.

Single-family detached dwellings, subject to section [11-2-15](#) of this title. (Ord. B-96, 12-2-1997)

C. Accessory Uses:

Construction office, temporary.

Gazebos and screened porches.

Home occupations, subject to section [11-2-16](#) of this title.

Private detached garages.

Private outdoor recreation customarily associated with a residence. Swimming pools shall be subject to section [5-3-1](#) of this code.

Recreation vehicle storage, subject to section [8-2-5](#) of this code.

Roomers, a maximum of two (2) per dwelling unit.

Sales office, temporary.

Satellite dishes and solar collectors, subject to section [11-2-12](#) of this title. (Ord. B-96, 12-2-1997; amd. Ord. B-141, 7-20-2004; Ord. B-145, 11-3-2005)

D. Conditional Uses:

Child daycare, Montessori schools, and nurseries, within churches, places of worship, and elementary and secondary educational institutions.

Churches and places of worship regardless of religious affiliation. Churches and places of worship must have direct access to or be within three hundred feet (300') of a collector, minor arterial or principal arterial street.

Elementary and secondary educational institutions and facilities.

Public parks, owned and operated by a governmental unit, including recreational facilities and structures consistent with the public area.

Transmission facilities greater than one-fourth ($\frac{1}{4}$) mile in length.

E. Uses Permitted By PUD:

Single-family detached dwelling cluster developments. All developments including common open space are required to have homeowners' associations in accordance with subsection [11-2-18N](#) of this title.

F. Minimum Lot Requirements And Setbacks: (See also subsection [11-5-2C](#), "Supplementary Yard Regulations", of this title.)

1. Minimum lot area:

- a. Interior lots: Ten thousand (10,000) square feet.
- b. Corner lots: Twelve thousand (12,000) square feet.

2. Minimum lot width:

- a. Interior lots: Eighty feet (80').
- b. Corner lots: Ninety five feet (95').

3. Minimum lot depth: One hundred twenty five feet (125').

4. Minimum front yard setback:

- a. New principal structure, including garage: Thirty feet (30').
- b. Accessory structure: Thirty feet (30').
- c. Established principal and accessory structures: Where forty percent (40%) or more of the lots on the same side of the block where the structure is located are developed with buildings, if the average front yard is less than the required front yard, the average or twenty feet (20'), whichever is greater, shall be the minimum required front yard.

5. Minimum side yard setback:

a. Principal structure, including garage:

- (1) Single story: Five feet (5').
- (2) Two-story: Ten feet (10').

b. Accessory structure: Five feet (5'). (Ord. B-96, 12-2-1997)

c. Surface parking, including driveways: Five feet (5'). (Ord. B-114, 2-6-2001)

6. Minimum rear yard setback:

- a. Principal structure: Twenty five feet (25').

b. Accessory structure:

(1) One hundred twenty (120) square feet or less: Five feet (5').

(2) Larger than one hundred twenty (120) square feet: Twenty five feet (25'). (Ord. B-96, 12-2-1997)

c. Surface parking, excluding driveways: Five feet (5'). (Ord. B-114, 3-6-2001)

7. Maximum gross density: 2.5 dwelling units/acre.

8. Maximum building height:

a. Principal structure: Thirty five feet (35').

b. Accessory structure: Eighteen feet (18').

9. Maximum lot coverage: Thirty percent (30%). (Ord. B-96, 12-2-1997)

11-4-7: R-2 MODERATE DENSITY RESIDENTIAL DISTRICT:

A. Purpose And Intent: This is a low to medium density residential district which is located within the metropolitan urban service area and is primarily, but not exclusively, intended to accommodate attached single-family dwellings. Dwelling units within this district are intended to be connected to the public sewer and water systems.

B. Permitted Uses:

Essential service facilities except electrical substations and switching stations.

Licensed child daycare for twelve (12) or fewer persons. Unlicensed child daycare shall comply with the requirements for customary home occupations in section [11-2-16](#) of this title.

Residential facilities, licensed by the state of Minnesota, serving six (6) or fewer persons.

Single-family attached dwellings, subject to section [11-2-18](#) of this title.

Single-family detached dwellings, subject to section [11-2-15](#) of this title.

Two-family dwellings. (Ord. B-96, 12-2-1997)

C. Accessory Uses:

Cemeteries accessory to churches and places of worship.

Construction office, temporary.

Gazebos and screened porches.

Home occupations, subject to section [11-2-16](#) of this title.

Private detached garages.

Private outdoor recreation customarily associated with a residence. Swimming pools shall be subject to section [5-3-1](#) of this code.

Roomers, a maximum of two (2) per dwelling unit.

Sales office, temporary.

Satellite dishes and solar collectors, subject to section [11-2-12](#) of this title. (Ord. B-96, 12-2-1997; amd. Ord. B-145, 11-3-2004)

D. Conditional Uses:

Child daycare, Montessori schools, and nurseries, within churches, places of worship, and elementary and secondary educational institutions.

Churches and places of worship regardless of religious affiliation. Churches and places of worship must have direct access to or be within three hundred feet (300') of a collector, minor arterial or principal arterial street.

Community playfields/athletic complexes owned and operated by a government unit, including recreational facilities and structures consistent with the public area.

Elementary and secondary educational institutions and facilities.

Public parks, owned and operated by a government unit, including recreational facilities and structures consistent with the public area.

Recreation vehicle storage. Recreation vehicle storage accessory to multiple-family development shall be subject to subsection [11-4-8D](#) of this title.

Transmission facilities greater than one-fourth ($\frac{1}{4}$) mile in length.

E. Uses Permitted By PUD:

Manufactured home parks, subject to section [11-2-19](#) of this title.

Mixed use developments.

Single-family detached dwelling cluster developments.

F. Minimum Lot Requirements And Setbacks: (See also subsection [11-5-2C](#), "Supplementary Yard Regulations", of this title.)

1. Minimum lot area:

- a. Single- and two-family: Twelve thousand (12,000) square feet.
- b. Multiple-family, including townhomes: Eighteen thousand (18,000) square feet.

2. Minimum lot width:

- a. Single- and two-family: One hundred feet (100').
- b. Multiple-family, including townhomes: One hundred twenty feet (120').

3. Minimum lot depth:

- a. Single- and two-family: One hundred twenty feet (120').
- b. Multiple-family, including townhomes: One hundred fifty feet (150').

4. Minimum front yard setback:

- a. Principal structure: Thirty feet (30').
- b. Accessory structure: Thirty feet (30').
- c. Surface parking, excluding single- and two-family driveways: Thirty feet (30').
- d. Established principal and accessory structures: Where forty percent (40%) or more of the lots on the same side of the block where the structure is located are developed with buildings, if the average front yard is less than the required front yard, the average or twenty feet (20'), whichever is greater, shall be the minimum required front yard.

5. Minimum side yard setback:

- a. Principal structure:
 - (1) Single-family and two-family: Ten feet (10').
 - (2) Multiple-family, including townhomes: Thirty feet (30').
- b. Accessory structure: Ten feet (10').
- c. Surface parking:
 - (1) Single- and two-family, including driveways: Five feet (5').
 - (2) Multiple-family, including townhomes: Ten feet (10').

6. Minimum rear yard setback:

- a. Principal structure: Thirty feet (30').

b. Accessory structure:

(1) Single- and two-family:

(A) One hundred twenty (120) square feet or less: Five feet (5').

(B) Larger than one hundred twenty (120) square feet: Thirty feet (30').

(2) Multiple-family, including townhomes: Ten feet (10').

c. Surface parking:

(1) Single- and two-family, excluding driveways: Five feet (5').

(2) Multiple-family, including townhomes: Ten feet (10').

7. Maximum gross density: Six (6) dwelling units/acre.

8. Maximum building height:

a. Principal structure: Thirty five feet (35').

b. Accessory structure: Eighteen feet (18').

9. Maximum lot coverage:

a. Two-family dwellings: Thirty percent (30%).

b. Single-family detached dwellings: Forty percent (40%).

c. Single-family attached dwellings: Seventy percent (70%). (Ord. B-96, 12-2-1997)

11-4-8: R-3 MEDIUM DENSITY RESIDENTIAL DISTRICT:

A. Purpose And Intent: This is a medium to high density residential district which is intended to be located within or near the Rosemount central business district (CBD) where streets and utilities are sufficient in capacity to accommodate higher density development and where shopping and recreational facilities are available within close walking or driving distance. Housing types include apartments, condominiums and townhouses. It is intended that this district provide a blend of housing, recreation and open space opportunities.

B. Permitted Uses:

Apartments.

Assisted living care facilities.

Condominiums.

Congregate housing.

Essential service facilities except electrical substations and switching stations.

Licensed child daycare for twelve (12) or fewer persons. Unlicensed child daycare shall comply with the requirements for customary home occupations in section [11-2-16](#) of this title.

Nursing and retirement homes.

Residential facilities, licensed by the state of Minnesota, for six (6) or fewer persons.

Single-family attached dwellings, subject to section [11-2-18](#) of this title.

Two-family dwellings. (Ord. B-96, 12-2-1997)

C. Accessory Uses:

Cemeteries, accessory to churches and places of worship.

Construction office, temporary.

Gazebos and screened porches.

Home occupations, subject to section [11-2-16](#) of this title.

Private outdoor recreation, customarily associated with a multiple-family development, provided:

1. They are no nearer the front lot line than the principal structure;
2. They are set back from lot lines the distance required for accessory structures.
3. Swimming pools shall be subject to section [5-3-1](#) of this code.

Roomers, at a maximum of two (2) per dwelling unit.

Sales office, temporary.

Satellite dishes and solar collectors, subject to section [11-2-12](#) of this title. (Ord. B-96, 12-2-1997; amd. Ord. B-145, 11-3-2004)

D. Conditional Uses:

Child daycare, Montessori schools, and nurseries, within churches, places of worship, and elementary and secondary educational institutions.

Churches and places of worship regardless of religious affiliation. Churches and places of worship must have direct access to or be within three hundred feet (300') of a collector or minor arterial or principal arterial street.

Community playfields/athletic complexes owned and operated by a government unit, including recreational facilities and structures.

Elementary and secondary educational institutions and facilities.

Public parks, owned and operated by a governmental unit, including recreational facilities and structures consistent with the public area.

Recreation vehicle storage accessory to the multiple-family development, provided all storage shall be within a building or a central storage area, or be subject to the following requirements:

1. Outdoor storage shall not be within a required yard;
2. If not stored within a building, the storage area shall be screened from view as required by subsection [8-2-5G1](#) of this code.
3. Temporary storage of oversize recreation vehicles is allowed pursuant to a permit under subsection [8-2-5F](#) of this code.

Transmission facilities greater than one-fourth ($\frac{1}{4}$) mile in length. (Ord. B-96, 12-2-1997; amd. Ord. B-141, 7-20-2004)

E. Uses Permitted By PUD:

Manufactured home parks, subject to the requirements of subsection [11-4-7E](#) of this title.

Mixed use developments.

F. Minimum Lot Requirements And Setbacks: (See also subsection [11-5-2C](#), "Supplementary Yard Regulations", of this title.)

1. Minimum lot area: Twenty two thousand five hundred (22,500) square feet.
2. Minimum lot width: One hundred fifty feet (150').
3. Minimum lot depth: One hundred fifty feet (150').
4. Minimum front yard setback:
 - a. Principal structure: Thirty feet (30').
 - b. Accessory structure: Thirty feet (30').
 - c. Surface parking: Thirty feet (30').

- d. Established principal and accessory structures: Where fortypercent (40%) or more of the lots on the same side of the block where the structure is located are developed with buildings, if the average front yard is less than the required front yard, the average or twenty feet (20'), whichever is greater, shall be the minimum required front yard.
5. Minimum side yard setback:
 - a. Principal structure: Thirty feet (30').
 - b. Accessory structure: Ten feet (10').
 - c. Surface parking: Ten feet (10').
6. Minimum rear yard setback:
 - a. Principal structure: Thirty feet (30').
 - b. Accessory structure: Ten feet (10').
 - c. Surface parking: Ten feet (10').
7. Maximum gross density: Twelve (12) dwelling units/acre.
8. Maximum building height:
 - a. Principal structure: Thirty five feet (35').
 - b. Accessory structure: Eighteen feet (18').
9. Maximum lot coverage: Seventy five percent (75%).
10. GUOS per unit: Five hundred (500) square feet. (Ord. B-96, 12-2-1997)

11-4-9: R-4 HIGH DENSITY RESIDENTIAL DISTRICT:

- A. Purpose And Intent: This is an exclusively high density residential district which is primarily intended to accommodate high rise apartments and condos and senior citizen housing. It is the intent of this title that this district be within or adjacent to the Rosemount CBD to provide for the maximum convenience and accessibility for residents.
- B. Permitted Uses:
 - Apartments.
 - Assisted living care facilities.
 - Condominiums.

Congregate housing.

Essential service facilities except electrical substations and switching stations.

Licensed child daycare for twelve (12) or fewer persons.

Nursing and retirement homes.

Residential facilities, licensed by the state of Minnesota, for six (6) or fewer persons. (Ord. B-96, 12-2-1997)

C. Accessory Uses:

Cemeteries accessory to churches and places of worship.

Construction office, temporary.

Gazebos and screened porches.

Home occupations, subject to section [11-2-16](#) of this title.

Private outdoor recreation, customarily associated with a multiple-family development, provided:

1. They are no nearer the front lot line than the principal structure;
2. They are set back from lot lines the distance required for accessory structures.
3. Swimming pools shall be subject to section [5-3-1](#) of this code.

Sales office, temporary.

Satellite dishes and solar collectors, subject to section [11-2-12](#) of this title. (Ord. B-96, 12-2-1997; amd. Ord. B-145, 11-3-2004)

D. Conditional Uses:

Child daycare, Montessori schools, and nurseries, within churches, places of worship, and elementary and secondary educational institutions.

Churches and places of worship regardless of religious affiliation. Churches and places of worship must have direct access to or be within three hundred feet (300') of a collector or minor arterial or principal arterial street.

Community playfields/athletic complexes owned and operated by a government unit, including recreational facilities and structures.

Elementary and secondary educational institutions and facilities.

Public parks owned and operated by a government unit, including recreational facilities and structures.

Transmission facilities greater than one-fourth ($\frac{1}{4}$) mile in length.

E. Uses Permitted By PUD:

Manufactured home parks, subject to the requirements of subsection [11-4-7E](#) of this chapter.

Mixed use developments.

F. Minimum Lot Requirements And Setbacks: (See also subsection [11-5-2C](#), "Supplementary Yard Regulations", of this title.)

1. Minimum lot area: Twenty two thousand five hundred (22,500) square feet.

2. Minimum lot width: One hundred fifty feet (150').

3. Minimum lot depth: One hundred fifty feet (150').

4. Minimum front yard setback:

a. Principal structure: Thirty feet (30').

b. Accessory structure: Fifty feet (50').

c. Surface parking: Thirty feet (30').

5. Minimum side yard setback:

a. Principal structure: Thirty feet (30').

b. Accessory structure: Ten feet (10').

c. Surface parking: Ten feet (10').

6. Minimum rear yard setback:

a. Principal structure: Thirty feet (30').

b. Accessory structure: Ten feet (10').

c. Surface parking: Ten feet (10').

7. Maximum gross density: Forty (40) dwelling units/acre.

8. Maximum building height:

- a. Principal structure: Thirty five feet (35').
 - b. Accessory structure: Eighteen feet (18').
9. Maximum lot coverage: Seventy five percent (75%).
 10. GUOS per unit: Five hundred (500) square feet. (Ord. B-96, 12-2-1997)

11-4-10: C-1 CONVENIENCE COMMERCIAL DISTRICT:

A. Purpose And Intent: The purpose of the convenience commercial district is to provide residential neighborhoods with convenience shopping and personal services that could serve the daily and weekly needs of the adjoining residents. Convenience commercial districts typically occupy a small area at the intersection of two (2) collector streets, or streets of higher classification, and provide a gateway into the neighborhood. These convenience commercial centers are meant to provide services and goods only for the surrounding neighborhoods and are not intended to serve the entire community. Zoning standards are intended to promote compatibility in form, function and style. The district is intended to be compatible within a residential neighborhood context. Therefore, the number of permitted uses is limited and the scale of uses is comparatively small.

B. Permitted Uses: The following uses are permitted uses in the C-1 district:

Essential service facilities.

Neighborhood retail establishments, no larger than two thousand five hundred (2,500) square feet per tenant or use, including convenience, small grocery, bakery, meat, dairy stores, fruit or vegetable markets, or other neighborhood retail establishments.

Offices, business and professional, no larger than two thousand five hundred (2,500) square feet per tenant, including accounting, architectural, dental, law, medical, real estate, or tax services.

Personal services, no larger than two thousand five hundred (2,500) square feet per tenant or use, including barber and beauty shops, laundry services, photography, shoe repair, and tailor, but excluding funeral service and crematory facilities, massage, body piercing, tanning booths, tattoo and pawn shops. (Ord. B-117, 9-18-2001)

C. Accessory Uses: The following uses shall be permitted accessory uses:

Accessory apartments provided they are located above the first floor.

Construction office, temporary.

Fences as regulated by this title.

Off street parking as regulated by this title, but not including semitrailer trucks. (Ord. B-117, 9-18-2001; amd.Ord. B-145, 11-3-2004)

D. Conditional Uses: The following uses are conditional uses in the C-1 district, and are subject to the conditional use permit provisions outlined in this title:

Child daycare services.

1. Licensed daycare facilities must meet the following conditions:

- a. Pick up and drop off areas shall be located on the site, and shall be designed to avoid interfering with traffic and pedestrian movements.
- b. Outdoor recreational area shall be located and designed in a manner which mitigates visual and noise impacts on any abutting residential parcels.
- c. Such facilities shall obtain all applicable state, county, and city licenses.

Eating establishment as part of multi-tenant or mixed use building. These establishments include such places as restaurants and cafeterias and places for the sale and consumption of soft drinks, juices, ice cream and beverages of all kinds, provided the following conditions are met:

1. The gross floor area of the restaurant shall not exceed three thousand (3,000) square feet.
2. Drive-up window service and exterior loudspeakers shall not be permitted.

Educational services, as part of a multi-tenant or mixed use building, including arts and crafts, dance and music instruction and self-defense and similar individual or small group educational services.

Multiple parcels, tenants, buildings provided that the uses are specified as permitted accessory or conditional uses in the C-1 district.

Self-service gasoline sales, accessory to convenience stores, subject to the following:

1. Fuel pumps shall be installed on pump islands located not closer than thirty five feet (35') from any property line.
2. A protective canopy accessory structure located over pump islands may be located on the property, provided that adequate visibility both on and off site is maintained. The canopy shall be consistent with the principal building in design and character.
3. Lighting shall be recessed or shielded so as to have no direct source of light visible from adjacent land or the public right of way.
4. Parking of vehicles on public right of way shall be prohibited.

5. If a gasoline service station site includes an accessory car wash, the site shall be planned so as not to permit water from a car wash to run into a public street or accesses thereto.
6. Vehicular access points shall create minimum conflict with through traffic movement and shall be subject to the approval of the city.
7. Off street parking, stacking and circulation shall be provided subject to the regulations in this title.
8. Screening and landscaping are subject to regulations of this title.
9. Not adjoining residential districts.

Teen center.

1. Outdoor recreational areas shall be located and designed in a manner that mitigates visual and noise impacts on adjacent areas.
2. Recreational areas shall be designed to avoid interfering with traffic and pedestrian movements.
3. Such facilities shall adhere to city curfews.
4. Bicycle parking spaces must be provided and shall be located in a clearly designated, safe and convenient location.

E. Minimum Lot Requirements And Setbacks:

1. Minimum lot area: Twenty thousand (20,000) square feet.
2. Minimum lot width: One hundred fifty feet (150').
3. Minimum lot depth: One hundred twenty five feet (125').
4. Maximum lot coverage: Seventy five percent (75%).
5. Minimum front yard setback:
 - a. Principal structure: Thirty feet (30').
 - b. Accessory structure: Thirty feet (30').
6. Minimum side yard setback:
 - a. Principal structure: Ten feet (10').
 - b. Accessory structure: Ten feet (10').
7. Minimum rear yard setback:
 - a. Principal structure: Ten feet (10').

b. Accessory structure: Ten feet (10').

