

ORDINANCE NO. 21-__

**AN ORDINANCE AMENDING ARTICLE VI, VII AND VIII
OF CHAPTER 7A – ZONING REGULATIONS
OF THE COLUMBUS CITY CODE**

The City Council of the City of Columbus ordains the following:

SECTION I. ARTICLE VI PROVISIONS FOR OFFICIAL ZONING MAP, ARTICLE VII ESTABLISHMENT AND PURPOSE OF DISTRICTS and ARTICLE VIII GENERAL PROVISIONS AND PERFORMANCE STANDARDS of CHAPTER 7A GENERAL ZONING REGULATIONS of the Columbus City Code are amended in their entirety and replaced with the following:

ARTICLE VI AND ARTICLE VII

**PROVISIONS FOR OFFICIAL ZONING MAP
AND ESTABLISHMENT AND PURPOSE OF DISTRICTS**

SECTION 7A-600. OFFICIAL ZONING MAP. The City is divided into zones, or zoning districts, as shown on the Official Zoning Map, which is hereby adopted by reference and declared to be a part of this Ordinance. The Zoning Administrator shall be responsible for maintaining the Zoning Map with the official records of the City. The Zoning Map may be amended according to the procedures established in the City Code. The approved zoning districts which may be reflected on the Zoning Map include the following:

- RR Rural Residential District
- CLO Coon Lake Special Overlay District
- SO Shoreland Overland District
- FP General Floodplain District which includes:
- FW Floodway District
- FF Flood Fringe District
- MU-L Mixed Use Low Density District
- MU-M Mixed Use Medium Density District
- MU-H Mixed Use High Density District
- CC Community Commercial District
- GC General Commercial District
- HC Highway Commercial District
- HR Horse Racing District
- GB General Business District
- LI Light Industrial District
- C/I Commercial/Industrial District

SECTION 7A-601. RULES FOR INTERPRETATION OF DISTRICT BOUNDARIES. Where uncertainty exists with respect to the boundaries of districts as shown on the Official Zoning Map or as described in this Chapter, the following rules shall apply:

- A. Boundaries indicated as approximately following the centerlines of thoroughfares or highways, street lines, or highway right-of-way lines, or alleys shall be construed to follow such centerlines.
- B. Boundaries indicated as approximately following surveyed lines shall be construed as following such lines.
- C. Boundaries indicated as approximately following City limits shall be construed as following such City limits.
- D. Boundaries indicated as following railroad lines, shall be construed to be midway between the main tracks.
- E. Boundaries indicated as following shorelines shall be construed to follow such shorelines; and in the event change in the shoreline shall be construed as moving with the actual shoreline.
- F. Boundaries indicated as approximately following the centerlines of streams, rivers, canals, lakes or other bodies of water shall be construed to follow such centerlines.
- G. Boundaries indicated as approximately following the flood plain lines shall be construed to follow such contour lines. (In addition to the boundaries shown on the zone maps, the boundary of minor ditches and streams shall be designated as being at least five (5) vertical feet or 100 horizontal feet from the edge of the water, whichever is the greater distance. In this case, a stream, river or creek shall be defined as one which flows at least 180 days of the year. Further, it is advised that the banks which are at least ten (10) feet beyond, be left in as natural state as possible.
- H. Boundaries indicated as parallel to or extensions of features indicated in Subsections A through G above shall be so construed. Distances not specifically indicated on the Official Zoning Map shall be determined by the scale of the map.
- I. Where physical or cultural features existing on the ground are at variance with those shown as the Official Zoning Map, or in other circumstances not covered by Subsections A through F above, the Board of Adjustments and Appeals shall interpret the boundaries.

SECTION 7A-602. ZONING DISTRICT USES AND PERFORMANCE STANDARDS.

Articles VI and VII contain the use provisions for each Zoning District. Uses not listed as Permitted, Conditional or Interim Uses shall be considered prohibited. GENERAL PROVISIONS AND PERFORMANCE STANDARDS affecting all zoning uses are contained in Article VIII. ADULT USE REGULATIONS are contained in Article IX.

For reference, the list of Performance Standards in Article VIII includes the following:

Section 7A-800	General Provisions
Section 7A-801	District Lot, Area, Yards and Other Dimensional Criteria
Section 7A-802	Buildable Area
Section 7A-803	Minimum Construction Elevations above Known High Water and Driveway Design Requirements
Section 7A-804	General Provisions for the Rural Residential (RR) District and Public Utility and Public Service Facility Standards
Section 7A-805	Residential Accessory Buildings
Section 7A-806	Residential Zone Businesses
Section 7A-807	Swimming Pools
Section 7A-808	Churches and Schools
Section 7A-809	Dog Kennels
Section 7A-810	Expansion of Existing Antennae Towers
Section 7A-811	Private Streets Allowed
Section 7A-812	Off-Street Parking

Section 7A-813	Miscellaneous Business, Residential, and Institutional Use Performance Standards
Section 7A-814	General Performance Standards for All Land Uses
Section 7A-815	Feedlot Performance Standards
Section 7A-816	Performance Standards for the Location, Construction and Use of Communications Towers and Antenna
Section 7A-817	Performance Standards for the Location, Construction and Use of Broadcasting Towers
Section 7A-818	Performance Standards for Slaughterhouses
Section 7A-819	Planned Unit Development (PUD)
Section 7A-820	Performance Standards for Landscaping
Section 7A-821	Seasonal Outdoor Holiday Exhibition and Assembly
Section 7A-822	Mineral Extraction
Section 7A-823	Performance Standards for Asphalt/Concrete Production Facilities
Section 7A-824	through 7A-899 [<i>Reserved for future use</i>]

SECTION 7A-603. ESTABLISHMENT AND PURPOSE OF DISTRICTS INTENT. The following Zoning Districts are hereby established for the City of Columbus, Minnesota. For the interpretation of this Ordinance, the Zoning Districts have been formulated to realize the general purposes as set forth in the Preamble of this Ordinance. In addition, the specific purpose of each Zoning District shall be stated.

SECTIONS 7A-604 through 7A-609. [*Reserved for future use*]

SECTION 7A-610. RURAL RESIDENTIAL (RR) DISTRICT DEFINED. The RR District is established as the primary zoning category in the City of Columbus. The purpose of the RR District is to provide adequate areas and use restrictions for residential development that provide pleasant living environments and protect the public health, safety, and welfare.

SECTION 7A-611. RURAL RESIDENTIAL (RR) DISTRICT DESCRIBED. The RR District established upon adoption of the City Code and as modified by subsequent ordinance amendment is illustrated on the City of Columbus Official Zoning Map. A maximum gross density of one (1) Dwelling per five (5) acre Lot is permitted in this District.

SECTION 7A-612. RURAL RESIDENTIAL (RR) DISTRICT PERMITTED USES. The following uses shall be permitted in the RR District.

- A. Single family dwelling units.
- B. Single family dwelling accessory uses and residential accessory buildings.
- C. Animals.
- D. Parks.
- E. Swimming pools.
- F. Non-commercial kennels.
- G. Home occupations.
- H. Licensed day care facilities as home occupations and according to regulations established in Minn. Stat. § 256H.
- I. Municipal buildings and facilities.

SECTION 7A-613. RURAL RESIDENTIAL (RR) DISTRICT CONDITIONAL USES. The following uses shall be conditional within the RR District:

- A. Public and quasi-public utilities.
- B. Cemeteries.
- C. Public safety facilities.
- D. Churches and schools.
- E. Alternative subdivision design according to the provisions regulating Planned Unit Development (PUD).

SECTION 7A-614. RURAL RESIDENTIAL (RR) DISTRICT INTERIM USES.

The Interim Uses listed in this Section may be permitted in the RR District with an Interim Use Permit granted by the City Council after a public hearing as required by Minn. Stat. § 462.3597 if the City Council finds that the Interim Use meets the standards set forth in Minn. Stat. § 462.3597, subd. 2. Interim Use Permits shall be valid for a term of up to five (5) years. Interim use permits for communications towers and antenna may be approved for up to an additional twenty (20) years for a total term of up to twenty-five (25) years. The City Council may place such conditions on the Interim Use Permit as are necessary to prevent harmful effects from the Interim Use upon the City and its residents. The City Council may provide as a condition that the Interim Use Permit shall be reviewed if it is the cause of a specified number of substantiated complaints within a specified time period. Compliance with the applicable federal, state, and local laws, rules, and regulations shall be a condition of all Interim Use Permits. The term of Interim Use Permits granted under this Section shall be a condition of the permit.