8. Parking setbacks:

a. Minimum front yard setback: Twenty feet (20').

b. Minimum rear yard setback: Ten feet (10').

c. Minimum side yard setback: Ten feet (10').

d. When there exists an easement for a shared private roadway or drive, the required setback is ten feet (10') from the easement.

9. Buffer yard: Where a C-1 convenience commercial district abuts a residential district, any new development shall include a required buffer strip on the side and rear yards not less than thirty feet (30') in width. This strip shall contain no structures, shall not be used for parking, off street loading or storage, and shall be landscaped. Landscaping shall include sod or seeded grass, and planting of trees and shrubbery. A screen wall or fence not less than fifty percent (50%) opaque, nor less than three feet (3') in height shall be erected to provide sufficient screening of the commercial parking.

10. Maximum building height:

a. Principal structure: Thirty five feet (35').

b. Accessory structure: Eighteen feet (18').

11. Maximum lot coverage: Seventy five percent (75%).

12. District size:

a. Minimum: One acre.

b. Maximum: Three (3) acres.

F. Additional Design Standards:

1. Access And Parking:

a. Curb cuts within a single proposed site shall not be spaced closer than one hundred thirty feet (130'). Commercial developments of a small scale shall be encouraged to develop common access drives and parking facilities. Incentives, such as reduction in parking requirements may be provided at the discretion of the city council.

2. Buildings:

a. The exterior wall surfaces of all buildings within the C-1 convenience commercial district shall be constructed of brick, natural stone or rock or an equivalent or better, excluding all doors and windows. Prohibited materials for exterior wall finishes are rock face block, masonry concrete, metal and wood, and tip up concrete panels. Nonearth tone brick shall be limited to architectural accents.

3. Pedestrian Circulation:

- a. Concrete sidewalks five feet (5') in width shall be provided on all commercial property.
- b. Clear and well lighted walkways shall connect building entrances to adjacent public sidewalks and to any parking facilities located on the site.

4. Lighting:

- a. Lighting shall be consistent in character throughout the entire property site, in both design and bulb type.
- b. Any light fixture must be placed in such a manner that no light emitting surface is visible from any residential area or public/private roadway, walkway, trail or other public way when viewed at ground level.
- c. Light directed upward is prohibited. Externally lit signs, display, building and aesthetic lighting must be lit from the top and shine downward. Lighting must be shielded to prevent direct glare.
- d. The level of lighting shall not exceed 0.5 lumens at any residential property line or 1.0 lumen at any nonresidential property line.
- e. The maximum height for exterior lighting is twenty feet (20').
- f. All nonessential lighting will be required to be turned off after business hours, leaving only the necessary lighting for site security. (Ord. B-117, 9-18-2001)

The section below has been affected by a recently passed ordinance, B-202 - PROHIBITION OF TRAILER PARKING . [Go to new ordinance.](#)

11-4-11: C-2 DOWNTOWN COMMERCIAL DISTRICT:

A. Purpose And Intent: The purpose of this district is to encourage a viable downtown area. Rosemount's downtown is intended to serve the entire city and be a diversified commercial center that offers the full range of comparison goods, sales and services, cultural, civic, and entertainment opportunities, financial and professional offices, and public uses. Although this district relies on automobile traffic, the needs of pedestrians and bicyclists are deemed equally important. Pedestrian and bicycle linkages, landscaping, and appropriate amenities are important components of this district. The pedestrian orientation of buildings adjacent to sidewalks encourages parking in the rear yards and enhances the traditional character exemplified by historical central business districts. Zoning standards are intended to promote compatibility in form, function and style. (Ord. B-117, 9-18-2001)

B. Permitted Uses: The following uses are permitted uses in the C-2 district:

Business services and offices, including accounting, advertising, auditing, commercial art,

computer services, mailing, photocopying, photography, and public relations.

Communications businesses.

Eating and drinking establishments, excluding drive-through facilities.

Essential service facilities.

Financial institutions, excluding currency exchanges.

General repair services, including appliance repair, furniture reupholstery and repair, jewelry, clock and watch repair, radio repair, small electronics repair, and television repair, but excluding uses that involve hazardous materials or corrosives or result in hazardous wastes or noxious fumes in its processes; automobile and related equipment services and other licensed vehicles such as snowmobiles, motorcycles and ATVs and repair establishments.

Membership organizations, including clubs, lodges, trade associations, unions, political and religious organizations.

Museums and art galleries.

Personal services, including barber and beauty shops, laundry services, shoe repair and photography, excluding body piercing, tattoo and pawn shops.

Professional services, including architects and attorney offices, dental and medical clinics, financial services, insurance providers, and real estate businesses.

Public or governmental services, including libraries, city offices, auditoriums, public administration buildings and civic centers.

Public parking lots and transit stations.

Public parks, owned and operated by a government unit, including recreational facilities and structures consistent with the public area.

Retail sales, including books and stationery, clothing, drug, gifts and novelties, groceries, furniture and hardware, hobby, jewelry, and sporting goods stores, or other retail establishments of a community nature, but excluding used parts and pawn shops, automobile and related equipment sales, services, parts sales and gasoline and fuel sales. New auto parts sales are allowable provided that auto parts sales activity results in no more than ten percent (10%) of store revenue or comprises no more than ten percent (10%) of the floor space.

Veterinary clinic, not including outdoor runs or kennels. Subject to the regulations regarding the care and keeping of animals within the city contained in [title 7, chapter 4](#) of this code. (Ord. B-117, 9-18-2001; amd. Ord. B-153, 4-1-2005)

C. Accessory Uses: The following uses shall be permitted accessory uses:

Accessory apartments, provided they are located above the first floor.

Construction office, temporary.

Fences, as regulated by this title.

Off street parking, as regulated by this title, but not including semitrailer trucks.

Outdoor sales and display of merchandise, provided that:

1. Merchandise must consist only of finished products.
2. Outdoor sales shall be conducted by the owner or lessee of the premises or with the written consent of the owner or lessee.
3. Disassembled merchandise parts may be displayed outdoors only when new products are customarily sold unassembled and are intended for customer purchase and assembly.
4. There shall be no display of automobiles or recreation vehicles.
5. Only merchandise that is normally manufactured, sold, or stored by the occupant on the premises shall be sold and/or promoted.
6. Sales activity shall be conducted on a paved surface and provided the activity does not interfere with parking.
7. Truck and trailer parking. Except while loading, unloading, or rendering a service in a designated loading area, no commercial trucks, truck-tractor, or semitrailer combinations are permitted to be parked and/or stored longer than forty eight (48) hours. Semitrailers may not be used for outdoor sales.

Outdoor seating areas, accessory to permitted or conditional uses.

Satellite dishes and solar collectors.

Signs, as regulated by this title. (Ord. B-117, 9-18-2001; amd. Ord. B-145, 11-3-2004)

D. Conditional Uses: The following uses are conditional uses in the C-2 district, and are subject to the conditional use permit provisions outlined in this title:

Child and adult daycare services:

1. Licensed daycare facilities must meet the following conditions:
 - a. Pick up and drop off areas shall be located on the site, and shall be designed to avoid interfering with traffic and pedestrian movements.
 - b. Outdoor recreational areas shall be located and designed in a manner that mitigates visual and noise impacts on any abutting residential parcels.
 - c. Such facilities shall provide proof of all applicable state, county, and city licenses.

2. Adult daycare services, subject to the following conditions:

- a. All outdoor leisure/recreation areas shall be located and designed to minimize visual and noise impacts on adjacent areas.
- b. When a center is located in a multifunctional organization, the center may share a common space with the multifunctional organization if the required space available for use by participants is maintained while the center is operating.
- c. Provide proof of state, federal, and other governmental licensing agency approval.

Custom manufacturing, with accessory retail sales and display.

1. The size of a custom manufacturing facility shall be no greater than ten thousand (10,000) gross square feet.
2. Such uses shall be prohibited on property abutting a residential district.

Funeral services and mortuaries, must provide adequate off street parking as regulated in this title. In the case of shared parking between abutting uses, a reduction of up to ten percent (10%) in the number of required parking spaces may be approved.

Indoor amusement and recreation services, including video arcades subject to the following restrictions:

1. Any arcade with fifteen (15) or more machines shall have an adult supervisor on duty during all hours of operation.
2. No arcade shall be operated within five hundred feet (500') of a school, church or residence unless it is an integral part of a shopping center and does not have an entrance except from within the shopping center.

Multiple parcels, tenants, buildings, provided that the uses are specified as permitted, accessory or conditional uses in the C-2 district. (Ord. B-117, 9-18-2001)

E. Interim Uses: The following uses shall be permitted interim uses:

Transient merchant sales lots as regulated by [title 3, chapter 5](#) of this code and the zoning ordinance, provided that:

1. The owner and/or operator of the outdoor sales lot shall have written permission of the property owner of the property on which the sale or event is located and shall have said written permission available for inspection if requested.
2. No portion of the sales lot or any advertising for the event shall take place within any public right of way or intersection sight triangle. A minimum ten foot (10') setback, or the minimum parking setback for the applicable zoning district if it provides for a greater setback, shall be maintained from all property lines and no portion of the use shall take place within one

- hundred feet (100') of any property line of any residential use or residentially zoned property.
3. Any signage for the outdoor sales lot or event shall comply with the temporary signage requirements contained in [chapter 8](#) of this title.
 4. Any temporary structure, including tents and membrane structures, associated with the outdoor sales lot or event shall comply with all applicable building codes and permit requirements.
 5. Hours of operation shall be subject to the requirements of [title 3, chapter 5](#) of this code.
 6. Adequate off street parking, with a surface in compliance with subsection [8-2-21](#) of this code, shall be provided for both the principal and interim use ensuring that no obstruction or interference occurs with existing traffic patterns.
 7. No parking related to the outside sales lot or event shall be permitted on adjacent parcels without the prior written consent of the adjacent parcel owner. Said written permission shall be available for inspection if requested.
 8. A detailed site plan showing the outdoor sales lot area and dimensions, access and egress to the site, all structures, setbacks, signage, parking, and any other information requested to approve the outdoor sales lot shall be submitted for approval with application materials required for an interim use permit and an outdoor sales lot in [title 3, chapter 5](#) of this code.
 9. Outdoor sales lots for consumer fireworks sales shall meet the specialized requirements laid out in Minnesota statute, section 624.20, [title 6, chapter 4](#) of this code, and all other applicable zoning, city code, fire code, county ordinance, or state statutes.
 10. The period during which the permitted use may continue will be specified by the city council, but in no case will be longer than sixty (60) days. (Ord. B-155, 6-7-2005)

F. Minimum Lot Requirements:

1. Maximum building height:
 - a. Principal structure: Seventy five feet (75').
 - b. Accessory structure: Eighteen feet (18').
2. Buffer yard: Where a C-2 downtown commercial district abuts a residential district, a ten foot (10') wide buffer yard shall be required. This buffer shall contain no structures, shall not be used for parking, off street loading or storage, and shall be landscaped. Landscaping shall include sod or seeded grass and planting of trees and shrubbery. A screen wall or fence not less than fifty percent (50%) opaque, nor less than three feet (3') in height shall be erected to provide sufficient screening of the commercial parking. Berming and/or landscaping may substitute for the fence. (Ord. B-117, 9-18-2001; amd. Ord. B-155, 6-7-2005)

G. Additional Design Standards:

1. Buildings:

- a. The exterior wall surfaces of all buildings within the C-2 central business commercial district shall be constructed of one hundred percent (100%) brick or an equivalent, excluding all doors and windows. Nonearth tone brick shall be limited to architectural accents.

(1) Exception: Temporary structures allowed by an interim use permit associated with sales lots that are in compliance with all building code, fire code, zoning ordinance, this code, county ordinance, or state statute applicable to transient merchants, temporary structures, or sales lots. (Ord. B-155, 6-7-2005)

2. Pedestrian Circulation:

- a. Concrete sidewalks, five feet (5') in width, shall be provided on all commercial property along any collector or arterial street.
- b. Clear and well lighted walkways shall connect building entrances to adjacent public sidewalks and to any parking facilities located on the site.

3. Lighting:

- a. Lighting shall be consistent in character throughout the entire property site, in both design and bulb type.
- b. Any light fixture must be placed in such a manner that no light emitting surface is visible from any residential area or public/private roadway, walkway, trail or other public way when viewed at ground level.
- c. Light directed upward is prohibited. Externally lit signs, display, building and aesthetic lighting must be lit from the top and shine downward. Lighting must be shielded to prevent direct glare.
- d. The level of lighting shall not exceed 0.5 lumens at any residential property line or 1.0 lumen at any nonresidential property line.
- e. The maximum height for exterior lighting is twenty feet (20').
- f. All nonessential lighting will be required to be turned off after business hours, leaving only the necessary lighting for site security.

4. Landscaping:

- a. Landscape buffers are required between commercial uses and residential districts. They are also to be used to promote pedestrian safety and be located between sidewalks, walkways and parking lots in the event of new construction or redevelopment. Landscaping shall include boulevard and ornamental trees, shrubs and may also include such features as benches and bicycle parking facilities. Landscaped "islands" will be encouraged as a means of reducing large expanses of asphalt. (Ord. B-117, 9-18-2001; amd. Ord. B-155, 6-7-2005)

11-4-12: TRADITIONAL DOWNTOWN OVERLAY DISTRICT:

- A. Purpose And Intent: The purpose of the traditional downtown overlay district is to encourage high quality commercial and institutional redevelopment in Rosemount's core downtown area. The overlay district encompasses an area of long standing, diverse commercial and institutional activity. The overlay district is intended to preserve and enhance the variety of modes of travel used in the traditional downtown, including automobile traffic and pedestrian and bicycle travel. The traditional downtown overlay district encourages a pedestrian oriented scale and style of development, with sidewalks in front of buildings, minimal or no front setbacks, building height limits, parking in the rear of buildings and other standards. It encourages building quality through architectural standards. The intent of these standards is to encourage development of a style and scale that are compatible with the predominant uses and structures in the traditional downtown.
- B. Scope: The overlay district includes all commercially zoned property north of lower 147th Street and the public and institutional district north of 145, west of Highway 3, south of 143rd Street.
- C. Permitted Uses: The permitted uses shall be the same as those in the C-2 downtown commercial district with the following exceptions:
1. Essential service facilities are permitted, but power substations are not permitted uses.
 2. Municipal parking lots are permitted, but transit stations with off street parking in excess of four (4) stalls and/or off street bus maneuvering areas and/or structures totaling more than one hundred fifty (150) square feet are not permitted.
- D. Accessory Uses: The accessory uses shall be the same as those in the C-2 downtown commercial district with the following exceptions:
1. Fences, as regulated by this title. No person shall cause a fence to be placed in the public right of way without a written permit from the city of Rosemount.
- E. Conditional Uses: The conditional uses shall be the same as those in the C-2 downtown commercial district with the following exceptions:
- Custom manufacturing, with accessory retail sales and display.
1. The size of a custom manufacturing facility shall be no greater than five thousand (5,000) square feet.
 2. Such uses shall be prohibited on property directly abutting a residential district.
- Hotels with the following conditions:

1. The hotel shall not exceed twenty four (24) sleeping rooms.
2. The sleeping rooms shall have entry from the interior of the hotel and shall not have direct entry from the exterior of the hotel.
3. Hotels and bed and breakfasts (B&Bs) shall be no closer than three hundred feet (300') from churches and schools.

Multiple-family dwellings with the following conditions:

1. No ground floor or street level building space shall be used for residential purposes or accessory uses thereto in any multiple-family structure within one hundred fifty feet (150') of Trunk Highway 3.
2. There shall be a minimum of one and one-half (1¹/₂) underground, heated parking stalls for each dwelling unit.

Multiple parcels, tenants, buildings, provided that the uses are specified as permitted, accessory or conditional uses in the C-2 downtown commercial district, subject to the conditional use permit provisions outlined in this title.

Townhomes with the following conditions:

1. No ground floor or street level building space shall be used for residential purposes or accessory uses thereto in any townhome within one hundred fifty feet (150') of Trunk Highway 3.
2. There shall be a minimum of two (2) tuck under or below grade attached garage stalls for each townhome.

F. Minimum Lot Requirements:

1. Maximum building height: Fifty feet (50') excluding architectural appurtenances as defined elsewhere in this title.

G. Additional Design Standards: The building and site design standards shall be the same as in the C-2 downtown commercial district with the following additions:

1. Building exteriors are required to include architectural enhancements to create visual contrast and interest, such as lintels, cornices, inset doorways, beveled corners, parapetwalls, etc.
2. All rooftop mechanical equipment shall be screened by a raised parapet wall or with comparable and compatible exterior building materials. The city administrator or a designee may deem it unnecessary to screen minor, incidental rooftop equipment, which equipment shall be of a color to match the roof. Metal cabinets used to enclose and protect rooftop equipment shall not substitute as screening.

3. Exposed roof materials shall be similar to, or architecturally equivalent to, a three hundred (300) pound or better asphalt or fiberglass shingle, wooden shingle, standing seam metal roof or better.
4. Garish or brightly colored (i.e., orange, bright yellow, or fluorescent colors) building materials or accents (such as cloth or metal awnings, trim, banding, walls, entries or any portion of a building) shall be minimized and in no case shall such materials or accents exceed five percent (5%) of any building elevation or wall area.
5. Brick or stone exteriors shall not be painted during the life of the exterior materials. (Ord. B-117, 9-18-2001)

11-4-13: C-3 HIGHWAY COMMERCIAL DISTRICT:

A. Purpose And Intent: The purpose of the highway service commercial district is to provide areas for business and retail services that require a large amount of outdoor storage and/or passing motorists. This is a highly specialized district located in an area that has volumes of traffic with high visibility. Zoning standards are intended to promote compatibility in form, function and style.

B. Permitted Uses: The following uses are permitted uses in the C-3 district:

Child and adult daycare.

Communications businesses.

Eating and drinking establishments without drive-through facilities.

Essential service facilities.

Financial institutions without drive-through facilities.

General repair services, including appliance repair, furniture reupholstery and repair, jewelry, clock, watch, radio, small electronics, small engine, and television repair. All general repair service shall be conducted in a closed building.

Hotels and motels.

Indoor amusement and recreation services, including video arcades subject to the following restrictions:

1. Any arcade with fifteen (15) or more machines shall have an adult supervisor on duty during all hours of operation.
2. No arcade shall be operated within five hundred feet (500') of a school, church, or residence unless it is an integral part of a shopping center and does not have an entrance

except from within the shopping center.

Personal services, including barber and beauty shops, fitness centers, funeral services and mortuaries, laundry services, shoe repair, photography, video rental and the like.

Professional services and offices, including architects and attorney offices, dental and medical clinics, financial services, insurance providers, real estate businesses and the like.

Public parking lots and transit stations.

Public parks, owned and operated by a government unit, including recreational facilities and structures consistent with the public area.

Retail sales, including automobile parts, books and stationery, clothing, drug, gifts and novelties, groceries, furniture and hardware, hobby, video sales, jewelry, and sporting goods stores or the like. All retail sales shall be conducted in a closed building.

Theaters.

Veterinary services, not including outdoor runs or kennels.

C. Accessory Uses: The following uses shall be permitted accessory uses:

Off street parking for a permitted, conditional or interim use.

Outdoor seating or dining areas for ten (10) or fewer seats, accessory to permitted or conditional uses, subject to:

1. The site shall be designed to limit the effects of outdoor seating or dining areas on contiguous properties and/or public rights of way.
2. The outdoor seating or dining area shall be located on private property along the front, side or rear of the principal building but shall not be located within a required setback or on a side that abuts any residential use or district.
3. The outdoor seating or dining area shall not interfere with circulation in any required parking, loading, maneuvering or pedestrian area. A minimum four foot (4') passageway shall be maintained along the private sidewalk for pedestrians.
4. Patrons shall not be served food or beverages outside, except that employees may refill beverage containers in the seating area. At no time shall the seating area be used for the consumption of alcoholic beverages.
5. The outdoor seating or dining area shall be equipped with refuse containers. The business owner shall ensure that the area is properly maintained and litter free.
6. No public address system shall be audible from a noncommercial or nonindustrial use or district.

Satellite dishes and solar collectors.

D. Conditional Uses: The following uses are conditional uses in the C-3 district, and are subject to the conditional use permit provisions outlined in this title:

Automotive repair subject to:

1. The site and building(s) shall be designed to limit the effects of this use on adjacent properties and public rights of way. No automotive repair use shall be located on a site abutting any residential use or district.
2. All repair, assembly, disassembly or maintenance of vehicles shall occur within a closed building, except minor maintenance, including tire inflation, adding oil, wiper replacement and the like. All overhead vehicle doors on the building shall remain closed except when a vehicle is entering or exiting the building.
3. Gasoline pumps/sales shall require an additional conditional use permit subject to the performance standards outlined in this subsection for nonservice station retail facilities having gasoline pumps.
4. Outdoor storage of parts, materials, and equipment is prohibited.
5. Automotive repair uses shall designate on a site plan separate areas for customer parking and storage of inoperable vehicles awaiting repair or repaired vehicles awaiting pick up. These areas shall meet the design standards outlined in section [11-6-1](#), "Off Street Parking Requirements", of this title and be screened as follows:
 - a. Customer parking areas shall meet the applicable screening standards outlined in this title including, but not limited to, section [11-6-1](#), "Off Street Parking Requirements", of this title and this section.
 - b. Inoperable vehicles awaiting repair or repaired vehicles awaiting pick up shall be stored behind the principal building. Landscaping and berming shall be a secondary source for screening said vehicles. Should landscaping and berming be found ineffective by the city, the city may approve screening walls and/or decorative fencing as an alternative. Screening walls shall be constructed of the same materials as the principal building and shall not extend more than twenty five feet (25') without a change in architecture to reduce their mass and appearance. Stacking areas shall have a minimum ninety percent (90%) opacity screen to a height of six feet (6').
 - c. Junk or unlicensed vehicles awaiting repair or pick up shall be stored completely inside a closed building in accordance with the performance standards outlined in section [11-2-9](#) of this title.
6. Parking of vehicles on public right of way shall be prohibited.
7. All painting must be conducted in an approved paint booth. All paint booths and all other activities of the operation shall thoroughly control the emission of fumes, dust, or other particulate matter in compliance with Minnesota pollution control standards and applicable fire and building codes.

8. All flammable materials, including liquids and rags, shall conform to the applicable provisions of the Minnesota fire code.
9. No public address system shall be audible from a noncommercial or nonindustrial use or district.

Commercial car washes (drive-through, mechanical and self-service) provided that:

1. The site and building(s) shall be designed to limit the effects of the washing operation on adjacent properties and public rights of way. No car wash use shall be located abutting any residential use or district.
2. The principal building shall be the primary source for screening the stacking and exiting areas from adjacent properties and/or rights of way. Landscaping and berming shall be a secondary source for screening the stacking and exiting areas. Should landscaping and berming be found ineffective by the city, the city may approve screening walls and/or decorative fencing as an alternative. Screening walls shall be constructed of the same materials as the principal building and shall not extend more than twenty five feet (25') without a change in architecture to reduce their mass and appearance. Stacking areas shall have a minimum ninety percent (90%) opacity screen to a height of six feet (6') while exiting areas shall have a minimum fifty percent (50%) opacity screen to a height of at least four feet (4').
3. All overhead vehicle doors on the building shall remain closed except when a vehicle is entering or exiting the building.
4. Commercial car washes shall have a minimum of six (6) stacking spaces per wash stall. Each space shall be a minimum of nine feet (9') wide by eighteen feet (18') long.
5. Stacking lanes shall not interfere with circulation in any required parking, loading, maneuvering or pedestrian area.
6. Untreated water from the car wash shall not be discharged into the storm sewer. If the water is to be pretreated and discharged into the storm sewer, the pretreatment plans shall be subject to review and approval of the city engineer and building official, and subject to applicable requirements of metropolitan council environmental services and MPCA.

Drive-through facilities for restaurants, banks, and other similar uses.

1. The site and building(s) shall be designed to limit the effects of the drive-through on adjacent properties and public rights of way. No use with a drive-through window shall be located abutting any residential use or district.
2. Drive-through facilities shall have a minimum six (6) stacking spaces per drive-through window. Fast food uses operating more than one window per individual drive aisle shall meet the stacking requirements for a single drive-through facility. Each space shall be a minimum of nine feet (9') wide by eighteen feet (18') long.
3. The principal building shall be the primary source for screening the drive-through facility and stacking and exiting areas from adjacent properties and/or rights of way. Landscaping

and berming shall be a secondary source for screening drive-through, stacking or exiting areas. Should landscaping and berming be found ineffective by the city, the city may approve screening walls and/or decorative fencing as an alternative. Screening walls shall be constructed of the same materials as the principal building and shall not extend more than twenty five feet (25') without a change in architecture to reduce their mass and appearance. Stacking areas shall have a minimum ninety percent (90%) opacity screen to a height of six feet (6') while exiting areas shall have a minimum fifty percent (50%) opacity screen to a height of at least four feet (4').

4. Stacking lanes, order board intercom, and service window shall be designed and located to minimize noises, emissions, and headlight glare upon adjacent properties and public rights of way.
5. Stacking lanes shall not interfere with circulation through any required parking, loading, maneuvering or pedestrian area.
6. No public address system shall be audible from a noncommercial or nonindustrial use or district.
7. In addition to the freestanding sign allowed by the sign ordinance, fast food uses may display menu signs related to drive-through facilities, provided that:
 - a. Not more than one menu sign per defined drive-through aisle is allowed.
 - b. Individual menu signs shall be single sided with an area not to exceed thirty two (32) square feet including both menu information and sign cabinet.
 - c. The height of the menu sign(s) shall not exceed eight feet (8') including its base or pole measured from grade to the top of the structure.
 - d. The menu sign(s) shall not encroach into any parking setback and shall be located directly adjacent to the drive-through aisle and oriented in such a manner that the sign provides information to the drive-through patrons only and does not provide supplemental advertising to pass-by traffic and does not impair visibility or obstruct circulation.

Landscape and horticultural services.

1. A principal structure must be built on site.
2. Landscape and horticultural services are subject to the performance standards outlined in this subsection for outdoor display/storage or sales.

Lumber and construction materials businesses.

1. A principal structure must be built on site.
2. Lumber and construction material yards are subject to the performance standards outlined in this subsection for outdoor display/storage or sales.

Motor and recreation vehicle, trailer, boat, or agricultural machinery sales or rental.

1. The site and building(s) shall be designed to limit the effects of the sales or rental use on adjacent properties. No sales or display area shall be located on a site abutting any residential use or district.
2. A minimum building floor area of twenty percent (20%) of the lot area shall be required. All overhead vehicle doors on the building shall remain closed except when a vehicle is entering or exiting the building.
3. The outdoor sales or display area shall not interfere with circulation in any required parking, loading, maneuvering or pedestrian area.
4. The maximum area permitted for outdoor sales or display shall not exceed three and one-half (3.5) square feet of outdoor storage area to each one square foot of enclosed ground floor principal building area.
5. The outdoor sales or display area shall conform to the principal building setback requirements of this district and meet the off street parking and loading performance standards outlined in [chapter 6](#) of this title.
6. Junk vehicles are prohibited.
7. Any repair, assembly, disassembly or maintenance of vehicles shall require an additional conditional use permit subject to the performance standards outlined in this subsection for automotive repair.
8. Outdoor storage of parts, materials, and equipment is prohibited.
9. Landscaping and berming shall be a primary source for screening outdoor sales and display area from adjacent rights of way. Should landscaping and berming be found ineffective by the city, the city may approve screening walls and/or decorative fencing as an alternative. Screening walls shall be constructed of the same materials as the principal building and shall not extend more than twenty five feet (25') without a change in architecture to reduce their mass and appearance. The screening source (landscaping and berming or walls and/or decorative fencing) shall provide a minimum fifty percent (50%) opacity screen to a height of at least four feet (4').
10. All necessary city or state licenses/permits shall be obtained and remain in good standing.
11. All exterior lighting shall conform to the C-3 district standards and applicable sections of this title.
12. No public address system shall be audible from a noncommercial or nonindustrial use or district. Playing of music or advertisements from the public address system is prohibited.
13. Tents, rooftop parking, ramps or similar vertical devices for elevated displays are prohibited.
14. Signs shall conform to the performance standards outlined in this title as well as the standards listed below:

- a. Pennants, balloons, streamers, pinwheels or other attention attracting devices are prohibited.
- b. No freestanding light poles shall be used as temporary sign supports, as flagpoles or to connect flags, streamers, or pennants.
- c. No graphics shall be painted on the building or windows.
- d. Open hoods of vehicles, windshields, car windows, trunks, roofs or the like shall not be used for individual letters or other signage.
- e. No vehicle or trailer shall be parked in such a manner as to advertise the site location, or to promote or advertise a sale or event.

Nonservice station retail facilities having gasoline pumps.

1. The site and building(s) shall be designed to limit the effects of this use on adjacent properties and public rights of way. No gasoline pumps shall be located on a side abutting any residential use or district.
2. The principal building shall be the primary source for screening the gasoline pumps from adjacent properties and/or rights of way. Landscaping and berming shall be a secondary source for screening gasoline pumps. Should landscaping and berming be found ineffective by the city, the city may approve screening walls and/or decorative fencing as an alternative. Screening walls shall be constructed of the same materials as the principal building and shall not extend more than twenty five feet (25') without a change in architecture to reduce their mass and appearance. The secondary source of screening (landscaping and berming or walls and/or decorative fencing) shall provide a minimum ninety percent (90%) opacity screen to a height of four feet (4').
3. Stacking for gas pumps shall be provided for at least one car beyond the pump island in each direction in which access can be gained to the pump. Each space shall be a minimum of nine feet (9') wide by eighteen feet (18') long.
4. Stacking areas shall be designed and located to minimize noises, emissions, and headlight glare upon adjacent properties and shall not interfere with circulation through any required parking, loading, maneuvering or pedestrian area.
5. Fuel pumps shall be installed on pump islands. Pump islands shall be elevated six inches (6") above the traveled surface of the site and shall conform to the applicable principal building setback. Additionally, there shall be sufficient area around the pump island(s) to allow for safe and efficient movement of vehicles through the site, with a minimum twenty four feet (24') between pump rows, measured curb face to curb.
6. Underground fuel storage tanks are to be positioned to allow adequate access by motor fuel transports and unloading operations that do not conflict with circulation, access and other activities on the site.
7. A protective canopy structure may be located over the pump islands, subject to the following standards:
 - a. The edge of the canopy shall maintain setbacks as required for the principal building.

- b. The architectural design, colors, and character of the canopy shall be consistent with the principal building on the site. The canopy posts/signposts shall not obstruct traffic or the safe operation of the gas pumps.
 - c. The canopy shall not exceed eighteen feet (18') in height and must provide at least fourteen feet (14') of clearance to accommodate a semitrailer passing underneath. The height of the canopy may be increased should the city council determine the architectural design enhances the site and/or is more consistent with the principal building.
 - d. The canopy fascia shall not exceed three feet (3') in vertical height.
 - e. Canopy lighting shall consist of canister spotlights recessed into the canopy. No portion of the light source or fixture may extend below the bottom face of the canopy. Total canopy illumination shall not exceed one hundred fifteen (115) foot-candles below the canopy at ground level. The fascia of the canopy shall not be illuminated.
 - f. Signage may be allowed on a canopy, however such signage will apply towards the allowable sign area for the principal building and/or ground sign.
8. No public address system shall be audible from a noncommercial or nonindustrial use or district.
 9. The sale, storage, or display of vehicles is prohibited.
 10. No outside storage, display, or services shall be allowed except as follows:
 - a. Propane sales limited to twenty (20) pound capacity tanks may be located outside provided the tanks are secured in a locker and the use meets all state building and fire codes.
 - b. Sale or display of goods shall be allowed on the private sidewalk immediately in front of the principal building, provided that a minimum four foot (4') clearance is maintained for pedestrian access and that the display does not exceed four feet (4') in height and is maintained in an orderly fashion. Display shall not block the handicap accessible route.
 - c. Sale or display of goods shall be allowed in an area underneath the canopy adjacent to the pump island provided that the display does not exceed three feet (3') in height or extend beyond the concrete base of the pump island. This area shall be maintained in an orderly and safe fashion and in accordance with applicable state fire code regulations.
 11. Any repair, assembly, disassembly or maintenance of vehicles shall require an additional conditional use permit subject to the performance standards outlined in this subsection for automotive repair.
 12. A car wash facility shall require an additional conditional use permit subject to the performance standards outlined in this subsection for commercial car washes.

Outdoor amusement and recreation services, subject to the following restrictions:

1. No outdoor amusement and recreation service shall be located on a site abutting any

residential use or district.

2. The site and building(s) shall be designed to limit the effects of this use on adjacent properties and public rights of way.
3. All improvements except landscaping shall conform to the setback requirements for principal buildings in the district.
4. No public address system shall be audible from a noncommercial or nonindustrial use or district.

Outdoor display/storage or sales, subject to the following:

1. Outdoor display/storage or sales related to motor and recreation vehicle, trailer, boat, or agricultural machinery sales or rental shall be subject to those standards identified elsewhere in this chapter specific to such use.
2. The site and building(s) shall be designed to limit the effects of outdoor display/storage or sales on adjacent properties and public rights of way.
3. Outdoor display/storage or sales is limited to an area equal to forty five percent (45%) of the gross floor area of the principal building.
4. Outdoor display/storage or sales may be allowed in the following locations:
 - a. Outdoor display/storage or sales of goods shall be allowed on the private sidewalk immediately in front of the principal building, provided that a minimum four foot (4') clearance is maintained for pedestrian access and that the display does not exceed four feet (4') in height and is maintained in an orderly fashion. The outdoor display/storage or sales shall not block the handicap accessible route.
 - b. At the pump island of an automobile convenience facility, as specified in this subsection for nonservice station retail facilities having gasoline pumps.
 - c. Within an enclosure constructed of materials compatible to the building's architecture such as decorative fencing or a building wall, provided that:
 - (1) The display area shall be clearly identified on the approved site plan for the project and shall meet all applicable building setbacks.
 - (2) The enclosure shall provide a minimum ninety percent (90%) opacity screen.
 - (3) The display area shall be surfaced with concrete or an approved equivalent to control dust.
 - (4) The sales and display area shall not take up, or interfere with access to, any required parking, loading, maneuvering or pedestrian area.
 - (5) Displayed merchandise shall be maintained in a neat and orderly fashion.
 - (6) The square footage of the outdoor display area(s) shall be included in calculation of required off street parking for the use.

5. No public address system shall be audible from a noncommercial or nonindustrial use or district.
6. Outdoor sales shall only be conducted by the owner or lessee of the premises.
7. Only merchandise that is normally manufactured, sold, or stored by the occupant on the premises shall be sold and/or promoted.

Outdoor seating or dining areas for eleven (11) or more seats.

1. The site and outdoor seating or dining area shall be designed to limit the effects of outdoor seating or dining areas on contiguous properties and/or public rights of way.
2. The seating area shall be located in a controlled or cordoned area acceptable to the city with at least one opening to an acceptable pedestrian walk.
3. When a liquor license is granted, an uninterrupted enclosure is required and the enclosure shall only have access through the principal building.
4. The seating area shall be located on private property along the front, side or rear of the principal building, but shall not be located within a required setback or on a side abutting any residential use or district.
5. The seating area shall not interfere with circulation in any required parking, loading, maneuvering or pedestrian area. A minimum four foot (4') passageway shall be maintained along the private sidewalk for pedestrians.
6. The seating area shall not be permitted within two hundred feet (200') of any residential use or district as measured at the property line and shall be separated from residential use or district by the principal structure or other method of screening acceptable to the city. The minimum distance from a residential use or district may be reduced should the city determine the applicant has added sufficient elements to reduce the impact of this use.
7. No public address system shall be audible from a noncommercial or nonindustrial use or district.

Self-service storage facilities, subject to the following restrictions:

1. All storage shall be maintained in the storage space and there shall be no outdoor storage of any products, equipment or other material within the storage facility; provided, however, open storage for licensed, operable recreation vehicles shall be permitted, provided the amount is not more than twenty five percent (25%) of the area occupied by buildings.
2. The perimeter of the storage facility shall be entirely enclosed by a combination of buildings and decorative fencing. Chainlink, barbed wire or wood privacy fencing shall not be permitted as decorative material, except as may otherwise be approved by the city council. For the purposes of calculating foundation planting requirements, the decorative fencing of the perimeter shall be used in lieu of the building perimeter calculation.
3. All storage space openings shall be oriented internally to the facility and shall not directly face a public street or adjoining property.

4. Green space, planting clusters and berming shall be strategically designed and located around openings between storage facility structures.
5. The self-service storage facility shall be required to provide 1.25 times the required minimum for over story tree plantings so as to satisfy the requirements of subsection 4 of this use, and provided the minimum interval spacing requirement at the boulevard is satisfied and met. All landscaped areas shall be required to include the proper installation of an underground irrigation system.
6. An accessory caretaker residence may be permitted with a storage facility, provided it is only used for resident security and management purposes and the exterior building materials shall match those of the principal and accessory storage facility structures.
7. The exterior wall surfaces of all building structures that comprise the development project shall consist of brick, decorative block, stone, architectural concrete cast in place or precast concrete panels. The "interior" wall surfaces where storage spaces are located at or below the top of the overhead door, and including the storage space doors and columns between such spaces, may be of metal, which shall consist of a decorative factory applied finish.
8. The hours of operation for the self-service storage facility shall be restricted to between the hours of six o'clock (6:00) A.M. and eleven o'clock (11:00) P.M.
9. Access to the interior of the fenced area shall be available to emergency responders in a manner to be acceptable to the fire marshal.
10. All internal driveways intended for access to individual storage spaces shall have minimum widths of twenty feet (20').
11. No internal driveway may exceed one hundred fifty feet (150') without providing sufficient space to turn vehicles around allowing for a minimum turning radius of forty five feet (45'), or as approved by the fire marshal.
12. Common parking space available to all storage units shall be provided at a rate no less than one space per six thousand (6,000) square feet of storage area.
13. The exterior buildings, driveways, open space and landscaping, front, side and rear yards shall be maintained and repaired or replaced in conformance with the approved plans by the property owner or landlord. This condition shall be kept that it will not cause a blighting of the area or a general deterioration of the self-storage facility.
14. If storage units are to be sold individually, and no landlord or property owner is available to assume site management responsibilities, an owners' association shall be required to assume the responsibilities of overall site management. The owners' association shall be governed by a declaration of covenants that shall be approved by the city and recorded at Dakota County. The open space and common areas shall be maintained and cared for by the developer of the self-storage facility until an owners' association is formed to maintain open space and common areas. This owners' association shall be responsible for the care and maintenance of all open space and common areas of the self-storage facility and also for the maintenance and appearance of the exterior of each unit. The owners' association shall levy charges to each owner for the maintenance cost, operating costs and improvement costs for the open or green space, and for the common and privately owned

parking and paved areas beyond each storage unit. In addition, the owners' association will assume the responsibility to maintain the exterior of the building(s) and also in an acceptable condition which is compatible with adjoining properties. The owners' association will cause blighted individually owned units or areas within the facility to be repaired, restored and maintained as necessary to an acceptable standard for the area.