- A. Dog kennels.
- B. Residential Zone Businesses.
- C. Expansion of existing antennae towers.
- D. Amateur service communications (i.e. ham radios), provided such communications and any equipment associated therewith, comply with all applicable local, State, and federal laws, rules and regulations. In addition, any tower and/or antenna associated with such Amateur service communications shall be limited to a total height of 100 feet above ground level and shall be subject to a setback from all setback Lines (as defined in this Chapter 7A) equal to the total height of the tower and/or antenna above ground level. The City Council may consider a reduced setback requirement if it is provided with a report from a certified structural engineer specifying that the proposed tower and/or antenna are designed to collapse in such a manner that the required setback is not necessary to avoid hazards to adjoining properties.
- E. Animals on Lots less than five (5) acres provided the housing of any animals shall comply with the standards set forth in this code and any other ordinances applicable to keeping such animals and provided, further, that the keeping of such animals does not threaten the health or safety of the residents of the City or otherwise create a public nuisance pursuant to Chapter 5 of the City Code.
- F. Communications towers located on government-owned property, subject to the requirements and performance standards for the location, construction and use of communications towers and antenna.
- G. Seasonal outdoor holiday exhibition and assembly, according to Chapter 4 and Chapter 7A of this Code.
- H. Temporary family care dwelling unit.
- I. Mineral extraction.

SECTIONS 7A-615 through 7A-619. [Reserved for future use]

SECTION 7A-620. COON LAKE AREA SPECIAL OVERLAY (CLO) DISTRICT

DEFINED. The CLO District is a special management area within an RR District. The provisions of Chapter 7A related to the RR District shall apply within the CLO District, except as otherwise provided in these provisions. The CLO District is established to address the unique land use characteristics associated with the Coon Lake area while protecting the public health, safety and welfare. The CLO District is intended to (i) address existing properties and improvements that, due to the proximity to Coon Lake, constitute a non-conforming use within the underlying RR District and (ii) limit future development and land use densities within the CLO District to remain consistent with existing development within the district. The CLO District provisions apply to all residentially zoned property within the CLO District. All provisions of the Columbus City Code and other laws and regulations applicable to properties located within the CLO District shall continue to apply.

SECTION 7A-621. COON LAKE AREA SPECIAL RESIDENTIAL OVERLAY (CLO) DISTRICT DESCRIBED. The CLO District is depicted on the Official Zoning Map and includes the following described property:

Commencing at the northwest corner of Section 30, Township 33, Range 22, thence easterly along north line of Section 30 to the east line of Lot 17, Auditor's Subdivision No. 139, thence southerly to the south line of Lot 17, thence westerly to the east line of Lot 16, thence southerly on the east line of Lot 16 to the ordinary high water line of Coon Lake, thence southerly along the easterly ordinary high water line of Coon Lake to the north line of Lot 34 of Breezy Shore addition, thence easterly to the centerline of Lexington Avenue, thence southerly along the centerline of Lexington Avenue to the centerline of 190th Lane, thence westerly along the centerline of 190th Lane to the west line of Section 30, thence northerly to the point of beginning.

SECTION 7A-622. COON LAKE AREA SPECIAL OVERLAY (CLO) DISTRICT PERMITTED USES. The following uses shall be permitted in the CLO District:

- A. Detached single family dwellings.
- B. Non-water oriented, customary residential accessory structures, provided that:
 - (1) The accessory structure(s) is/are not located between the principal building and the lakeshore on riparian lots;
 - (2) Accessory structures on riparian lots must be set back a minimum of thirty (30) feet from the public street access right-of-way line.
 - (3) For lots less than two (2) acres, the aggregate square footage of all detached accessory structure(s) shall not exceed one thousand two hundred (1,200) square feet for dwellings with attached garages or one thousand eight hundred (1,800) square feet for Dwellings without an attached garage.
 - (4) For lots of two (2) acres or more, the maximum square footage for all accessory structures shall be governed by the RR District guidelines set forth in this Code.
- C. Water oriented accessory structures.
- D. Swimming pools, tennis courts and similar private recreational facilities.
- E. Domestic pets.
- F. Home occupations.
- G. Public parks and public water oriented facilities.
- H. Essential Services.

SECTION 7A-623. COON LAKE AREA SPECIAL OVERLAY (CLO) DISTRICT CONDITIONAL USES. The following uses shall be conditional in the CLO

District:

- A. Public service facilities.
- B. Public safety facilities for the provision of fire, police, and other safety services.

SECTIONS 7A-624. COON LAKE AREA SPECIAL OVERLAY (CLO) DISTRICT INTERIM USES *(Reserved)*.

SECTIONS 7A-625 through 7A-629. *[Reserved for future use]*

SECTION 7A-630. SHORELAND OVERLAY DISTRICT (FOR REFERENCE ONLY). The Shoreland Overlay District provisions are included in Article VII Chapter 7E of the City Code.

SECTIONS 7A-631 through 7A-639. *[Reserved for future use]*

SECTION 7A-640. FLOODPLAIN OVERLAY DISTRICT (FOR REFERENCE ONLY). The Floodplain Overlay District provisions are included in Article VII Chapter 7F of the City Code.

SECTIONS 7A-641 through 7A-649. *[Reserved for future use]*

SECTION 7A-650. MIXED USE LOW DENSITY RESIDENTIAL (MU-L) DISTRICT DEFINED. The purpose of the MU-L District is to establish a placeholder for mixed use live-work opportunities when public utilities become available or if city-approved alternative sewer systems are appropriate for low density residential uses that are clearly accessory to principal business uses. The maximum residential density shall be one unit per acre and any mixed use development shall be reviewed as a planned unit development through the Conditional Use Permit (CUP) procedures. The MU-L District also allows Permitted Uses, Conditional Uses and Interim Uses listed in the Commercial/Industrial (C/I) District. The C/I District Design Standards apply to all uses within the MU-L District. All other relevant performance standards listed in Article VIII of Chapter 7 of the City Code apply to the MU-L District.

SECTIONS 7A-651 through 7A-659. *[Reserved for future use]*

SECTION 7A-660. MIXED USE MEDIUM DENSITY RESIDENTIAL (MU-M) DISTRICT DEFINED. The purpose of the Mixed Use Medium Density Residential (MU-M) District is to allow a variety of residential housing styles and opportunities at varying levels of residential densities, interspersed with commercial land uses. Allowing mixed uses requires a conscious effort to minimize land use conflicts by establishing performance standards, including compatible development requirements, cohesive building and landscaping design standards, and complementary pedestrian and traffic circulation requirements. The goal of establishing the MU-M District is to allow flexibility in land use development patterns, controlled through the planned unit development procedures for both residential and commercial land uses, whether projects are individually developed or part of a multiple use development concept. The City may require additional performance standards, such as late-night operating and lighting restrictions, to minimize conflicts between different land uses. Because of the mixed land use concept, all uses in the MU-M District shall meet higher design standards. All uses in the MU-M District require connection to public sewer and water.

SECTION 7A-661. MIXED USE MEDIUM DENSITY RESIDENTIAL (MU-M) DISTRICT DESCRIBED. The MU-M District, established by amendment to the City Code and as modified by subsequent amendments, is illustrated on the City of Columbus Official Zoning Map.

SECTION 7A-662. MIXED USE MEDIUM DENSITY RESIDENTIAL (MU-M) DISTRICT PERMITTED USES. Because the intent of the MU-M District is to review residential and commercial projects through the Conditional Use Permit and Planned Unit Development procedures, the number of permitted uses is limited. The following uses shall be permitted in the MU-M District:

- A. Municipal buildings and facilities and parks.

SECTION 7A-663. MEDIUM DENSITY RESIDENTIAL MIXED USE (MU-M) DISTRICT CONDITIONAL USES. The MU-M District includes a variety of residential uses and commercial uses in areas identified as “Mixed Use – Medium” in the “City of Columbus 2040 Comprehensive Plan.” The residential uses include association managed detached dwellings, association managed attached dwellings (duplexes and other attached dwellings), apartments, condominiums and cooperatives. All uses shall follow the provisions of the MU-M District, the conditional use permit procedures, and the planned unit development provisions outlined in this Ordinance. The following uses shall be conditional in the MU-M District:

- A. Association managed detached single family dwellings.
- B. Association managed attached single family dwellings.
- C. Apartments, condominiums, and cooperatives.
- D. Gasoline sales, related convenience retail sales and accessory car wash.
- E. Indoor Sales and storage of retail goods to consumers, such as groceries, alcohol, clothing, household goods, medical, electronics, sporting goods, household, and similar uses, excluding pawn shops.
- F. Pharmacy and accessory drive thru.
- G. Licensed childcare.
- H. Restaurant or coffee shop, including accessory drive thru.
- I. Catering service.
- J. Bakeries with primarily direct retail sales to consumers.
- K. Boutique/gift shop.
- L. Family movie theaters.
- M. Indoor commercial recreation.
- N. Professional offices and financial institutions.
- O. Medical Clinics.
- P. Micro distillery/brewery with retail sales and accessory open-air patio.
- Q. Dry Cleaners, hair salons, photography studio, and other on-premises business services.
- R. Yoga and small fitness centers, wellness center, dance studios, and similar uses
- S. Veterinary clinic or hospital, including accessory small animal indoor boarding, grooming, and day care.
- T. Small animal indoor boarding, grooming, or day care, including ancillary veterinary care.