15. In the event that the developer or owner of the self-storage facility is unable to organize the property owners into an association for the maintenance of the open space and individually owned storage units after twelve (12) months from the completion of the construction, the council will call for a public hearing of all persons so concerned and ask for the creation of such an association. If no association is formed or if the association ceases to function any time after it is formed, the council will order such maintenance work and restoration of the area and then will assess such costs, together with a reasonable supervision charge, to the owners in the self-storage facility or the individual owner receiving the individual benefit.
16. The council may require that the declaration of covenants include provisions to meet the minimum requirements of this section or to satisfy conditions of city approval, may be enforced by the city, and may not be amended or released without city council approval.

Transmission facilities greater than one-fourth ($\frac{1}{4}$) mile in length.

E. Interim Uses:

Transient merchant sales lots as regulated by [title 3, chapter 5](#) of this code and the zoning ordinance, provided that:

1. The owner and/or operator of the outdoor sales lot or event shall have written permission of the property owner of the property on which the sale or event is located and shall have said written permission available for inspection if requested.
2. No portion of the sales lot or any advertising for the event shall take place within any public right of way or intersection sight triangle. A minimum ten foot (10') setback, or the minimum parking setback for the applicable zoning district if it provides for a greater setback, shall be maintained from all property lines and no portion of the use shall take place within one hundred feet (100') of any property line of any residential use or residentially zoned property.
3. Any signage for the outdoor sale lot or event shall comply with the temporary signage requirements contained in [chapter 8](#) of this title.
4. Any temporary structure, including tents and membrane structures, associated with the outdoor sales lot or event shall comply with all applicable building codes and permit requirements.
5. Hours of operation shall be subject to the requirements of [title 3, chapter 5](#) of this code.
6. Adequate off street parking, with a surface in compliance with subsection [8-2-21](#) of this code, shall be provided for both the principal and interim use ensuring that no obstruction

or interference occurs with existing traffic patterns.

7. No parking related to the outside sales lot or event shall be permitted on adjacent parcels without the prior written consent of the adjacent parcel owner. Said written permission shall be available for inspection if requested.
8. A detailed site plan showing the outdoor sales lot area and dimensions, access and egress to the site, all structures, setbacks, signage, parking, and any other information requested to approve the outdoor sales lot shall be submitted for approval with application materials required for an interim use permit and an outdoor sales lot in [title 3, chapter 5](#) of this code.
9. Outdoor sales lot for consumer fireworks sales shall meet the specialized requirements laid out in Minnesota statute, section 624.20, [title 6, chapter 4](#) of this code, and all other applicable zoning, city code, fire code, county ordinance, or state statutes.
10. The period during which the permitted use may continue will be specified by the city council, but in no case will be longer than one hundred twenty (120) days.

F. Minimum Lot Requirements And Setbacks:

1. Minimum lot area: One acre.
2. Minimum lot width: One hundred twenty feet (120').
3. Maximum lot coverage: Seventy five percent (75%).
4. Minimum district size: Two (2) acres.
5. Minimum front yard setback:
 - a. Principal structure: Thirty feet (30').
 - b. Accessory structures: Thirty feet (30').
6. Minimum side yard setbacks:
 - a. Principal structures: Ten feet (10').
 - b. Accessory structures: Ten feet (10').
7. Minimum rear yard setbacks:
 - a. Principal structures: Ten feet (10').
 - b. Accessory structures: Ten feet (10').
8. Parking setbacks:
 - a. Minimum front yard setback: Twenty feet (20').
 - b. Minimum rear yard setback: Ten feet (10').

- c. Minimum side yard setback: Ten feet (10').
 - d. When there exists an easement for a shared private roadway or drive, the required setback is ten feet (10') from the easement.
9. Buffer yard: A buffer yard equal to thirty feet (30') or two (2) times the height of the building, whichever is greater, shall be required along any side or rear property line abutting any noncommercial or nonindustrial use or district. The minimum buffer yard for any single occupancy building with a footprint equal to or larger than forty thousand (40,000) square feet, but not greater than one hundred thousand (100,000) square feet, shall be increased by fifty percent (50%) of the required buffer yard. Buffer yards for buildings with a footprint exceeding one hundred thousand (100,000) square feet shall be increased by one hundred percent (100%). This area shall contain landscaping and berming to provide a ninety percent (90%) opacity screen to a height of at least six feet (6') and shall not contain any structures, parking, off street loading or storage. Should landscaping and berming be found ineffective by the city, the city may approve screening walls and/or decorative fencing as an alternative. Screening walls shall be constructed of the same materials as the principal building and shall not extend more than twenty five feet (25') without a change in architecture to reduce their mass and appearance.
10. Maximum building height:
- a. Principal structure: Thirty five feet (35').
 - b. Accessory structure: Twenty five feet (25').
- G. Site And Building Standards: To prevent urban blight and ensure quality, long lasting construction compatible with both adjacent properties and those throughout the district, all sites and buildings shall comply with the following standards, as well as applicable sections of this title:
1. Architectural Appearance: While variation in materials and colors that support the general theme may be allowed, the overall building shall have "360 degree" architecture. Nonearth tone materials shall be limited to architectural accents. The color of the nonbrick or stone portion of the building shall match the predominant brick or stone color portion.
 2. Building Massing: Facades shall be articulated to reduce their mass and scale and provide visual interest consistent with Rosemount's identity, character, and scale. Large uninterrupted building walls or elevations are prohibited. Corner architectural elements are encouraged to define the edges of a building. A building more than one hundred feet (100') in width shall be divided into increments of no more than thirty feet (30') through the articulation of the facade. This shall be achieved through combinations of the following techniques:
 - a. Divisions or breaks in the materials.
 - b. Arcades, entry features, window bays, or the like.
 - c. Variations in rooflines or slope plane.
 - d. Variation in building plane or setback.

- e. Equivalent techniques approved by the city.
3. Permitted Materials: The exterior wall surfaces except for windows of all buildings shall be constructed of at least fifty percent (50%) brick or natural stone. The remaining fifty percent (50%) of the wall surface may be specialty integral colored concrete block (including textured, burnished, and rock faced block), tile (masonry, stone or clay), architectural textured concrete panels cast in place, or better. EIFS or masonry stucco may be used for the sign band areas and/or architectural accents totaling no more than ten percent (10%) of the nonglass, brick or stone portion of the building. Unadorned concrete is prohibited.
4. Pedestrian Circulation: Appropriate provisions shall be made to protect pedestrian areas from encroachments by parked or moving vehicles. Clear and well lighted walkways shall extend throughout the site and parking area(s) connecting building entrances to adjacent public sidewalks and any parking facilities located on the site.
 - a. Walkway(s) shall be made of high quality, long lasting, and decorative materials and incorporate architectural themes present in the surrounding building. Bituminous or asphalt materials are prohibited.
 - b. A walkway at least six feet (6') wide shall extend along any facade featuring a customer entrance and any facade abutting a parking or maneuvering area.
 - c. A continuous and permanent concrete curb not less than six inches (6") above grade shall separate internal sidewalks from parking, loading, stacking and maneuvering areas.
 - d. Concrete sidewalks, five feet (5') in width, shall be provided on all commercial property along any collector or arterial street.
5. Lighting: Lighting shall be consistent in character throughout the entire property site, in both design and bulb type.
 - a. Any light fixture must be placed in such a manner that no light emitting surface is visible from any residential area or public/private roadway, walkway, trail or other public way when viewed at ground level.
 - b. Light shall be directed toward the ground. Externally lit signs, display, building and aesthetic lighting must be lit from the top and shine downward. Lighting must be shielded to prevent direct glare.
 - c. The level of lighting shall not exceed 0.5 lumens at any residential property line or 1.0 lumen at any nonresidential property line.
 - d. The maximum height for exterior lighting is thirty feet (30'). The maximum height for exterior lighting within one hundred feet (100') of a residential use or district shall be twenty feet (20').
 - e. All nonessential lighting will be required to be turned off after business hours, leaving only the necessary lighting for site security.
6. Parking Lots: To reduce the impact of large expanses of paved surfaces, provide a more pedestrian friendly environment and provide adequate room for snow storage, all parking areas (including driveways and drive aisles) shall be screened and landscaped. Trees, shrubs, flowers and ground cover needed in these areas shall be in addition to the minimum

number of trees and foundation plantings required by this title.

- a. Screening: Landscaping and berming shall be a primary source for screening parking areas. Should landscaping and berming be found ineffective by the city, the city may approve screening walls and/or decorative fencing as an alternative. Screening walls shall be constructed of the same materials as the principal building and shall not extend more than twenty five feet (25') without a change in architecture to reduce their mass and appearance. The screening source (landscaping and berming or walls and/or decorative fencing) shall provide a minimum fifty percent (50%) opacity screen to a height of at least four feet (4').
 - b. Landscaping: A minimum of ten percent (10%) of the parking area shall be landscaped. This landscaping shall be located on islands, peninsulas or the like within the perimeter of the parking area.
 - (1) The islands or peninsulas shall be a minimum eight and one-half feet (8.5') wide and extend the length of the adjacent parking stall(s). These dimensions may be altered to provide sufficient area for the proposed landscaping to mature.
 - (2) To ensure this landscaping is properly dispersed, a minimum of one island, peninsulas or the like shall be located within each six thousand (6,000) square feet of vehicular use area.
 - (3) A minimum of one tree shall be required for each two hundred fifty (250) square feet or fraction thereof, of required landscape area. Deciduous trees shall have a clear trunk of at least five feet (5') above the ground and a caliper of at least two and one-half inches (2.5"). Coniferous trees shall be at least four feet (4') in height. The remaining area shall be landscaped with shrubs or ground cover (not to include rocks or gravel except as a mulch around shrubs and ground cover) not to exceed two feet (2') in height.
7. Landscaping: All areas of land other than those occupied by building or hardcover shall be landscaped with a combination of sod and plantings. Rock or mulch may only be used as an accent material around sod or plantings. Trees, shrubs, flowers and ground cover needed in these areas shall be in addition to the minimum number of trees and foundation plantings required by this title. All landscaped areas shall be irrigated. Portions of the site may be exempt from these requirements with city approval where future development or expansion is planned within a reasonable period of time. These areas shall either be graded and seeded with prairie or maintained grass in accordance with the city of Rosemount grading requirements or remain as undisturbed natural areas containing existing viable natural vegetation that can be maintained free of foreign and noxious plant material and will not produce soil erosion due to potential increases in storm water runoff. (Ord. B-160, 11-1-2005)

11-4-14: C-4 GENERAL COMMERCIAL DISTRICT:

- A. Purpose And Intent: The purpose of the general commercial district is to provide a wide range of goods and services to the entire community. Due to their proximity to major arterial streets, businesses in this district are dependent on large volumes of traffic, thus need to be highly visible and accessible. It is the intent of this district to promote development that maximizes the

full development potential in this area. Zoning standards are intended to promote compatibility in form, function and style.

B. Permitted Uses: The following uses are permitted uses in the C-4 district:

Child and adult daycare.

Communications businesses.

Eating and drinking establishments without drive-through facilities.

Essential service facilities.

Financial institutions without drive-through facilities.

General repair services, including appliance repair, furniture reupholstery and repair, jewelry, clock, watch, radio, small electronics, small engine and television repair occurring within an enclosed building.

Hotels and motels.

Indoor amusement and recreation services, including video arcades subject to the following restrictions:

1. Any arcade with fifteen (15) or more machines shall have an adult supervisor on duty during all hours of operation.
2. No arcade shall be operated within five hundred feet (500') of a school, church, or residence unless it is an integral part of a shopping center and does not have an entrance except from within the shopping center.

Membership organizations.

Personal services, including barber and beauty shops, fitness centers, funeral services and mortuaries, facilities, laundry services, shoe repair, photography and video rental.

Professional services and offices, including architects and attorney offices, dental and medical clinics, financial services, insurance providers, real estate businesses and the like.

Public or governmental services.

Public parking lots and transit stations.

Public parks, owned and operated by a government unit, including recreational facilities and structures consistent with the public area.

Retail sales, including automobile parts, books and stationery, clothing, drug, gifts and novelties, groceries, furniture and hardware, hobby, video sales, jewelry, and sporting goods stores or the like. Automobile sales, new and used, are prohibited.

Theaters, excluding drive-in theaters.

Veterinary services, not including outdoor runs or kennels.

C. Accessory Uses: The following uses shall be permitted accessory uses:

Off street parking for a permitted, conditional, or interim use.

Outdoor display/sales and storage. Outdoor display/storage or sales of goods shall be allowed on the private sidewalk immediately in front of the principal building, provided that:

1. The outdoor display/storage or sales area shall not block a handicap accessible route and shall maintain a minimum four foot (4') clearance for pedestrian access.
2. The outdoor display/storage or sales area does not exceed four feet (4') in height and is maintained in an orderly fashion.
3. No public address system shall be audible from a noncommercial or nonindustrial use or district.
4. Outdoor display/storage or sales shall only be conducted by the owner or lessee of the premises.
5. Only merchandise that is normally manufactured, sold, or stored by the occupant on the premises shall be sold and/or promoted.

Outdoor seating or dining areas for ten (10) or fewer seats, accessory to permitted or conditional uses, subject to:

1. The site shall be designed to limit the effects of this outdoor seating or dining areas on adjacent properties.
2. The outdoor seating or dining area shall be located on private property along the front, side or rear of the principal building, but shall not be located within a required setback or on a side abutting any residential use or district.
3. The outdoor seating or dining area shall not interfere with circulation in any required parking, loading, maneuvering or pedestrian area. A minimum four foot (4') passageway shall be maintained along the private sidewalk for pedestrians.
4. Patrons shall not be served food or beverages outside, except that employees may refill beverage containers in the seating area. At no time shall the seating area be used for the consumption of alcoholic beverages.
5. The outdoor seating or dining area shall be equipped with refuse containers. The business owner shall ensure that the area is properly maintained and litter free.
6. No public address system shall be audible from a noncommercial or nonindustrial use or district.

Satellite dishes and solar collectors.

D. Conditional Uses: The following uses are conditional uses in the C-4 district, and are subject to the conditional use permit provisions outlined in this title:

Drive-through facilities for restaurants, banks, and other similar uses.

1. The site and building(s) shall be designed to limit the effects of the drive-through on adjacent properties and public rights of way. No use with a drive-through window shall be located abutting any residential use or district.
2. Drive-through facilities shall have a minimum six (6) stacking spaces per drive-through window. Fast food uses operating more than one window per individual drive aisle shall meet the stacking requirements for a single drive-through facility. Each space shall be a minimum of nine feet (9') wide by eighteen feet (18') long.
3. The principal building shall be the primary source for screening the drive-through facility and stacking and exiting areas from adjacent properties and/or rights of way. Landscaping and berming shall be a secondary source for screening drive-through, stacking or exiting areas. Should landscaping and berming be found ineffective by the city, the city may approve screening walls and/or decorative fencing as an alternative. Screening walls shall be constructed of the same materials as the principal building and shall not extend more than twenty five feet (25') without a change in architecture to reduce their mass and appearance. Stacking areas shall have a minimum ninety percent (90%) opacity screen to a height of six feet (6') while exiting areas shall have a minimum fifty percent (50%) opacity screen to a height of at least four feet (4').
4. Stacking lanes, order board intercom, and service window shall be designed and located to minimize noises, emissions, and headlight glare upon adjacent properties and public rights of way.
5. Stacking lanes shall not interfere with circulation through any required parking, loading, maneuvering or pedestrian area.
6. No public address system shall be audible from a noncommercial or nonindustrial use or district.
7. In addition to the freestanding sign allowed by the sign ordinance, fast food uses may display menu signs related to drive-through facilities, provided that:
 - a. Not more than one menu sign per defined drive-through aisle is allowed.
 - b. Individual menu signs shall be single sided with an area not to exceed thirty two (32) square feet including both menu information and sign cabinet.
 - c. The height of the menu sign(s) shall not exceed eight feet (8') including its base or pole measured from grade to the top of the structure.
 - d. The menu sign(s) shall not encroach into any parking setback and shall be located

directly adjacent to the drive-through aisle and oriented in such a manner that the sign provides information to the drive-through patrons only and does not provide supplemental advertising to pass-by traffic and does not impair visibility or obstruct circulation.

Educational services, excluding elementary and secondary schools.

Outdoor seating or dining areas for eleven (11) or more seats.

1. The site and enclosure(s) shall be designed to limit the effects of outdoor seating or dining areas on contiguous properties and/or public rights of way.
2. The seating area shall be located on private property along the front, side or rear of the principal building but shall not be located within a required setback or on the side abutting any residential use or district.
3. The seating area shall not interfere with circulation in any required parking, loading, maneuvering or pedestrian area. A minimum four foot(4') passageway shall be maintained along the private sidewalk for pedestrians.
4. The seating area shall be located in a controlled or cordoned area acceptable to the city with at least one opening to an acceptable pedestrian walk.
5. When a liquor license is granted, an uninterrupted enclosure is required and the enclosure shall only have access through the principal building.
6. The seating area shall not be permitted within two hundred feet (200') of any residential use or district as measured at the property line and shall be separated from residential use or district by the principal structure or other method of screening acceptable to the city. The minimum distance from a residential use or district may be reduced should the city determine the applicant has added sufficient elements to reduce the impact of this use.
7. No public address system shall be audible from a noncommercial or nonindustrial use or district.

Transmission facilities greater than one-fourth ($1/4$) mile in length.

E. Interim Uses:

Those interim uses listed in the C-3, highway commercial district.

F. Minimum Lot Requirements And Setbacks:

1. Minimum lot area: Twenty thousand (20,000) square feet.
2. Minimum lot width: One hundred twenty feet (120').

3. Maximum lot coverage: Seventy five percent (75%).
4. Minimum district size: One acre.
5. Minimum front yard setback:
 - a. Principal structure: Thirty feet (30').
 - b. Accessory structures: Thirty feet (30').
6. Minimum side yard setbacks:
 - a. Principal structures: Ten feet (10').
 - b. Accessory structures: Ten feet (10').
7. Minimum rear yard setbacks:
 - a. Principal structures: Ten feet (10').
 - b. Accessory structures: Ten feet (10').
8. Parking setbacks:
 - a. Minimum front yard setback: Twenty feet (20').
 - b. Minimum rear yard setback: Ten feet (10').
 - c. Minimum side yard setback: Ten feet (10').
 - d. When there exists an easement for a shared private roadway or drive, the required setback is ten feet (10') from the easement.
9. Buffer yard: A buffer yard equal to thirty feet (30') or two (2) times the height of the building, whichever is greater, shall be required along any side or rear property line abutting any noncommercial or nonindustrial use or district. The minimum buffer yard for any single occupancy building with a footprint equal to or larger than forty thousand (40,000) square feet, but not greater than one hundred thousand (100,000) square feet, shall be increased by fifty percent (50%) of the required buffer yard. Buffer yards for buildings with a footprint exceeding one hundred thousand (100,000) square feet shall be increased by one hundred percent (100%). This area shall contain landscaping and berming to provide a ninety percent (90%) opacity screen to a height of at least six feet (6') and shall not contain any structures, parking, off street loading or storage. Should landscaping and berming be found ineffective by the city, the city may approve screening walls and/or decorative fencing as an alternative. Screening walls shall be constructed of the same materials as the principal building and shall not extend more than twenty five feet (25') without a change in architecture to reduce their mass and appearance.
10. Maximum building height:
 - a. Principal structure: Thirty five feet (35').
 - b. Accessory structure: Twenty five feet (25').