SECTION 7A-664. MIXED USE MEDIUM DENSITY RESIDENTIAL (MU-M) DISTRICT INTERIM USES. *[Reserved for future use]*

**SECTION 7A-665. MIXED USE MEDIUM DENSITY RESIDENTIAL (MU-M)
DISTRICT PERFORMANCE STANDARDS.**

A. Residential Developments.

- 1. Association managed detached dwellings.** These homes are unattached single-family dwellings managed by a homeowner's association, which governs architectural controls, establishes association fees, provides lawn care, snow plowing, trash and recycling collection, and all common area maintenance and repair within a development.
 - a. Minimum lot area: 5,000 square feet per unit, net of road easements, ponding areas, and wetlands.
 - b. Private streets allowed and public utilities required. Public utilities shall be constructed according to minimum City standards. Private streets with no on-street parking shall be a minimum 24 feet width with curbing. Streets with one-side parking shall be a minimum 30 feet width. All streets shall be paved and shall meet a minimum 7-ton City design standard. Public utility easements shall be dedicated for a minimum width of the private street.
 - c. Front yard setback: Private road: 30 feet from the curb for garage and 20 feet from curb for living space.
 - d. Front yard setback: public road: 30 feet minimum structure setback from right-of-way line.
 - e. Side yard setback: 5 feet, or 30 feet if side yard is adjacent to public road.
 - f. Rear yard setback: 25 feet, or 30 feet if rear yard is adjacent to public road.
 - g. Maximum height: 2-story.
 - h. Unit size: all units shall contain a minimum of two bedrooms and minimum of 960 square feet of living space.
 - i. Attached garage required: 2 stalls, 11' X 24' minimum each stall.
 - j. Surface parking required: minimum 18' X 24' in front of garage.
 - k. Guest parking: ½ stall per unit dispersed conveniently throughout development, unless comparable street parking is available.
 - l. Front building façade: minimum 35% brick, stucco, stone or cultured stone.
 - m. Building variation: No identical front façade shall be located consecutively on the same side of any street. At least 3 different floor plans and 3 different architectural variations for front façade are required in any development with 10 or more homes.
 - n. Landscaping shall include a minimum of two overstory trees per unit and shall meet the minimum planting standards outlined in this Ordinance.
 - o. Sidewalks and trails may be required within any development.
- 2. Attached Dwellings.** These individually owned homes include Duplexes; "Row Homes," attached single family homes aligned side-by-side and with garage access on one side of the building; and "Townhomes," attached single family homes aligned side-by-side and back-to-back with garage access on two sides of the building. Attached single family dwellings are managed by a homeowners' association, which governs architectural controls, establishes association fees, provides lawn care, snow plowing, trash and recycling collection, exterior building maintenance and repair, and all common area maintenance and repair within a development.
 - a. Minimum lot area – Duplex: 5,000 square feet per unit, net of road easements, ponding areas, and wetlands.
 - b. Minimum lot area – Row/Townhome: None.
 - c. Maximum Row/Townhome units per building: Eight.

- d. Private streets allowed and public utilities required. Public utilities shall be constructed according to minimum City standards. Private streets with no on-street parking shall be a minimum 24 feet width with curbing. Streets with one-side parking shall be a minimum 30 feet width. All streets shall be paved and shall meet a minimum 7-ton City design standard. Public utility easements shall be dedicated for the minimum width of the private street.
- e. Private access drives: driveways providing access to individual units shall be a minimum of 24 feet in width. Private access drives containing public utilities shall include public utility easements.
- f. Individual utility metering: all units are required to be served with individual private and public utility services and metering, unless otherwise approved by the City.
- g. Front yard setback: Private road: 30 feet from the curb for garage and 20 feet from curb for living space.
- h. Front yard setback: public road: 30 feet minimum structure setback from right-of-way line.
- i. Side yard Setback – Duplex: zero lot line on common wall; 10 feet on opposite side yard, or 30 feet if side yard is adjacent to public road.
- j. Side yard Setback – Row/Townhome: zero lot line on common walls; 25 feet garage setback to access drive; 20 feet living space setback, or 30 feet if side yard is adjacent to public road.
- k. Rear Yard setback: 25 feet, or 30 feet if rear yard is adjacent to public road.
- l. Maximum height: 2-story.
- m. Unit size: all units shall contain a minimum of two bedrooms and minimum of 960 square feet of living space.
- n. Attached garage required: 2 stalls, 11' X 24' minimum each stall.
- o. Surface parking required: minimum 18' X 24' in front of garage.
- p. Guest parking: ½ stall per unit dispersed conveniently throughout development, unless comparable street parking is available.
- q. Front building façade – Duplex: minimum 35% brick, stucco, stone or cultured stone.
- r. Building variation – Duplex: No identical front façade shall be located consecutively on the same side of any street. At least 3 different floor plans and 3 different architectural variations for front façade are required in any development with 10 or more homes.
- s. Building façade – Row/Townhome: minimum 25% brick, stucco, stone or cultured stone on all sides of building. The percentage of the required exterior materials may be modified by the City when the use of shutters, window grids, gable end returns, and similar architectural enhancements are incorporated in the exterior building design.
- t. Building variation – Row/Townhome: building architectural design features, including but not limited to roof lines, façade variations, and building footprints, shall be sufficiently different; so that, no building is next to or directly across the street or access drive from an identical appearing building.
- u. Landscaping shall include a minimum of two overstory trees per unit and shall meet the minimum planting standards outlined in this Ordinance.
- v. Development plans shall include descriptions of unit sizes, rental or sales price points, indoor common areas and group usable space, building elevations with detailed breakdowns of building materials and colors, floor plans, trash and recycling facilities, site lighting, and outdoor group usable amenities.

- w. Sidewalks and trails may be required within any development.
3. **Multiple Family Dwellings.** These housing units include apartments, condominiums, and cooperatives that feature common building access to individual units, common security, managed property maintenance and managed utility service provisions, but do not typically include personal or health care service provisions by building management.
- a. Minimum lot area: 1 acre.
 - b. Maximum density: 16 units per acre.
 - c. Minimum unit size: efficiency/1-bedroom 600 square feet; 2-bedroom 720 square feet; additional bedrooms 120 square feet each.
 - d. Front yard setback: 30 feet.
 - e. Side yard setback: 20 feet, or 30 feet if side yard is adjacent to public road.
 - f. Rear yard setback: 30 feet.
 - g. Maximum height: 3 stories.
 - h. Individual utility metering: all units are required to be served with individual private and public utility services and metering, unless otherwise approved by the City.
 - i. Private streets allowed and public utilities required. Public utilities shall be constructed according to minimum City standards. Private streets with no on-street parking shall be a minimum 24 feet width with curbing. Streets with one-side parking shall be a minimum 30 feet width. All streets shall be paved and shall meet a minimum 7-ton City design standard. Public utility easements shall be dedicated for a minimum width of the private street.
 - j. Private access drives: driveways providing access to buildings shall be a minimum of 24 feet in width. Private access drives containing public utilities shall include public utility easements.
 - k. Garage parking: optional. $\frac{1}{2}$ garage space per unit and garage buildings shall be a minimum 12x24' and compatible with minimum principal structure design standards.
 - l. Surface parking: 2 stalls per unit. The number of surface parking spaces may be offset by the number of garage stalls provided, if the garage stalls are automatically assigned to dwelling units. Parking spaces shall be 10'X20' with 24' driveway aisles.
 - m. Guest parking: $\frac{1}{4}$ stall per unit, unless comparable street parking is available.
 - n. Parking areas may occupy $\frac{1}{3}$ of the minimum required yard area.
 - o. Building exteriors: The City requires a mix of architectural features, building materials and color schemes to accentuate the appearance of multiple family dwellings. Building materials may include masonry products (brick, stone, stucco, decorative block, tile, cast stone, pre-cast textured concrete panels), wood, EIFS, composite wood panels and lap siding, composite fiber-cement panels and lap siding, metal panels, composite metal panels, other composite material panels, glass panels, windows and trim.
 - 1) 25% of the façade on all exteriors shall consist of masonry products. This masonry percentage requirement does not include façade surface area consisting of windows and doors and associated trim. For the purpose of this section, masonry does not include bare cinder block, unadorned pre-stressed panels, or smooth concrete panels.
 - 2) Panels and lap siding shall be used to complement masonry materials and shall be roughly proportionate to each other. Visible joints in all siding materials shall be architecturally integrated into the building design.