- G. Site And Building Standards: To prevent urban blight and ensure quality long lasting construction compatible with both adjacent properties and those throughout the district, all sites and buildings shall comply with the following standards, as well as applicable sections of this title:
1. Architectural Appearance: While variation in materials and colors that support the general theme may be allowed, the overall building shall have "360 degree" architecture. Nonearth tone materials shall be limited to architectural accents. The color of the nonbrick or stone portion of the building shall match the predominant brick or stone color portion.
 2. Building Massing: Facades shall be articulated to reduce their mass and scale and provide visual interest consistent with Rosemount's identity, character, and scale. Large uninterrupted building walls or elevations are prohibited. Corner architectural elements are encouraged to define the edges of a building. A building more than one hundred feet (100') in width shall be divided into increments of no more than thirty feet (30') through the articulation of the facade. This shall be achieved through combinations of the following techniques:
 - a. Divisions or breaks in the materials.
 - b. Arcades, entry features, window bays, or the like.
 - c. Variations in rooflines or slope plane.
 - d. Variation in building plane or setback.
 - e. Equivalent techniques approved by the city.
 3. Permitted Materials: The exterior wall surfaces of all buildings shall be constructed of at least fifty percent (50%) brick or natural stone. The remaining fifty percent (50%) of the wall surface may be specialty integral colored concrete block (including textured, burnished, and rock faced block), tile (masonry, stone or clay), architectural textured concrete panels cast in place, or better. EIFS or masonry stucco may be used for the sign band areas and/or architectural accents totaling no more than ten percent (10%) of the nonglass, brick or stone portion of the building. Unadorned concrete is prohibited.
 4. Pedestrian Circulation: Appropriate provisions shall be made to protect pedestrian areas from encroachments by parked or moving vehicles. Clear and well lighted walkways shall extend throughout the site and parking area(s) connecting building entrances to adjacent public sidewalks and any parking facilities located on the site.
 - a. Walkway(s) shall be made of high quality, long lasting, and decorative materials and incorporate architectural themes present in the surrounding building. Bituminous or asphalt materials are prohibited.
 - b. A walkway at least six feet (6') wide shall extend along any facade featuring a customer entrance and any facade abutting a parking or maneuvering area.
 - c. A continuous and permanent concrete curb not less than six inches (6") above grade shall separate internal sidewalks from parking, loading, stacking and maneuvering areas.

- d. Concrete sidewalks, five feet (5') in width, shall be provided on all commercial property abutting any collector or arterial street.
5. Lighting: Lighting shall be consistent in character throughout the entire property site, in both design and bulb type.
 - a. Any light fixture must be placed in such a manner that no light emitting surface is visible from any residential area or public/private roadway, walkway, trail or other public way when viewed at ground level.
 - b. Light shall be directed toward the ground. Externally lit signs, display, building and aesthetic lighting must be lit from the top and shine downward. Lighting must be shielded to prevent direct glare.
 - c. The level of lighting shall not exceed 0.5 lumens at any residential property line or 1.0 lumen at any nonresidential property line.
 - d. The maximum height for exterior lighting is thirty feet (30'). The maximum height for exterior lighting within one hundred feet (100') of a residential use or district shall be twenty feet (20').
 - e. All nonessential lighting will be required to be turned off after business hours, leaving only the necessary lighting for site security.
 6. Parking Lots: To reduce the impact of large expanses of paved surfaces, provide a more pedestrian friendly environment and provide adequate room for snow storage, all parking areas (including driveways and drive aisles) shall be screened and landscaped. Trees, shrubs, flowers and ground cover needed in these areas shall be in addition to the minimum number of trees and foundation plantings required by this title.
 - a. Screening: Landscaping and berming shall be a primary source for screening parking areas. Should landscaping and berming be found ineffective by the city, the city may approve screening walls and/or decorative fencing as an alternative. Screening walls shall be constructed of the same materials as the principal building and shall not extend more than twenty five feet (25') without a change in architecture to reduce their mass and appearance. The screening source (landscaping and berming or walls and/or decorative fencing) shall provide a minimum fifty percent (50%) opacity screen to a height of at least four feet (4').
 - b. Landscaping: A minimum of ten percent (10%) of the parking area shall be landscaped. This landscaping shall be located on islands, peninsulas or the like within the perimeter of the parking area.
 - (1) The islands or peninsulas shall be a minimum eight and one-half feet (8.5') wide and extend the length of the adjacent parking stall(s). These dimensions may be altered to provide sufficient area for the proposed landscaping to mature.
 - (2) To ensure this landscaping is properly dispersed, a minimum of one island, peninsulas or the like shall be located within each six thousand (6,000) square feet of vehicular use area.
 - (3) A minimum of one tree shall be required for each two hundred fifty (250) square feet or fraction thereof, of required landscape area. Deciduous trees shall have a clear trunk of

at least five feet (5') above the ground and a caliper of at least two and one-half inches (2.5"). Coniferous trees shall be at least four feet (4') in height. The remaining area shall be landscaped with shrubs or ground cover (not to include rocks or gravel except as a mulch around shrubs and ground cover) not to exceed two feet (2') in height.

7. Landscaping: All areas of land other than those occupied by building or hardcover shall be landscaped with a combination of sod and plantings. Rock or mulch may only be used as an accent material around sod or plantings. Trees, shrubs, flowers and ground cover needed in these areas shall be in addition to the minimum number of trees and foundation plantings required by this title. All landscaped areas shall be irrigated. Portions of the site may be exempt from these requirements where future development or expansion is planned. These areas shall either be graded and seeded with prairie grass in accordance with the city of Rosemount grading requirements or remain as undisturbed natural areas containing existing viable natural vegetation that can be maintained free of foreign and noxious plant material and will not produce soil erosion due to potential increases in storm water runoff. (Ord. B-161, 11-1-2005)

11-4-15: BP BUSINESS PARK DISTRICT:

- A. Purpose And Intent: The purpose of the BP business park district is to provide for the establishment of corporate headquarters, businesses, healthcare offices and related professional and service uses that do not require outdoor storage in an environment that provides a high level of amenities including landscaping, preservation of natural features, and architectural standards.
- B. Permitted Uses: The following are permitted uses in the BP business park district:
- Commercial indoor recreation.
 - Financial institutions, without drive-though facilities.
 - Light manufacturing, processing, and assembly uses conducted entirely within an enclosed building.
 - Medical or dental clinics.
 - Motion picture, recording, television and radio production studios, excluding towers or antennas.
 - Office, showroom.
 - Office, warehouse.
 - Printing and duplicating shops.
 - Professional service and office uses.

Public buildings and uses.

Testing, research and laboratory uses.

Transit stations/park and ride facilities.

Warehousing, wholesaling and distribution uses conducted entirely within an enclosed building.

C. Accessory Uses: The following uses shall be permitted accessory uses:

Off street parking or loading for a permitted, conditional or interim use.

Overnight sleeping facilities for security personnel.

Retail sales of products manufactured, fabricated, or assembled on site limited to fifteen percent (15%) of the gross floor area of the principal building.

D. Conditional Uses: The following uses are conditional uses in the BP business park district and are subject to the conditional use permit provisions outlined in this title:

Arenas, convention centers, and stadiums.

Business, trade and vocational schools.

Churches and places of worship. Churches and places of worship must have direct access to or be within three hundred feet (300') of a collector, minor arterial, or principal arterial road.

Commercial bakeries.

Daycare centers, nursery and Montessori schools.

Drive-through facilities for restaurants and banks, subject to the requirements of the C-3 district in subsection [11-4-13D](#) of this chapter.

Eating and drinking establishments, without drive-through facilities.

Health and athletic club facilities.

Hotels and motels.

Satellite dishes or solar collectors.

Self-service storage facility, subject to the requirements of the C-3 district in subsection [11-4-13D](#) of this chapter.

Other uses similar to those in this district as determined by the board of appeals and

adjustments, subject issuance of a conditional use permit.

E. Interim Uses: The following uses are interim uses in the BP business park district and are subject to the interim use permit provisions outlined in this title:

None.

F. Minimum Lot Requirements And Setbacks:

1. Minimum lot area: One acre.
2. Minimum lot width: One hundred twenty feet (120').
3. Maximum lot coverage: Seventy five percent (75%).
4. Minimum district size: One acre.
5. Minimum front yard setback:
 - a. Principal structure: Thirty feet (30').
 - b. Accessory structures: Thirty feet (30').
6. Minimum side yard setbacks:
 - a. Principal structures: Ten feet (10').
 - b. Accessory structures: Ten feet (10').
7. Minimum rear yard setbacks:
 - a. Principal structures: Ten feet (10').
 - b. Accessory structures: Ten feet (10').
8. Parking setbacks:
 - a. Minimum front yard setback: Twenty feet (20').
 - b. Minimum rear yard setback: Ten feet (10').
 - c. Minimum side yard setback: Ten feet (10').
9. Buffer yard and setback increases: When a permitted, accessory, interim, or conditional use abuts any of the items listed in the table below, the applicable increased minimum yard setback shall apply:

<u>Increased Minimum Setback</u>

<u>Item</u>	<u>Parking And Circulation</u>	<u>Structure</u>
Principal arterial ROW	40 feet	75 feet
Minor arterial ROW	35 feet	60 feet
Collector ROW	30 feet	40 feet
Railroad	10 feet	30 feet
Noncommercial or nonindustrial uses/districts	30 feet or 2 x building height ¹	30 feet or 2 x building height ¹

Note:

1. See subsection F9a of this section.

a. Noncommercial Or Nonindustrial Uses/Districts: A buffer yard equal to thirty feet (30') or two (2) times the height of the building, whichever is greater, shall be required along any side or rear property line abutting any noncommercial or nonindustrial use or district. The minimum buffer yard for any single occupancy building with a footprint equal to or larger than forty thousand (40,000) square feet, but not greater than one hundred thousand (100,000) square feet, shall be increased by fifty percent (50%) of the required buffer yard. Buffer yards for buildings with a footprint exceeding one hundred thousand (100,000) square feet shall be increased by one hundred percent (100%). This area shall contain landscaping and berming to provide a ninety percent (90%) opacity screen to a height of at least six feet (6') and shall not contain any structures, parking, off street loading or storage. Should landscaping and berming be found ineffective by the city, the city may approve screening walls and/or decorative fencing as an alternative. Screening walls shall be constructed of the same materials as the principal building and shall not extend more than thirty five feet (35') without a change in architecture to reduce their mass and appearance.

G. Site And Building Standards: To prevent urban blight and ensure quality long lasting construction compatible with both adjacent properties and those throughout the district, all sites and buildings shall comply with the following standards, as well as applicable sections of this title:

1. Architectural Appearance: While variation in materials and colors that support the general theme may be allowed, the overall building shall have "360 degree" architecture. Nonearth tone materials shall be limited to architectural accents. The color of the nonbrick or stone portion of the building shall match the predominant brick or stone color portion.
 - a. Entry Features: Building entrances facing a public right of way or abutting a required parking area shall be accented by visually pleasing entry features. This feature shall extend a minimum three hundred (300) square feet around a single entrance. Should the building have more than one entrance facing a public right of way or abutting a required parking area, this feature shall extend a minimum one hundred fifty (150) square feet around each individual entrance.

- b. **Corner Architecture:** Corner architectural elements are encouraged to define the edges of a building.
2. **Building Massing:** Facades shall be articulated to reduce their mass and scale and provide visual interest consistent with Rosemount's identity, character, and scale. Large uninterrupted building walls or elevations are prohibited. Any wall more than one hundred feet (100') in length shall be divided into increments of no more than thirty five feet (35') through the articulation of the facade. This shall be achieved through combinations of the following techniques:
 - a. Divisions or breaks in the materials.
 - b. Arcades, entry features, window bays, or the like.
 - c. Variations in rooflines or slope plane.
 - d. Variation in building plane or setback.
 - e. Equivalent techniques approved by the city.
3. **Permitted Materials:** The exterior wall surfaces, except for windows, of all buildings shall be constructed of brick, natural stone, specialty integral colored concrete block (including textured, burnished, and rock faced block), tile (masonry, stone or clay), architectural textured concrete panels cast in place, precast concrete panels or better. Unadorned concrete is prohibited.
4. **Pedestrian Circulation:** Appropriate provisions shall be made to protect pedestrian areas from encroachments by parked or moving vehicles. Clear and well lighted walkways shall extend throughout the site and parking area(s) connecting building entrances to adjacent public sidewalks and any parking facilities located on the site.
 - a. A walkway at least six feet (6') wide shall extend along any facade featuring a building entrance and any facade abutting a required parking area.
 - b. A continuous and permanent concrete curb not less than six inches (6") above grade shall separate internal sidewalks from parking, loading, stacking and maneuvering areas.
 - c. Concrete sidewalks, five feet (5') in width, shall be provided along any collector or arterial street.
5. **Lighting:** Lighting shall be consistent in character throughout the entire property site, in both design and bulb type.
 - a. Any light fixture must be placed in such a manner that no light emitting surface is visible from any residential area or public/private roadway, walkway, trail or other public way when viewed at ground level.
 - b. Light shall be directed toward the ground. Externally lit signs, display, building and aesthetic lighting must be lit from the top and shine downward. Lighting must be shielded to prevent direct glare.
 - c. The level of lighting shall not exceed 0.5 lumens at any residential property line or 1.0 lumen at any nonresidential property line.

- d. The maximum height for exterior lighting shall be thirty feet (30'). The maximum height for exterior lighting within one hundred feet (100') of a residential use or district shall be twenty feet (20').
 - e. All nonessential lighting will be required to be turned off after business hours, leaving only the necessary lighting for site security.
6. Parking And Loading Areas: To reduce the impact of large expanses of paved surfaces, provide screening, and supply adequate room for snow storage, all parking areas (including driveways and drive aisles) adjacent to a public right of way or nonindustrial uses or districts shall be screened and landscaped. Trees, shrubs, flowers and ground cover needed in these areas shall be in addition to the minimum number of the same required by this title. These screening standards shall also apply to loading areas with the additional requirement that no loading area may face a public right of way or nonindustrial use or district.
- a. Screening: Landscaping and berming shall be the primary source for screening parking and loading areas. Should landscaping and berming be found ineffective by the city, the city may approve screening walls and/or decorative fencing as an alternative. Screening walls shall be constructed of the same materials as the principal building and shall not extend more than thirty five feet (35') without a change in architecture to reduce their mass and appearance. Parking area screening shall provide a minimum fifty percent (50%) opacity screen to a height of at least four feet (4'). Loading areas screening shall provide a minimum ninety percent (90%) opacity screen to a height of at least eighteen feet (18').
 - b. Landscaping: A minimum of five percent (5%) of the parking area shall be landscaped. This landscaping shall be located on islands, peninsulas or the like within the perimeter of the parking area.
 - (1) The islands or peninsulas shall be a minimum eight and one-half feet (8.5') wide and extend the length of the adjacent parking stall(s). These dimensions may be altered to provide sufficient area for the proposed landscaping to mature.
 - (2) To ensure this landscaping is properly dispersed, a minimum of one island, peninsulas or the like shall be located within each six thousand (6,000) square feet of vehicular use area.
 - (3) A minimum of one tree shall be required for each two hundred fifty (250) square feet or fraction thereof, of required landscape area. Deciduous trees shall have a clear trunk of at least five feet (5') above the ground and a caliper of at least two and one-half inches (2.5"). Coniferous trees shall be at least four feet (4') in height. The remaining area shall be landscaped with shrubs or ground cover (not to include rocks or gravel except as a mulch around shrubs and ground cover) not to exceed two feet (2') in height.
7. Landscaping: All areas of land other than those occupied by building or hardcover shall be landscaped with a combination of sod and plantings. Rock or mulch may only be used as an accent material around sod or plantings. Trees, shrubs, flowers and ground cover needed in these areas shall be in addition to the minimum number of trees and foundation plantings required by this title. All landscaped areas shall be irrigated. Portions of the site may be exempt from these requirements with city approval where future development or expansion is planned within a reasonable period of time. These areas shall either be graded and seeded with prairie or maintained grass in accordance with the city of Rosemount grading requirements or remain as undisturbed natural areas containing existing viable natural

vegetation that can be maintained free of foreign and noxious plant material and will not produce soil erosion due to potential increases in storm water runoff.

8. Trash Handling: All trash, recycling and related handling equipment shall be stored in a manner consistent with the standards outlined in section [5-1-3](#) of this code.
9. Signage: Only wall and freestanding ground monument signs shall be permitted in the district in accordance with the city of Rosemount's sign regulations and these additional standards as follows:
 - a. Freestanding Ground Monument Signs: A freestanding ground monument sign shall be designed with a base structure of the same exterior decorative materials as the principal structure on the site; and that extends from the sign copy area fully to the ground, except for architectural relief treatments. All freestanding ground monument signs, if illuminated, shall use only indirect light with the light source fully diffused. These signs shall be appropriately landscaped and subject to the same requirements for all landscaping on the property.
 - b. Wall Signs: Wall signs shall consist of permanent high quality materials with finished edges. No wood signs shall be permitted. Where more than one wall sign is requested per building frontage (i.e., a multi-tenant center), a uniform sign criteria shall be prescribed by the building owner, subject to review and approval by the city. The sign criteria shall, among other things, describe the uniform type of sign to be allowed, limitations of placement on the building, the method of fastening, and the procedure for tenant sign approval.
10. Rooftop Utilities: The ground level view of all rooftop equipment, including, but not limited to, rooftop structures related to elevators and other mechanical utilities, shall be screened from public right of way and adjacent or nearby residential uses and districts. Screening should be accomplished by incorporating architectural building design features such as a parapet wall or sloping roof structures. Wood fencing shall not be permitted. If due to factors unique to the property or the project, it is physically impossible or impractical to screen these utilities, the city's planning commission may approve alternative solutions that render them aesthetically compatible with the building.
11. Underground Electrical Services: No building or structure located in the district shall be served other than by underground electric, telephone and cable distribution facilities. Poles, wires or other aboveground distribution facilities may only be temporarily installed during site construction or repair of the underground system. No changes in the grade or contours of land above or adjacent to these facilities, once installed, shall be made without the approved written consent of the city engineer and the utility company providing such services. (Ord. B-168, 4-4-2006)

11-4-15-1: LI LIGHT INDUSTRIAL DISTRICT:

- A. Purpose And Intent: The purpose of the LI light industrial district is to provide for the establishment of manufacturing, warehouse, repair, business, and related limited service uses. The LI light industrial district is intended to include uses that may require limited outdoor and

vehicle/trailer storage but exclude more intensive industrial uses.

B. Permitted Uses: The following are permitted uses in the LI light industrial district:

Business, trade, and vocational schools.

Commercial indoor recreation.

Commercial use antennas and towers, subject to the requirements of section [11-9-6](#) of this title.

General building and trade contractor office uses.

General repair services, excluding automotive repair and the like.

Light manufacturing, processing, and assembly uses.

Motion picture, recording, television and radio production studios.

Professional service and office uses.

Public buildings and uses.

Satellite dishes or solar collectors.

Testing, research and laboratory uses.

Transit stations/park and ride facilities.

Veterinary services including kennels, subject to:

1. The requirements of [title 7, chapter 4](#), "Animal Control", of this code.
2. The site shall not be less than twenty (20) acres in size.
3. All structures shall be located a minimum of seventy five feet (75') from any abutting residential use or district.

Warehousing, wholesaling and distribution uses.

C. Accessory Uses: The following uses shall be permitted accessory uses:

Off street parking or loading for a permitted, conditional or interim use.

Overnight sleeping facilities for security personnel.

D. Conditional Uses: The following uses are conditional uses in the LI light industrial district and are subject to the conditional use permit provisions outlined in this title.

Automotive repair, subject to the requirements of the C-3 district in subsection [11-4-13D](#) of this chapter.

Landscape and horticultural services, subject to:

1. A principal structure must be built on the site.
2. Landscape and horticultural services, subject to the requirements of the GI district subsection [11-4-16D](#) of this chapter for outdoor display/storage or sales.

Lumber and construction materials businesses, subject to:

1. A principal structure must be built on site.
2. Lumber and construction material businesses, subject to the requirements of the GI district subsection [11-4-16D](#) of this chapter for outdoor display/storage or sales.

Medium manufacturing, processing, and assembly uses.

Motor freight terminals.

Nonservice station retail facilities having gasoline pumps, subject to the requirements of the C-3 district in subsection [11-4-13D](#) of this chapter.