- 3) The percentage of the required exterior materials may be modified by the City when the use of staggered unit elevations, balconies and porches, shutters, gable end returns, mantels, corbels, cornices, cupolas, false dormers or windows, and similar combinations of architectural enhancements are incorporated to accentuate the exterior building design.
 - 4) Colors shall be earth tone, such as shades of brown and soft neutral colors. Multiple color schemes are permitted, provided they are complementary and compatible with the primarily masonry exterior. The use of contrasting, yet harmonious colors may also be permitted provided they are compatible with the primarily masonry exterior.
 - 5) No individual floor of a building may be one color or one siding material, except for the use of masonry products.
 - 6) The percentage of the required exterior materials on non-residential facing façades may be modified by the City if the street facing or front façade is correspondingly enhanced.
 - 7) In Planned Unit Developments with multiple properties, the character of all buildings shall reflect a common theme with compatible building styles, building materials, color schemes, landscaping, site lighting and pedestrian circulation.
 - 8) Development plans shall include descriptions of unit sizes, rental or sales price points, indoor common areas and group usable space, storage space options, building elevations with detailed breakdowns of building materials and colors, floor plans, trash and recycling facilities, site lighting, and outdoor group usable amenities.
- p. Landscaping shall include a minimum of one overstory tree per unit; however, 25% of the overstory trees may be substituted with perennial foundation plantings at a ratio of 10 foundation plantings per overstory tree. All landscaping shall meet the minimum planting standards outlined in this Ordinance.
- q. Sidewalks and trails may be required within any development.
- r. All mechanical equipment integral to the building function shall be screened from view from adjacent public right of ways, streets, and properties, including equipment located on the rooftop.
- 1) Screening must be architecturally designed and made from materials compatible in design and quality to those of the overall building design.
 - 2) A cross section for each elevation may be required for proposed roof top mechanical screenings.
- s. Pitched roofs that are exposed shall be constructed of commercial grade architectural shingles, wood singles, slate, tile, copper or heavy gage standing seam steel. Flat roofs are not subject to these requirements.

B. Commercial Developments

1. Commercial Developments in the Mixed Use Medium Density Residential District.

- a. Sidewalks and trails may be required in every development.
- b. CUP applications shall include, but not be limited to, detailed site plans, floor plans, utility plans, building elevations with detailed breakdowns of building materials and colors, trash and recycling facilities, landscaping plans, site lighting plans and pedestrian movement plans.

- c. Building exteriors: the City requires a mix of architectural features, building materials and color schemes to accentuate the appearance of commercial buildings. Building materials may include masonry products (brick, stone, stucco, decorative block, tile, cast stone, pre-cast textured concrete panels) wood, EIFS, composite wood panels and lap siding, composite fiber-cement panels and lap siding, metal panels, composite metal panels, other composite material panels, glass panels, windows and trim.
- 1) 70% of the façade on all exteriors of all buildings shall consist of masonry products such as, brick, stone, stucco, decorative block, tile, cast stone, pre-cast textured concrete panels. This masonry percentage requirement does not include façade surface area consisting of windows and doors and associated trim. For the purpose of this section, masonry does not include bare cinder block, unadorned pre-stressed panels, or smooth concrete panels.
 - 2) The remaining combination of accent materials may not detract from the overall appearance of the primarily masonry building design and accent materials must be used to create a harmonized design that is apparent on each building façade that is visible to the public via public right of way and adjacent property.
 - 3) Accent materials shall be consistent in grade and quality of the primary building materials. For each wall exceeding 200 feet in length there shall be an architectural feature or accent feature every 1/3rd of the wall length.
 - 4) Visible joints in all siding materials shall be architecturally integrated into the building design.
 - 5) Colors shall be earth tone, such as shades of brown and soft neutral colors. Multiple color schemes are permitted, provided they are complementary and compatible with the primarily masonry exterior. The use of contrasting, yet harmonious colors may also be permitted provided they are compatible with the primarily masonry exterior.
 - 6) A visually distinct front entrance must be present and obvious from the street, while remaining harmonious with the overall finish of the building.
 - 7) The percentage of the required exterior materials may be modified by the City when the use of staggered elevations, staggered parapets, mantels, corbels, cornices, and similar combinations of architectural enhancements are incorporated to accentuate the exterior building design.
 - 8) The percentage of the required exterior materials on non-residential facing and non-street facing façades may be modified by the City if the street facing or front façade is correspondingly enhanced. Enhancements may include, but are not limited to, the increase in architectural enhancements, and complementary horizontal or vertical design features.
 - 9) In Planned Unit Developments with multiple properties, the character of all buildings shall reflect a common theme with compatible building styles, building materials, color schemes, landscaping, site lighting and pedestrian circulation.
- d. Pitched roofs that are exposed shall be constructed of commercial grade architectural shingles, wood shingles, slate, tile, copper or heavy gage standing seam steel. Flat roofs are not subject to these requirements.

- e. All mechanical equipment integral to the building function shall be screened from view from adjacent public right of ways, streets, and properties, including equipment located on the rooftop.
 - 1) Screening must be architecturally designed and made from materials compatible in design and quality to those of the overall building design.
 - 2) A cross section for each elevation may be required for proposed roof top mechanical screenings.
- f. No display of merchandise shall be permitted on any roof.