Outdoor storage, subject to the following:

1. Outdoor display/storage or sales related to motor and recreational vehicle, trailer, boat, or agricultural machinery sales or rental is prohibited.
2. The site and building(s) shall be designed to limit the effects of outdoor storage on adjacent properties and public rights of way.
3. The outdoor storage area is limited to an area equal to fifty percent (50%) of the gross floor area of the principal building.
4. The storage area shall be clearly identified on the approved site plan for the project, may only be located in either a side or rear yard, and shall not encroach into any required setback.
5. Any outdoor storage area shall be enclosed by a one hundred percent (100%) opacity screen to a height equal to the item being screened but not more than thirty five feet (35'). Any portion of the storage area adjacent to a public right of way (ROW) or any nonindustrial use or district shall be screened by building(s) or screening wall(s) made of the same materials as the principal building and shall not extend more than seventy feet (70') without a change in architecture to reduce its mass and appearance. Those portions of the storage area adjacent to any industrial use or district may be screened by fencing or the like.

6. The storage area shall be surfaced with concrete or an approved equivalent to control dust.
7. The storage area shall not take up, or interfere with access to, any required parking, loading, maneuvering or pedestrian area.
8. The storage area shall be maintained in a neat and orderly fashion.
9. The perimeter measurement of the outdoor storage shall be included in the calculation of required foundation plantings.
10. No public address system shall be audible from a noncommercial or nonindustrial use or district.

Self-service storage facilities, subject to requirements of the C-3 district in subsection [11-4-13D](#) of this chapter except the following:

1. All storage shall be maintained in the storage space and there shall be no outdoor storage of any products, equipment or other material within the storage facility; provided, however, open storage for licensed, operable recreation vehicles shall be permitted, provided the amount is not more than fifty percent (50%) of the area occupied by buildings.

Other uses similar to those in this district as determined by the board of appeals and adjustments, subject issuance of a conditional use permit.

E. Interim Uses: The following uses are interim uses in the LI light industrial district and are subject to the interim use permit provisions outlined in this title:

Commercial outdoor recreation.

Temporary buildings accessory to an approved construction project, subject to:

1. Execution of an interim use permit agreement specifying the expiration of the IUP and removal of the temporary building(s).
2. Temporary buildings are subject to the interim use permit standards, findings and conditions specified in section [11-10-8](#) of this title.
3. Temporary buildings may be exempt from conformance with the following standards of the zoning ordinance at the discretion of the city:
 - a. Supplementary regulations subsection [11-5-2A](#), "Building Type And Construction", of this title.
 - b. Subsection [11-6-1L](#), "Off Street Parking Design And Construction Standards", and section [11-6-3](#), "Landscaping Requirements", of this title.
 - c. Subsection G, "Site And Building Standards", of this section for the LI light industrial district.

4. Temporary buildings shall conform to all other general industrial district standards specified within this title, and be set back five hundred feet (500') from adjoining public right of way or visually screened from public right of way, public/institutional or residential districts or uses. If the building is not appropriately screened, the city may require additional landscaping or enhanced treatment of the temporary structure.
5. Temporary buildings are subject to building code permits and requirements.
6. Temporary buildings are subject to fire code permits and requirements.
7. The site must accommodate adequate parking for the intended use.
8. Site grading and drainage must comply with city ordinances and engineering guidelines. The city may, at its discretion waive some of the requirements if alternative solutions are acceptable.

F. Lot And Building Requirements:

1. Minimum lot area: Three (3) acres.
2. Minimum lot width: Two hundred forty feet (240').
3. Maximum lot coverage: Seventy five percent (75%).
4. Minimum district size: Five (5) acres.
5. Minimum front yard setback:
 - a. Principal structure: Thirty feet (30').
 - b. Accessory structures: Thirty feet (30').
6. Minimum side yard setbacks:
 - a. Principal structures: Ten feet (10').
 - b. Accessory structures: Ten feet (10').
7. Minimum rear yard setbacks:
 - a. Principal structures: Ten feet (10').
 - b. Accessory structures: Ten feet (10').
8. Parking setbacks:
 - a. Minimum front yard setback: Twenty feet (20').
 - b. Minimum rear yard setback: Ten feet (10').
 - c. Minimum side yard setback: Ten feet (10').

9. Buffer yard and setback increases: When a permitted, accessory, interim, or conditional use abuts any of the items listed in the table below, the applicable increased minimum yard setback shall apply.

<u>Item</u>	<u>Increased Minimum Setback</u>	
	<u>Parking And Circulation</u>	<u>Structure</u>
Principal arterial ROW	40 feet	75 feet
Minor arterial ROW	35 feet	60 feet
Collector ROW	30 feet	40 feet
Railroad	10 feet	30 feet
Noncommercial or nonindustrial uses/districts	30 feet or 2 x building height ¹	30 feet or 2 x building height ¹

Note:

1. See subsection F9a of this section.

- a. Noncommercial Or Nonindustrial Uses/Districts: A buffer yard equal to thirty feet (30') or two (2) times the height of the building, whichever is greater, shall be required along any side or rear property line abutting any noncommercial or nonindustrial use or district. The minimum buffer yard for any single occupancy building with a footprint equal to or larger than forty thousand (40,000) square feet, but not greater than one hundred thousand (100,000) square feet, shall be increased by fifty percent (50%) of the required buffer yard. Buffer yards for buildings with a footprint exceeding one hundred thousand (100,000) square feet shall be increased by one hundred percent (100%). This area shall contain landscaping and berming to provide a ninety percent (90%) opacity screen to a height of at least six feet (6') and shall not contain any structures, parking, off street loading or storage. Should landscaping and berming be found ineffective by the city, the city may approve screening walls and/or decorative fencing as an alternative. Screening walls shall be constructed of the same materials as the principal building and shall not extend more than thirty five feet (35') without a change in architecture to reduce their mass and appearance.

- G. Site And Building Standards: To prevent urban blight and ensure quality long lasting construction compatible with both adjacent properties and those throughout the district, all sites and buildings shall comply with the following standards, as well as applicable sections of this title:

1. Architectural Appearance: While variation in materials and colors that support the general theme may be allowed, the overall building shall have "360 degree" architecture. Nonearth tone materials shall be limited to architectural accents. The color of the nonbrick or stone portion of the building shall match the predominant brick or stone color portion.

- a. **Entry Features:** Building entrances facing a public right of way or abutting a required parking area shall be accented by visually pleasing entry features. This feature shall extend a minimum three hundred (300) square feet around a single entrance. Should the building have more than one entrance facing a public right of way or abutting a required parking area, this feature shall extend a minimum one hundred fifty (150) square feet around each individual entrance.
- b. **Corner Architecture:** Corner architectural elements are encouraged to define the edges of a building.
2. **Building Massing:** Facades shall be articulated to reduce their mass and scale and provide visual interest consistent with Rosemount's identity, character, and scale. Large uninterrupted building walls or elevations are prohibited. Any wall more than one hundred feet (100') in length shall be divided into increments of no more than seventy feet (70') through the articulation of the facade. This shall be achieved through combinations of the following techniques:
 - a. Divisions or breaks in the materials.
 - b. Arcades, entry features, window bays, or the like.
 - c. Variations in rooflines or slope plane.
 - d. Variation in building plane or setback.
 - e. Equivalent techniques approved by the city.
3. **Permitted Materials:** The exterior wall surfaces, except for windows, of all buildings shall be constructed of brick, natural stone, specialty integral colored concrete block (including textured, burnished, and rock faced block), tile (masonry, stone or clay), architectural textured concrete panels cast in place, precast concrete panels or better. Unadorned concrete is prohibited.
4. **Pedestrian Circulation:** Appropriate provisions shall be made to protect pedestrian areas from encroachments by parked or moving vehicles. Clear and well lighted walkways shall extend throughout the site and parking area(s) connecting building entrances to adjacent public sidewalks and any parking facilities located on the site.
 - a. A walkway at least six feet (6') wide shall extend along any facade featuring a building entrance and any facade abutting a required parking area.
 - b. A continuous and permanent concrete curb not less than six inches (6") above grade shall separate internal sidewalks from parking, loading, stacking and maneuvering areas.
 - c. Concrete sidewalks, five feet (5') in width, shall be provided along any collector or arterial street.
5. **Lighting:** Lighting shall be consistent in character throughout the entire property site, in both design and bulb type.
 - a. Any light fixture must be placed in such a manner that no light emitting surface is visible from any residential area or public/private roadway, walkway, trail or other public way when viewed at ground level.

- b. Light shall be directed toward the ground. Externally lit signs, display, building and aesthetic lighting must be lit from the top and shine downward. Lighting must be shielded to prevent direct glare.
 - c. The level of lighting shall not exceed 0.5 lumens at any residential property line or 1.0 lumen at any nonresidential property line.
 - d. The maximum height for exterior lighting shall be thirty feet (30'). The maximum height for exterior lighting within one hundred feet (100') of a residential use or district shall be twenty feet (20').
 - e. All nonessential lighting will be required to be turned off after business hours, leaving only the necessary lighting for site security.
6. Parking And Loading Areas: To reduce the impact of large expanses of paved surfaces, provide screening, and supply adequate room for snow storage, all parking areas (including driveways and drive aisles) adjacent to a public right of way or nonindustrial uses or districts shall be screened and landscaped. Trees, shrubs, flowers and ground cover needed in these areas shall be in addition to the minimum number of the same required by this title. These screening standards shall also apply to loading areas with the additional requirement that no loading area may face a public right of way or nonindustrial use or district.
- a. Screening: Landscaping and berming shall be the primary source for screening parking and loading areas. Should landscaping and berming be found ineffective by the city, the city may approve screening walls and/or decorative fencing as an alternative. Screening walls shall be constructed of the same materials as the principal building and shall not extend more than seventy feet (70') without a change in architecture to reduce their mass and appearance. Parking area screening shall provide a minimum fifty percent (50%) opacity screen to a height of at least four feet (4'). Loading areas screening shall provide a minimum ninety percent (90%) opacity screen to a height of at least eighteen feet (18').
 - b. Landscaping: A minimum of five percent (5%) of the parking area shall be landscaped. This landscaping shall be located on islands, peninsulas or the like within the perimeter of the parking area.
 - (1) The islands or peninsulas shall be a minimum eight and one-half feet (8.5') wide and extend the length of the adjacent parking stall(s). These dimensions may be altered to provide sufficient area for the proposed landscaping to mature.
 - (2) To ensure this landscaping is properly dispersed, a minimum of one island, peninsulas or the like shall be located within each six thousand (6,000) square feet of vehicular use area.
 - (3) A minimum of one tree shall be required for each two hundred fifty (250) square feet or fraction thereof, of required landscape area. Deciduous trees shall have a clear trunk of at least five feet (5') above the ground and a caliper of at least two and one-half inches (2.5"). Coniferous trees shall be at least four feet (4') in height. The remaining area shall be landscaped with shrubs or ground cover (not to include rocks or gravel except as a mulch around shrubs and ground cover) not to exceed two feet (2') in height.
7. Landscaping: All areas of land other than those occupied by building or hardcover shall be landscaped with a combination of sod and plantings. Rock or mulch may only be used as an

accent material around sod or plantings. Trees, shrubs, flowers and ground cover needed in these areas shall be in addition to the minimum number of trees and foundation plantings required by this title. All landscaped areas shall be irrigated. Portions of the site may be exempt from these requirements with city approval where future development or expansion is planned within a reasonable period of time. These areas shall either be graded and seeded with prairie or maintained grass in accordance with the city of Rosemount grading requirements or remain as undisturbed natural areas containing existing viable natural vegetation that can be maintained free of foreign and noxious plant material and will not produce soil erosion due to potential increases in storm water runoff.

8. **Trash Handling:** All trash, recycling and related handling equipment shall be stored in a manner consistent with the standards outlined in section [5-1-3](#) of this code.
9. **Signage:** Only wall and freestanding ground monument signs shall be permitted in the district in accordance with the city of Rosemount's sign regulations and these additional standards as follows:
 - a. **Freestanding Ground Monument Signs:** A freestanding ground monument sign shall be designed with a base structure of the same exterior decorative materials as the principal structure on the site; and that extends from the sign copy area fully to the ground, except for architectural relief treatments. All freestanding ground monument signs, if illuminated, shall use only indirect light with the light source fully diffused. These signs shall be appropriately landscaped and subject to the same requirements for all landscaping on the property.
 - b. **Wall Signs:** Wall signs shall consist of permanent high quality materials with finished edges. No wood signs shall be permitted. Where more than one wall sign is requested per building frontage (i.e., a multi-tenant center), a uniform sign criteria shall be prescribed by the building owner, subject to review and approval by the city. The sign criteria shall, among other things, describe the uniform type of sign to be allowed, limitations of placement on the building, the method of fastening, and the procedure for tenant sign approval.
10. **Rooftop Utilities:** The ground level view of all rooftop equipment, including, but not limited to, rooftop structures related to elevators and other mechanical utilities, shall be screened from public right of way and adjacent or nearby residential uses and districts. Screening should be accomplished by incorporating architectural building design features such as a parapet wall or sloping roof structures. Wood fencing shall not be permitted. If due to factors unique to the property or the project, it is physically impossible or impractical to screen these utilities, the city's planning commission may approve alternative solutions that render them aesthetically compatible with the building.
11. **Underground Electrical Services:** No building or structure located in the district shall be served other than by underground electric, telephone and cable distribution facilities. Poles, wires or other aboveground distribution facilities may only be temporarily installed during site construction or repair of the underground system. No changes in the grade or contours of land above or adjacent to these facilities, once installed, shall be made without the approved written consent of the city engineer and the utility company providing such services. (Ord. B-169, 4-4-2006)

11-4-16: GI GENERAL INDUSTRIAL DISTRICT:

A. Purpose And Intent: The purpose of the GI general industrial district is to provide for the establishment of both light and medium manufacturing uses along with warehouse, repair, and business uses. The GI general industrial district is intended to include uses that may require outdoor and vehicle or trailer storage but exclude heavy industrial uses. The general industrial district is the preferred transition district between the heavy industrial district and may be compatible with residential uses or include relatively higher on site populations, subject to higher performance standards.

B. Permitted Uses:

Adult uses as defined and regulated in section [11-7-5](#) of this title and [title 3, chapter 8](#) of this code.

Commercial use antennas and towers, subject to the requirements of section [11-9-6](#) of this title.

Essential services.

General building and trade contractor office uses.

General repair services, excluding automotive repair and the like.

Light or medium manufacturing, processing, and assembly uses.

Mineral extraction, subject to requirements of section [11-10-4](#) of this title.

Motor freight terminals.

Testing, research and laboratory uses.

Transit stations/park and ride facilities.

Trucking terminals.

Warehousing, wholesaling and distribution uses.

C. Accessory Uses: The following uses shall be permitted accessory uses in the GI general industrial district:

Off street parking or loading for a permitted, conditional or interim use.

Office uses accessory to a permitted or conditional use.

Outdoor display/storage or sales, subject to the following:

1. The outdoor display/storage or sales area shall be designed to limit its effects on adjacent properties and public right(s) of way.
2. The outdoor display/storage or sales area shall be surfaced with concrete or an approved equivalent to control dust.
3. The outdoor display/storage or sales area shall not take up, or interfere with access to, any required parking, loading, maneuvering or pedestrian area.
4. The outdoor display/storage or sales area shall be maintained in a neat and orderly fashion.
5. No public address system shall be audible from a noncommercial or nonindustrial use or district.
6. The outdoor display/storage or sales area shall be clearly identified on the approved site plan for the project, may only be located in either a side or rear yard, and shall not encroach into any required accessory structure setback.
7. Any outdoor display/storage or sales area shall be completely enclosed by screening as follows:
 - a. Any portion of an outdoor display/storage or sales area adjacent to a public right of way or nonindustrial use or district shall be screened from eye level view from the public right of way or nonindustrial use or district by a one hundred percent (100%) opacity screen to a height equal to the items being screened but not more than thirty five feet (35'). Screening shall be accomplished by buildings, landscaping and berming, natural topography, screening walls or a combination thereof. Any screening wall shall be made of the same materials as the principal building and shall not extend more than seventy feet (70') without a change in architecture to reduce its mass and appearance.
 - b. The portion(s) of outdoor display/storage or sales area(s) adjacent to an industrial use or district shall be required to be screened from eye level view from other industrial uses or districts by at least a fifty percent (50%) opacity screen to a height equal to the items being screened but not more than thirty five feet (35'). Screening shall be accomplished by any of the items listed in subsection 7a of this use or fencing.
8. The outdoor display/storage or sales area is limited to an area equal to thirty percent (30%) of the gross area of the site.
9. The square footage of the outdoor display/storage or sales area(s) (except those areas used for vehicle storage and not considered a required parking area) shall be included in calculation of required off street parking for the use.
10. The perimeter measurement of the outdoor display/storage or sales area shall be included in the calculation of required foundation plantings.
11. Outdoor display/storage or sales related to trailer, construction or agricultural machinery sales or rental shall be subject to those standards identified elsewhere in this title specific to such use.

Outdoor structures. Functioning structures such as conveyor belt systems, cooling towers,

storage silos or the like that are accessory and integral to the principal use of the site may be exempt from the requirements of section [11-2-9](#), "Outdoor Storage", of this title, subject to the following:

1. The applicant shall demonstrate that the outdoor structure or equipment cannot be integrated into a building design.
2. The site and building(s) shall be designed to screen and limit the effects of the outdoor structure or equipment (noise, vibrations, illumination, particulate, or the like) on adjacent properties and public right(s) of way.
3. The outdoor structure or equipment shall be located on an approved surface in a remote location that is not adjacent to any public right of way or nonindustrial use or district.
4. The aggregate area for outdoor structure or equipment shall be limited to an area equal to fifteen percent (15%) of the gross floor area of the principal building and to a height not to exceed seventy feet (70'). Larger areas or taller structures or equipment may be approved by the city through a conditional use permit.
5. The outdoor structure or equipment shall not take up, encroach upon or interfere with access to, any required yard, parking, loading, maneuvering or pedestrian area.
6. The city may exempt outdoor structure or equipment from the site and building performance standards in subsection G of this section; however all such structures or equipment must be functional and shall be made of high quality long lasting material compatible with both adjacent properties and other buildings in the GI district.

Overnight sleeping facilities for security personnel.

D. Conditional Uses: The following uses are conditional uses in the GI general industrial district and are subject to the conditional use permit provisions outlined in this title:

Recycling operations, subject to the requirements of section [11-10-5](#) of this title.

Self-service storage facilities, subject to the requirements of the C-3 district in subsection [11-4-13D](#) of this chapter except as follows:

1. All storage shall be maintained in the storage space and there shall be no outdoor storage of any products, equipment or other material within the storage facility site; except that outdoor storage for licensed, operable recreation vehicles shall be permitted provided the amount is not more than ninety percent (90%) of the area occupied by buildings.

Trailer, construction or agricultural machinery sales or rental, subject to the requirements of the C-3 district in subsection [11-4-13D](#) of this chapter.

Wholesale landscape and horticultural services, subject to:

1. A principal structure must be built on the site.

2. Landscape and horticultural services are subject to the requirements of subsection C of this section for outdoor display/storage or sales.

Wholesale lumber and construction materials businesses, subject to:

1. A principal structure must be built on site.
2. Lumber and construction material businesses are subject to the requirements of subsection C of this section for outdoor display/storage or sales.

Other uses similar to those in this district as determined by the board of appeals and adjustments, subject to issuance of a conditional use permit.

- E. Interim Uses: The following uses are interim uses in the GI general industrial district and are subject to the interim use permit provisions outlined in this title:

Asphalt plant, cement and concrete production and related processing of stockpile materials, subject to the following:

1. The asphalt, cement, or concrete plant and all equipment and materials associated with it shall be located a minimum of six hundred feet (600') from any nongeneral industrial district land, and two thousand six hundred feet (2,600') from any residential or public district.
2. The plant and all equipment and materials associated with it shall be set back a minimum of seventy five feet (75') from any property boundary line and screened by natural features including changes in elevation and vegetation. Year round one hundred percent (100%) opaque screening with earthen berms and landscaping shall be required from ground level to the first thirty percent (30%) of the overall height and fifty percent (50%) opaque to fifty percent (50%) of the overall height of the plant as viewed from eye level from surrounding right of way or roadways.
3. Asphalt plant, cement and concrete production may be exempt from conformance with the following standards of the zoning ordinance at the discretion of the city council:
 - a. Supplementary regulations subsection [11-5-2A](#), "Building Type And Construction", of this title.
 - b. Subsection [11-6-1L](#), "Off Street Parking Design And Construction Standards", of this title.
 - c. Section [11-6-3](#), "Landscaping Requirements", of this title.
 - d. Subsection G, "Site And Building Standards", of this section.
 - e. Subsection F9b, "Minimum Building Size", of this section.
4. Traffic generated by these uses shall utilize haul routes approved by the city and other agencies as required. The plant owner shall be responsible for road improvements and

easements needed for ingress and egress subject to approval by the city, as well as the county highway department or the Minnesota department of transportation as required.

5. Traffic generated by these uses shall enter onto streets consistent with city access and design standards. The owner of these uses shall be responsible for all costs associated with road improvements required to serve the use.
6. Stockpiles associated with these uses shall be limited to a height of fifty feet (50').
7. No smoke or particulate matter shall be discharged that is darker than no. 1 classification of the Ringelmann smoke chart furnished by the U.S. bureau of mines, or twenty percent (20%) opacity as determined by the MPCA. Further, emissions shall conform to standards set by EPA and MPCA.
8. These uses shall operate so as not to discharge onto the soils of the lot, across the boundaries of the lot or through percolation into the subsoil of the lot or beyond the boundary of the lot where such use is located, toxic or noxious matter in such concentrations as to be detrimental to or endanger the public health, safety, comfort or welfare; or, cause injury or damage to property or business.
9. These uses shall operate in a way so as to prevent the emission of odorous matter of such quality as to be readily detectable beyond the lot line of the site on which such use is located.
10. These uses shall comply with the applicable operating, special requirements and bonding for restoration standards for mineral extraction specified in section [11-10-4](#) of this title.

Commercial outdoor recreation, subject to the following:

1. Commercial outdoor recreation uses may be exempt from conformance with the following standards of the zoning ordinance at the discretion of the city council:
 - a. Supplementary regulations subsection [11-5-2A](#), "Building Type And Construction", of this title.
 - b. Subsection [11-6-1L](#), "Off Street Parking Design And Construction Standards", of this title.
 - c. Section [11-6-3](#), "Landscaping Requirements", of this title.
 - d. Subsection G, "Site And Building Standards", of this section.
 - e. Subsection F9b, "Minimum Building Size", of this section.

Spent bauxite disposal facilities as an accessory use only.

Temporary buildings accessory to an approved construction project, subject to:

1. Execution of an interim use permit agreement specifying the expiration of the IUP and removal of the temporary building(s).

2. Temporary buildings are subject to the interim use permit standards, findings and conditions specified in section [11-10-8](#) of this title.
3. Temporary buildings may be exempt from conformance with the following standards of the zoning ordinance at the discretion of the city council:
 - a. Supplementary regulations subsection [11-5-2A](#), "Building Type And Construction", of this title.
 - b. Subsection [11-6-1L](#), "Off Street Parking Design And Construction Standards", of this title.
 - c. Section [11-6-3](#), "Landscaping Requirements", of this title.
 - d. Subsection G, "Site And Building Standards", of this section.
 - e. Subsection F9b, "Minimum Building Size", of this section.
4. Temporary buildings shall conform to all other general industrial district standards specified within this title, and be set back a minimum of five hundred feet (500') from adjoining public right of way or visually screened from public right of way, public/institutional or residential districts or uses. If the building is not appropriately screened, the city may require additional landscaping or enhanced treatment of the temporary structure.
5. Temporary buildings are subject to building code permits and requirements.
6. Temporary buildings are subject to fire code permits and requirements.
7. The site must accommodate adequate parking for the intended use.
8. Site grading and drainage must comply with city ordinances and engineering guidelines. The city council may, at its discretion waive some of the requirements if alternative solutions are acceptable.

Other uses similar to those in this district as determined by the board of appeals and adjustments, subject to issuance of an interim use permit.

F. Lot And Building Requirements:

1. Minimum Lot Area: Five (5) acres.
2. Minimum Lot Width: n/a.
3. Maximum Lot Coverage: Seventy percent (70%).
4. Minimum District Size: Ten (10) acres.
5. Minimum Front Yard Setback:
 - a. Principal structure: Seventy five feet (75').

- b. Accessory structure: Seventy five feet (75').
6. Minimum Side Yard Setback:
- a. Principal structure: Fifty feet (50').
- b. Accessory structure: Fifty feet (50').
7. Minimum Rear Yard Setback:
- a. Principal structure: Fifty feet (50').
- b. Accessory structure: Fifty feet (50').
8. Parking Setback:
- a. Minimum front yard setback: Forty feet (40').
- b. Minimum side yard setback: Twenty five feet (25').
- c. Minimum rear yard setback: Fifty feet (50').
9. Building Size:
- a. Maximum building height (principal or accessory): Seventy five feet (75').
- b. Minimum building size: Ten percent (10%) of subject property, excluding protective wetlands.
10. Buffer Yard And Setback Increases: When a permitted, accessory, interim, or conditional use abuts any of the items listed in the table below, the applicable setback increases shall apply:

Item	Increased Minimum Setback	
	Parking And Circulation	Structure
Any noncommercial or nonindustrial use or district	30 feet or 2 times building height ¹	30 feet or 2 times building height ¹
Railroad	10 feet	30 feet

Note:

1. Residential Uses/Districts: A buffer yard equal to 30 feet or 2 times the height of the building, whichever is greater, shall be required along any side or rear property line abutting any noncommercial or nonindustrial use or district. This area shall contain landscaping and berming to provide a 90 percent opacity screen to a height of at least 6 feet and shall not contain any structures, parking, off street loading or storage. Should landscaping and berming be found ineffective by the city, the city council may approve screening walls and/or decorative fencing as an alternative. Screening walls shall be constructed of the same materials as the principal building and shall not extend more than 35 feet without a change in architecture to reduce their mass and appearance.

- G. Site And Building Standards: To prevent urban blight and ensure quality long lasting construction compatible with both adjacent properties and those throughout the district, all sites and buildings shall comply with the following standards, as well as applicable sections of this title:
1. Architectural Appearance: While variation in materials and colors that support the general theme may be allowed, nonearth tone materials shall be limited to architectural accents. The color of the nonbrick or stone portion of the building shall match the predominant brick or stone color portion.
 - a. Entry Features: Building entrances facing a public right of way shall be accented by visually pleasing entry features. This feature shall extend a minimum three hundred (300) square feet around a single entrance. Should the building have more than one entrance facing a public right of way, this feature shall extend a minimum one hundred fifty (150) square feet around each individual entrance.
 - b. Corner Architectural Elements: Corner architectural elements are encouraged to define the edges of a building.
 2. Building Massing: Facades facing a public right of way or residential use or district shall be articulated to reduce their mass and scale and provide visual interest consistent with Rosemount's identity, character, and scale. Large uninterrupted building walls or elevations are prohibited. Any wall facing a public right of way or residential uses or district more than one hundred feet (100') in length shall be divided into increments of no more than fifty feet (50') through the articulation of the facade. This shall be achieved through combinations of the following techniques:
 - a. Divisions or breaks in the materials.
 - b. Arcades, entry features, window bays, or the like.
 - c. Variations in rooflines or slope plane.
 - d. Variation in building plane or setback.
 - e. Equivalent techniques approved by the city.
 3. Permitted Materials: Any exterior wall surface facing a public right of way or residential uses or district shall be constructed of a combination of glass, brick, natural stone, specialty integral colored concrete block (including textured, burnished, and rock faced block), tile (masonry, stone or clay), architectural textured concrete panels cast in place, precast concrete panels or better. All other wall surfaces shall be constructed of at least forty percent (40%) of these materials. The remaining sixty percent (60%) of these exterior wall surfaces may be finished steel or aluminum. Unadorned materials are prohibited.
 4. Pedestrian Circulation: Appropriate provisions shall be made to protect pedestrian areas from encroachments by parked or moving vehicles. Clear and well lighted walkways shall extend throughout the site and parking area(s) connecting building entrances to adjacent public sidewalks and any parking facilities located on the site.
 - a. A walkway at least six feet (6') wide shall extend along any facade featuring a building

- entrance and any facade abutting a required parking area.
- b. A continuous and permanent concrete curb not less than six inches (6") above grade shall separate internal sidewalks from parking, loading, stacking and maneuvering areas.
 - c. Concrete sidewalks, five feet (5') in width, shall be provided along any collector or arterial street.
5. Lighting: Lighting shall be consistent in character throughout the entire property site, in both design and bulb type.
- a. Any light fixture must be placed in such a manner that no light emitting surface is visible from any residential area or public/private roadway, walkway, trail or other public way when viewed at ground level.
 - b. Light shall be directed toward the ground. Externally lit signs, display, building and aesthetic lighting must be lit from the top and shine downward. Lighting must be shielded to prevent direct glare.
 - c. The level of lighting shall not exceed 0.5 lumen at any residential property line or 1.0 lumen at any nonresidential property line.
 - d. The maximum height for exterior lighting shall be thirty feet (30'). The maximum height for exterior lighting within one hundred feet (100') of a residential use or district shall be twenty feet (20').
 - e. All nonessential lighting will be required to be turned off after business hours, leaving only the necessary lighting for site security.
6. Parking And Loading Areas: To reduce the impact of large expanses of paved surfaces, provide screening, and supply adequate room for snow storage, all parking areas (including driveways and drive aisles) adjacent to a public right of way or residential uses or districts shall be screened and landscaped. Trees, shrubs, flowers and ground cover needed in these areas shall be in addition to the minimum number of the same required by this title. These screening standards shall also apply to loading areas with the additional requirement that no loading area may face a public right of way or nonindustrial use or district.
- a. Screening: Landscaping and berming shall be the primary source for screening parking and loading areas. Should landscaping and berming be found ineffective by the city, the city council may approve screening walls and/or decorative fencing as an alternative. Screening walls shall be constructed of the same materials as the principal building and shall not extend more than seventy feet (70') without a change in architecture to reduce their mass and appearance. Parking area screening shall provide a minimum fifty percent (50%) opacity screen to a height of at least four feet (4'). Loading area screening shall provide a minimum ninety percent (90%) opacity screen to a height of at least eighteen feet (18').
 - b. Landscaping: A minimum of five percent (5%) of the parking area shall be landscaped. This landscaping shall be located on islands, peninsulas or the like within the perimeter of the parking area.
 - (1) The islands or peninsulas shall be a minimum eight and one-half feet (8.5') wide and extend the length of the adjacent parking stall(s). These dimensions may be altered to

provide sufficient area for the proposed landscaping to mature.

(2) To ensure this landscaping is properly dispersed, a minimum of one island, peninsula or the like shall be located within each six thousand (6,000) square feet of vehicular use area.

(3) A minimum of one tree shall be required for each two hundred fifty (250) square feet or fraction thereof, of required landscape area. Deciduous trees shall have a clear trunk of at least five feet (5') above the ground and a caliper of at least two and one-half inches (2.5"). Coniferous trees shall be at least four feet (4') in height. The remaining area shall be landscaped with shrubs or ground cover (not to include rocks or gravel except as a mulch around shrubs and ground cover) not to exceed two feet (2') in height.

7. Landscaping: All areas of land other than those occupied by building or hard cover shall be landscaped with a combination of sod and plantings. Rock or mulch may only be used as an accent material around sod or plantings. Trees, shrubs, flowers and ground cover needed in these areas shall be in addition to the minimum number of trees and foundation plantings required by this title. All landscaped areas shall be irrigated. Portions of the site may be exempt from these requirements with planning commission approval where future development or expansion is planned within a reasonable period of time. These areas shall either be graded and seeded with prairie or maintained grass in accordance with the city of Rosemount grading requirements or remain as undisturbed natural areas containing existing viable natural vegetation that can be maintained free of foreign and noxious plant material and will not produce soil erosion due to potential increases in storm water runoff.

8. Trash Handling: All trash, recycling and related handling equipment shall be stored in a manner consistent with the standards outlined in section [5-1-3](#) of this code.

9. Signage: Only wall and freestanding ground monument signs shall be permitted in the district in accordance with the city of Rosemount's sign regulations and these additional standards as follows:

a. Freestanding Ground Monument Signs: A freestanding ground monument sign shall be designed with a base structure of the same exterior decorative materials as the principal structure on the site; and that extends from the sign copy area fully to the ground, except for architectural relief treatments. All freestanding ground monument signs, if illuminated, shall be only indirect with the light source fully diffused. These signs shall be appropriately landscaped and subject to the same requirements for all landscaping on the property.

b. Wall Signs: Wall signs shall consist of permanent high quality materials with finished edges. No wood signs shall be permitted. Where more than one wall sign is requested per building frontage (i.e., a multi-tenant center), a uniform sign criteria shall be prescribed by the building owner, subject to review and approval by the city council. The sign criteria shall, among other things, describe the uniform type of sign to be allowed, limitations of placement on the building, the method of fastening, and the procedure for tenant sign approval.

10. Underground Electrical Services: No building or structure located in the district shall be served other than by underground electric, telephone and cable distribution facilities. Poles, wires or other aboveground distribution facilities may only be temporarily installed during site construction or repair of the underground system. No changes in the grade or contours of

land above or adjacent to these facilities, once installed, shall be made without the approved written consent of the city engineer and the utility company providing such services. (Ord. B-174, 10-17-2006)

The section below has been affected by a recently passed ordinance, B-210 - OUTDOOR BULK MATERIAL STORAGE AND PROCESSING. [Go to new ordinance.](#)

11-4-16-1: HI HEAVY INDUSTRIAL DISTRICT:

A. Purpose And Intent: The purpose of the HI heavy industrial district is to provide for the establishment of uses that refine and store combustible or explosive materials or blend, store, and distribute chemicals or fertilizer. Such uses may include large unscreened outdoor structures or equipment that cannot be integrated into the building design or large scale outdoor storage. These uses typically generate noise, odor, vibration, illumination, or particulate that may be offensive or obnoxious to adjacent land uses. As a result of these characteristics, these uses require large areas and setbacks as well as significant screening and are not compatible with residential uses or high concentrations of people. Associated accessory, conditional, or interim uses are subject to the site and building standards of the GI district, except as noted below.

B. Permitted Uses: The following are permitted uses in the HI heavy industrial district:

Adult uses as defined and regulated in section [11-7-5](#) of this title and [title 3, chapter 8](#) of this code.

Commercial use antennas and towers, subject to the requirements of section [11-9-6](#) of this title.

Essential services.

Heavy manufacturing (including large structures or equipment which: 1) refine or store combustible or explosive materials or 2) blend, store and distribute chemicals or fertilizer).

C. Accessory Uses: The following uses are permitted accessory uses in the HI heavy industrial district. These uses are subject to the site and building standards outlined in subsection [11-4-16G](#) of this chapter of the general industrial district, except as specifically exempted below:

Barge terminals.

Indoor bulk material storage.

Off street parking or loading for a permitted, conditional or interim use.

Office uses accessory to a permitted or conditional use.

Outdoor storage, subject to the following:

1. Outdoor storage uses are exempt from the site and building standards outlined in subsection [11-4-16G](#) of this chapter of the general industrial district.
2. The outdoor storage area shall be designed to limit its effects on adjacent properties and public right(s) of way.
3. The storage area shall be covered with paving, porous paving, gravel, vegetation, or a combination thereof. If necessary, this covering shall include additional materials so as to comply with subsection [11-9-1C](#), "Dust, Dirt, Smoke, Odor, Gases", of this title.
4. The storage area shall not take up, or interfere with access to, any required parking, loading, maneuvering or pedestrian area.
5. The storage area shall be maintained in a neat and orderly fashion.
6. No public address system shall be audible from a noncommercial or nonindustrial use or district. This subsection shall not be read to prohibit or proscribe safety alarms or sirens.
7. The storage area shall be clearly identified on the approved site plan for the project, may only be located in either a side or rear yard, and shall not encroach into any required accessory structure or building setback.
8. All outdoor storage areas shall be set back and screened as outlined below. In no case shall any outdoor storage area be located within seventy five feet (75') of any public right of way or property line.
 - a. If an outdoor storage area is located between seventy five feet (75') and three hundred feet (300') of a public right of way, it shall be screened from eye level view from the public right of way by a one hundred percent (100%) opacity screen to a height equal to the items being screened, but not more than thirty five feet (35'). Screening shall be accomplished by buildings, structures, landscaping and berming, natural topography, screening wall, or a combination thereof. Any screening wall shall be made of a masonry material and shall not extend more than one hundred feet (100') without a change in architecture to reduce its mass and appearance.
 - b. If an outdoor storage area is located between three hundred feet (300') and one thousand feet (1,000') from a public right of way, it shall be screened from the eye level view from the public right of way by a seventy five percent (75%) opacity screen to a height equal to the items being screened but not more than thirty five feet (35'). Screening shall be accomplished by buildings, structures, landscaping and berming, natural topography, screening wall, or a combination thereof. Any screening wall shall be made of a masonry material and shall not extend more than three hundred feet (300') without a change in architecture to reduce its mass and appearance.
 - c. If an outdoor storage area is located more than one thousand feet (1,000') from a public right of way, no screening shall be required.

Overnight sleeping facilities for security or safety personnel, subject to the site and building

standards of the GI district in subsection [11-4-16G](#) of this chapter.

- D. Conditional Uses: The following uses are conditional uses in the HI heavy industrial district and are subject to the conditional use permit provisions outlined in this title. These uses are also subject to the site and building standards outlined in subsection [11-4-16G](#) of this chapter of the general industrial district, except as specifically exempted below.

Motor freight terminals.

Warehousing, wholesaling and distribution of nonheavy manufacturing materials.

Other uses similar to those in this district as determined by the board of appeals and adjustments, subject to issuance of a conditional use permit.

- E. Interim Uses: The following uses are interim uses in the HI heavy industrial district and are subject to the interim use permit provisions outlined in section [11-10-8](#) of this title. These uses are also subject to the site and building standards outlined in subsection [11-4-16G](#) of this chapter of the general industrial district, except as specifically exempted below.

Asphalt plant, cement and concrete production and related processing of stockpile materials, subject to the following:

1. The asphalt, cement, or concrete plant and all equipment and materials associated with it shall be located a minimum of six hundred feet (600') from any nonindustrial district land, and two thousand six hundred feet (2,600') from any residential or public district.
2. The plant and all equipment and materials associated with it shall be set back a minimum of three hundred feet (300') from any property boundary line and screened by natural features including changes in elevation and vegetation. Year round one hundred percent (100%) opaque screening with earthen berms and landscaping shall be required from ground level to the first thirty percent (30%) of the overall height and fifty percent (50%) opaque to fifty percent (50%) of the overall height of the plant as viewed from eye level from surrounding right of way or roadways.
3. Asphalt plant, cement and concrete production may be exempt from conformance with the following standards of the zoning ordinance at the discretion of the city council:
 - a. Supplementary regulations, subsection [11-5-2A](#), "Building Type And Construction", of this title.
 - b. Subsection [11-6-1L](#), "Off Street Parking Design And Construction Standards", of this title.
 - c. Section [11-6-3](#), "Landscaping Requirements", of this title.
 - d. Subsection [11-4-16G](#), "Site And Building Standards", of this chapter for the GI general industrial district.
4. Traffic generated by these uses shall utilize haul routes approved by the city and other

agencies as required. The plant owner shall be responsible for road improvements and easements needed for ingress and egress subject to approval by the city, as well as the county highway department or the Minnesota department of transportation as required.

5. Traffic generated by these uses shall enter onto streets consistent with city access and design standards. The owner of these uses shall be responsible for all costs associated with road improvements required to serve the use.
6. Stockpiles associated with these uses shall be limited to a height of fifty feet (50').
7. No smoke or particulate matter shall be discharged that is darker than no. 1 classification of the Ringelmann smoke chart furnished by the U.S. bureau of mines, or twenty percent (20%) opacity as determined by the MPCA. Further, emissions shall conform to standards set by EPA and MPCA.
8. These uses shall operate so as not to discharge onto the soils of the lot, across the boundaries of the lot or through percolation into the subsoil of the lot or beyond the boundary of the lot where such use is located, toxic or noxious matter in such concentrations as to be detrimental to or endanger the public health, safety, comfort or welfare; or, cause injury or damage to property or business.
9. These uses shall operate in a way so as to prevent the emission of odorous matter of such quality as to be readily detectable beyond the lot line of the site on which such use is located.
10. These uses shall comply with the applicable operating, special requirements and bonding for restoration standards for mineral extraction specified in section [11-10-4](#) of this title.

Spent bauxite disposal facilities as an accessory use only.

Temporary buildings accessory to an approved construction project, subject to:

1. Execution of an interim use permit agreement specifying the expiration of the IUP and removal of the temporary building(s).
2. Temporary buildings are subject to the interim use permit standards, findings and conditions specified in this title.
3. Temporary buildings may be exempt from conformance with the following standards of the zoning ordinance at the discretion of the city council:
 - a. Supplementary regulations, subsection [11-5-2A](#), "Building Type And Construction", of this title.
 - b. Subsection [11-6-1L](#), "Off Street Parking Design And Construction Standards", of this title.
 - c. Section [11-6-3](#), "Landscaping Requirements", of this title.
 - d. Subsection [11-4-16G](#), "Site And Building Standards", of this chapter for the GI general

industrial district.

4. Temporary buildings shall conform to all other heavy industrial district standards specified within this title, and be set back five hundred feet (500') from adjoining public right of way or visually screened from public right of way, public/institutional or residential districts or uses. If the building is not appropriately screened, the city may require additional landscaping or enhanced treatment of the temporary structure.
5. Temporary buildings are subject to building code permits and requirements.
6. Temporary buildings are subject to fire code permits and requirements.
7. The site must accommodate adequate parking for the intended use.
8. Site grading and drainage must comply with city ordinances and engineering guidelines. The city may, at its discretion waive some of the requirements if alternative solutions are acceptable.

Other uses similar to those in this district as determined by the board of appeals and adjustments, subject to issuance of an interim use permit.

F. Lot And Building Requirements: For the purpose of this section, principal use (including large structures or equipment which: 1) refine or store combustible or explosive materials or 2) blend, store and distribute chemicals or fertilizer) shall comply with lot and building standards for principal structures. Similarly, accessory uses comply with the lot and building standards for accessory structures.

1. Minimum Lot Area: Twenty five (25) acres.
2. Minimum Lot Width: n/a.
3. Maximum Lot Coverage: Seventy percent (70%).
4. Minimum District Size: Twenty five (25) acres.
5. Minimum Setback Standards For All Structures (Buildings Or Equipment):

**SETBACK STANDARDS FOR ALL STRUCTURES
WITHIN THE HI HEAVY INDUSTRIAL DISTRICT**

<u>Height Of Structure</u>	<u>Setback Standard</u>
Less than or equal to 35 feet or any structure that contains a nonheavy manufacturing use and meets the site and building standards outlined in subsection 11-4-16G of this chapter of the general industrial district	75 feet
Structures up to 50 feet and storage tanks up to 35 feet	150 feet
Structures up to 250 feet	300 feet

Structures greater than 250 feet	May be allowed through a conditional use permit
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6. Parking Setback:

- a. Minimum front yard setback: Seventy five feet (75').
- b. Minimum side yard setback: Seventy five feet (75').
- c. Minimum rear yard setback: Seventy five feet (75').

7. Building Size:

- a. Maximum building height (principal or accessory): Seventy five feet (75').
- b. Maximum structure height: Two hundred fifty feet (250'). (The city council may allow structures to exceed this height through issuance of a conditional use permit.)

G. Site And Building Standards: To prevent urban blight and ensure quality long lasting construction compatible with both adjacent properties and those throughout the district, all accessory, conditional or interim uses allowed under the heavy industrial district, except those with specific exemptions, shall comply with the site and building standards outlined in subsection [11-4-16G](#) of this chapter of the general industrial district as well as applicable sections of this title. The city council may waive some or all of these standards for nonexempt uses based on the following:

1. The proposed building will be located in a remote location that does not abut a public right of way or a nonindustrial use or district.
2. The proposed building will be made of high quality long lasting material compatible with both adjacent properties and other buildings in the HI district.
3. The provision of pedestrian facilities is unnecessary based on the use of the proposed building.
4. Parking, loading, and trash handling facilities are supplied by the surrounding site and do not abut a public right of way or a nonindustrial use or district.
5. The applicant agrees to provide the required number and species of landscaping along the perimeter of the site.
6. The proposed building will not have separate ground or wall signage. (Ord. B-175, 10-17-2006)

11-4-17: WM WASTE MANAGEMENT DISTRICT:

A. Purpose And Intent: This district is intended to accommodate waste industries and the inherent environmental problems associated with waste management. (Ord. B, 9-19-1989)

B. Uses Permitted By Interim Use Permit:

Construction demolition waste facility subject to the following restrictions:

1. Facility construction debris does not exceed two hundred thousand (200,000) cubic yards of total permitted waste volume within the Rosemount corporate limits. Recycling operations subject to requirements of section [11-10-5](#) of this title.
2. The facility is developed, operated and maintained in accordance with an approved interim use permit by the city of Rosemount and all other applicable local, state and federal laws.
3. Permits for the facility by the state of Minnesota and Dakota County are pending or have received approval.

Nonhazardous industrial waste containment facility. (Ord. B, 9-19-1989; amd. Ord. B-64, 6-18-1996; Ord. B-126, 3-6-2003)

11-4-18: P PUBLIC AND INSTITUTIONAL DISTRICT:

A. Purpose And Intent: This district is primarily intended to accommodate major public and institutional uses of a governmental, educational, cultural, recreational, public service and healthcare nature that serve the entire community. Where available, structures shall be serviced by the public sewer and water systems.

B. Uses Permitted By Right: All public and institutional uses, facilities and structures. (Ord. B, 9-19-1989)

C. Uses Permitted By Conditional Use Permit (CUP): In accordance with section [11-10-7](#), "Conditional Use Permits (CUP)", of this title:

Cemeteries in accordance with the standards of section [11-10-10](#) of this title.

Commercial recreation, both indoor and outdoor by agreement or lease with a sponsoring governmental property owner for a facility that is jointly used by private and governmental entities.

Inflatable domes, stadiums and structures such as domes that are incompatible with residential districts shall be located a minimum of five hundred feet (500') from any residential district or use. (Ord. B, 9-19-1989; amd. Ord. B-130, 6-17-2003)

11-4-19: FP FLOODPLAIN DISTRICT:

A. Purpose And Intent: The floodplain district is designed to provide floodplain management for the city of Rosemount in accordance with the policies of Minnesota statutes¹. The intent of the floodplain district is to regulate the flood hazard areas for the purposes of reducing the risk of loss of life, loss of property, health and safety hazards, disruption of commerce and governmental services, extraordinary public expenditures for flood protection and relief, and impairment of the tax base, all of which adversely affect the public health, safety, and general welfare.

B. General Provisions:

1. Establishment Of Zoning District: The floodplain areas within the jurisdiction of this title are hereby designated floodplain district (FP). The boundaries of this district shall be shown on the official zoning map. The official zoning map together with all materials attached thereto is hereby adopted by reference and declared to be a part of this title. The attached materials shall include the flood insurance study for the city of Rosemount prepared by the federal insurance administration dated January 1980, and the flood boundary and floodway map, dated July 16, 1980, and floodway insurance rate map, dated July 16, 1992. The floodway and the flood fringe areas delineated on the flood boundary map comprise the area designated as the floodplain zoning district on the official zoning map. A copy of the official zoning map and all other maps referenced herein shall be on file in the office of the city clerk.
2. Rules For Interpretation Of Floodplain District Boundary: The boundary of the floodplain district established by this section shall be determined by scaling distances on the official zoning map. Where interpretation is needed as to the exact location of the boundary of the district as shown on the official zoning map or there is a conflict between a mapped boundary and actual field conditions, the planning commission shall make the necessary interpretation. All decisions will be based on elevations on the regional (100-year) flood profile and other available technical data. The person contesting the location of the district boundary shall be given a reasonable opportunity to present their case to the planning commission and to submit technical evidence.
3. Compliance: No new structure or land shall hereafter be used and no structure shall be located, extended, converted, or structurally altered without full compliance with the terms of this section and other applicable regulations which apply to uses within the jurisdiction of this title. Within the floodplain district, all uses not listed as permitted uses or conditional uses shall be prohibited. In addition, a caution is provided here that:
 - a. Modifications, additions, structural alterations or repair after damage to existing nonconforming structures and nonconforming uses of structures or land are regulated by the general provisions of this section and specifically subsection C of this section; and
 - b. As built elevations for elevated or floodproofed structures must be certified by ground surveys and floodproofing techniques must be designed and certified by a registered professional engineer or architect as specified in the general provisions of this section and specifically as stated in section [11-10-9](#) of this title.

4. **Warning And Disclaimer Of Liability:** This section does not imply that areas outside the floodplain district or land uses permitted within such districts will be free from flooding or flood damages. This section shall not create liability on the part of the city or any officer or employees for any flood damages that result from reliance on this section or any administrative decision lawfully made thereunder.

C. FP Floodplain District Regulations:

1. **Uses Permitted By Right:** The following uses shall be permitted within the floodplain district. These uses shall not obstruct flood flows or increase flood elevations. In addition, these uses shall not involve structures, fill, obstructions, excavations or storage of materials or equipment.

Agricultural uses such as general farming, pasture grazing, outdoor plant nurseries, horticulture, viticulture, truck farming, forestry, sod farming, and wild crop harvesting.

Industrial-commercial loading and parking areas.

Private and public recreational uses such as golf courses, tennis courts, driving ranges, archery ranges, picnic grounds, boat launching ramps, swimming areas, parks, wildlife and nature preserves, game farms, fish hatcheries, shooting ranges, hunting and fishing areas, and single or multiple purpose recreational trails.

Residential uses such as lawns, gardens, parking areas, and play areas.

2. **Uses Permitted By Conditional Use Permit:** The following uses shall be permitted upon issuance of a conditional use permit subject to the procedures and standards set forth in section [11-10-9](#) of this title. These uses shall not be permitted if they will cause any increase in the stage of the regional flood or increase the potential for flood damage in the reach or reaches affected.

Extraction and storage of sand, gravel, and other materials.

Marinas, boat rentals, docks, piers, wharves, and water control structures.

Placement of fill.

Railroads, streets, bridges, utility transmission lines, and pipelines.

Storage yards for equipment, machinery, or materials.

Structures accessory to the uses listed in subsection C1 of this section and this subsection C2.

3. **Additional Standards For Floodplain Conditional Uses:**

- a. **Standards For Fill:**

- (1) Fill, dredge spoil and all other similar materials deposited or stored in the floodplain shall be protected from erosion by vegetative cover, mulching, riprap or other acceptable

method.

- (2) Dredge spoil sites and sand and gravel operations shall not be allowed in the floodway unless a long term site development plan is submitted which includes an erosion/sedimentation prevention element to the plan.
- (3) As an alternative, and consistent with subsection C3a(2) of this section, dredge spoil disposal and sand and gravel operations may allow temporary, on site storage of fill or other materials which would have caused an increase to the stage of the 100-year or regional flood but only after the planning commission has received an appropriate plan which assures the removal of the materials from the floodway based upon the flood warning time available.

b. Standards For Structures:

- (1) Structures shall not be designed for human habitation.
- (2) Structures, if permitted, shall be constructed and placed on the building site so as to offer the minimum obstruction to the flow of floodwaters:
 - (A) Whenever possible, structures shall be constructed with the longitudinal axis parallel to the direction of flood flow, and
 - (B) So far as practicable, structures shall be placed approximately on the same flood flow lines as those of adjoining structures.
 - (C) Accessory structures shall be elevated on fill or structurally dry floodproofed in accordance with the FP-1 or FP-2 floodproofing classifications in the state building code. As an alternative, an accessory structure may be floodproofed to the FP-3 or FP-4 floodproofing classification in the state building code provided the accessory structure constitutes a minimal investment, does not exceed five hundred (500) squarefeet in size, and for a detached garage, the detached garage must be used solely for parking of vehicles and limited storage. All floodproofed accessory structures must meet the following additional standards, as appropriate:
 - (i) The structure must be adequately anchored to prevent flotation, collapse, or lateral movement of the structure and shall be designed to equalize hydrostatic flood forces on exterior walls; and
 - (ii) Any mechanical and utility equipment in a structure must be elevated to or above the regulatory flood protection elevation or properly floodproofed.

c. Standards For Storage Of Materials And Equipment:

- (1) The storage or processing of materials that are, in time of flooding, flammable, explosive, or potentially injurious to human, animal, or plant life is prohibited.
- (2) Storage of other materials or equipment may be allowed if readily removable from the area within the time available after a flood warning and in accordance with a plan approved by the planning commission.
- (3) No garbage and waste disposal sites shall be issued for floodway areas and there shall be no further encroachment upon the floodway at existing sites.

d. Standards For Flood Control:

- (1) Structural works for flood control that will change the course, current or cross section of protected wetlands or public waters shall be subject to the provisions of Minnesota statutes, chapter 103G. Communitywide structural works for flood control intended to remove areas from the regulatory floodplain shall not be allowed in the floodway.
- (2) A levee, dike or floodwall constructed in the floodway shall not cause an increase to the 100-year or regional flood and the technical analysis must assume equal conveyance or storage loss on both sides of a stream.

e. Standards For Public Utilities, Railroads, Roads And Bridges:

- (1) Public Utilities: All public utilities and facilities such as gas, electrical, sewer, and water supply systems to be located in the floodplain shall be floodproofed in accordance with the state building code or elevated to above the regulatory flood protection elevation.
- (2) Public Transportation Facilities: Railroad tracks, roads, and bridges to be located within the floodplain shall comply with this title. Elevation to the regulatory flood protection elevation shall be provided where failure or interruption of these transportation facilities would result in danger to the public health or safety or where such facilities are essential to the orderly functioning of the area. Minor or auxiliary roads or railroads may be constructed at a lower elevation where failure or interruption of transportation services would not endanger the public health or safety.
- (3) On Site Sewage Treatment And Water Supply Systems: Where public utilities are not provided: a) On site water supply systems must be designed to minimize or eliminate infiltration of floodwaters into the systems; and b) new or replacement on site sewage treatment systems must be designed to minimize or eliminate infiltration of floodwaters into the systems and discharges from the systems into floodwaters and they shall not be subject to impairment or contamination during times of flooding. Any sewage treatment system designed in accordance with the state's current statewide standards for on site sewage treatment systems shall be determined to be in compliance with this section.

D. Permit Requirements:

1. Permit Required: All permits issued by the city in conformity with the provisions of this title shall be secured prior to the erection, addition, or alteration of any building, structure, or portion thereof; prior to the use or change of use of a building, structure, or land; prior to the change or extension of a nonconforming use; and prior to the placement of fill, excavation of materials, or the storage of materials or equipment within the floodplain.
2. Application For Permit: Application for a permit shall be made in duplicate to the planning department and shall include the following where applicable: a) plans in duplicate drawn to scale, showing the nature, location, dimensions, and elevations of the lot; b) existing or proposed structures, fill, or storage of materials; and c) the location of the foregoing in relation to the stream channel.
3. State And Federal Permits: Prior to granting a local permit or processing an application for a conditional use permit or variance, the planning department shall determine that the applicant has obtained all necessary state and federal permits.

4. Certificate Of Zoning Compliance For A New, Altered, Or Nonconforming Use: It shall be unlawful to use, occupy, or permit the use or occupancy of any building or premises or part thereof hereafter created, erected, changed, converted, altered, or enlarged in its use or structure until a certificate of zoning compliance shall have been issued by the planning department stating that the use of the building or land conforms to the requirements of this title.
 5. Construction And Use To Be Provided On Applications, Plans, Permits, Variances, And Certificates Of Zoning Compliance: Permits, conditional use permits, or certificates of zoning compliance issued on the basis of approved plans and applications authorize only the use, arrangement, and construction set forth in such approved plans and applications, and no other use, arrangement, or construction. Any use, arrangement, or construction at variance with that authorized shall be deemed a violation of this title, and punishable as provided by section [11-10-2](#) of this title.
 6. Certification: The applicant shall be required to submit certification by a registered professional engineer, registered architect, or registered land surveyor that the finished fill and building elevations were accomplished in compliance with the provisions of this title. Floodproofing measures shall be certified by a registered professional engineer or registered architect.
 7. Record Of First Floor Elevation: The planning department shall maintain a record of the elevation of the lowest floor (including basement) of all new structures and alterations or additions to existing structures in the floodplain. The planning department shall also maintain a record of the elevation to which structures and alterations or additions to structures are floodproofed.
- E. Variances: The variance provisions in section [11-12-2](#) of this title shall apply to this section, in addition to the following findings:
1. No variance shall provide for a lesser degree of flood protection than the regulatory flood protection for the particular area or permit standards lower than those required by state law.
 2. Notice of any application for a variance shall be submitted to the commissioner of natural resources at least ten (10) days prior to the date of hearing on the variance. Such notice shall specify the time, place and subject matter of the hearing and shall be accompanied by such supporting information as is necessary to indicate the nature and effect of the proposed use. A copy of all decisions granting a variance under this section shall be forwarded to the commissioner of natural resources within ten (10) days of such action.
- F. Flood Insurance Notice And Record Keeping: The planning department shall notify the applicant for a variance that:
1. The issuance of a variance to construct a structure below the base flood level will result in increased premium rates for flood insurance up to amounts as high as twenty five dollars (\$25.00) for one hundred dollars (\$100.00) of insurance coverage; and
 2. Such construction below the 100-year or regional flood level increases risks to life and property. Such notification shall be maintained with a record of all variance actions. A

community shall maintain a record of all variance actions, including justification for their issuance, and report such variances issued in its annual or biennial report submitted to the administrator of the national flood insurance program.

G. Amendments To This Section: The floodplain designation on zoning maps shall not be removed from floodplain areas unless it can be shown that the designation is in error or that the areas are filled to an elevation at or above the flood protection elevation and are contiguous to other lands lying outside the floodplain district. Special exceptions to this rule may be permitted by the commissioner of natural resources if he determines that, through other measures, lands are protected adequately for the intended uses.

All amendments must be submitted to and approved by the commissioner of natural resources prior to adoption. Changes in the official zoning map must meet the federal emergency management agency's (FEMA) technical conditions and criteria and must receive prior FEMA approval before adoption. The commissioner of natural resources must be given ten (10) days' written notice of all hearings to consider an amendment to this section, and said notice shall include a draft of the ordinance amendment or technical study under consideration.

All requests to change a special flood hazard area designation shall meet the criteria established by the federal emergency management agency. (Ord. B-25, 2-2-1993)

11-4-20: IP INDUSTRIAL PARK DISTRICT:

A. Purpose And Intent: This district is intended to accommodate new, modern, high performance, light industrial uses which are planned as a unit and include an internal circulation system. This district is located within the MUSA and is intended to be served by the public utility systems. Uses shall be conducted completely within structures except as provided for herein.

B. Uses Permitted By Right:

Business and professional offices.

Machine and repair shops.

Manufacturing, custom.

Manufacturing, warehousing, wholesaling, distribution, processing, packaging, assembly, compounding and accessory uses.

Outdoor storage of materials, supplies and finished or semifinished products provided such storage shall be completely screened from view from public streets and adjacent properties by a wall or fence.

Support commercial uses provided they are located within the same structure as the principal

use, and are incidental to the principal use, and do not have an entrance except from within the principal building.

Television and radio studios.

Testing and research laboratories.

C. Uses Permitted By Planned Unit Development (PUD): Industrial developments involving multiple parcels, structures or uses shall be required to use the PUD procedure. (Ord. B, 9-19-1989)

Footnotes - Click any footnote link to go back to its reference.

[Footnote 1](#): MSA chapters 103F and 462.