SECTIONS 7A-666 through 7A-669. *[Reserved for future use]*

SECTION 7A-670. MIXED USE HIGH DENSITY RESIDENTIAL (MU-H) DISTRICT DEFINED. The purpose of the Mixed Use High Density Residential District is to allow a variety of residential housing styles and opportunities at higher levels of residential density, interspersed with commercial land uses. Allowing mixed uses requires a conscious effort to minimize land use conflicts by establishing performance standards, including compatible development requirements, cohesive building and landscaping design standards, and complementary pedestrian and traffic circulation requirements. The MU-H District may include standalone residential and commercial uses, adjacent to each other, or residential uses located on separate floor(s) above commercial uses. The goal of establishing the MU-H District is to allow flexibility in land use development patterns, controlled through Planned Unit Development procedures for both residential and commercial land uses, whether projects are individually developed or part of a multiple use development concept. The City may require additional performance standards, such as late-night operating and lighting restrictions, to minimize conflicts between different land uses. The high visibility and accessibility of this district will support the highest building and site design standards in the I-35 Freeway Corridor, with no intention to serve extensive land users or uses with prominent outdoor display. All uses in the MU-H District require connection to public sewer and water.

SECTION 7A-671. MIXED USE HIGH DENSITY RESIDENTIAL (MU-H) DISTRICT DESCRIBED. The MU-H District, established by amendment to the City Code and as modified by subsequent amendments, is illustrated on the City of Columbus Official Zoning Map.

SECTION 7A-672. MIXED USE HIGH DENSITY RESIDENTIAL (MU-H) DISTRICT PERMITTED USES. Because the intent of the MU-H District is to review residential and commercial projects through the Planned Unit Development process, the number of permitted uses is limited. The following uses shall be permitted in the MU-H District:

- A. Municipal Buildings and Facilities and parks.

SECTION 7A-673. MIXED USE HIGH DENSITY RESIDENTIAL (MU-H) DISTRICT CONDITIONAL USES. The MU-H District includes a variety of residential uses and commercial uses in areas identified as “Mixed Use – High” in the “City of Columbus 2040 Comprehensive Plan.” The residential uses include association managed senior citizen detached dwellings and apartments, condominiums and cooperatives. All uses shall follow the provisions of the MU-H District, the conditional use permit procedures and the planned unit development provisions outlined in this Ordinance. The following uses shall be conditional in the MU-H District:

- A. Association managed senior citizen detached single family dwellings, in existence in the district on the date of adoption of this ordinance.

- B. Apartments, condominiums cooperatives and attached dwellings.
- C. Gasoline sales and related convenience retail sales and accessory carwash.
- D. Indoor sales and storage of retail goods to consumers, such as groceries, alcohol, clothing, household goods, medical, electronics, sporting goods, and similar uses, excluding pawn shops.
- E. Bakeries with primarily direct retail sales to consumers.
- F. Indoor commercial recreation.
- G. Hotel/motel.
- H. Licensed childcare.
- I. Restaurant or coffee shop, including accessory drive thru.
- J. Professional offices.
- K. Boutique/gift shop.
- L. Family movie theaters.
- M. Dry cleaners, hair salons, photography studio, and other on-premises business services.
- N. Yoga and small fitness centers, wellness center, dance studios, and similar uses.
- O. Micro distillery/brewery with retail sales and accessory open-air patio.
- P. Pharmacy and accessory drive thru.
- Q. Veterinary clinic or hospital, including accessory small animal indoor boarding, grooming, and day care.
- R. Small animal indoor boarding, grooming, or day care, including ancillary veterinary care.

SECTION 7A-674. MIXED USE HIGH DENSITY RESIDENTIAL (MU-H) DISTRICT INTERIM USES. *[Reserved for future use]*

SECTION 7A-675. MIXED USE HIGH DENSITY RESIDENTIAL (MU-H) DISTRICT PERFORMANCE STANDARDS.

A. Residential Developments

- 1. Association managed detached dwellings.** These homes are unattached single-family dwellings managed by a homeowner's association, which governs architectural controls, establishes association fees, provides lawn care, snow plowing, trash and recycling collection, and all common area maintenance and repair within a development. Senior citizen housing shall be restricted to residents fifty-five (55) years or older for eighty (80) percent or more of the dwelling units.
 - a. Minimum lot area: 5,000 square feet per unit, net of road easements, ponding areas, and wetlands.
 - b. Private streets allowed and public utilities required. Public utilities shall be constructed according to minimum City standards. Private streets with no on-street parking shall be a minimum 24 feet width with curbing. Streets with one-side parking shall be a minimum 30 feet width. All streets shall be paved and shall meet a minimum 7-ton City design standard. Public utility easements shall be dedicated for a minimum width of the private street.
 - c. Front yard setback: Private road: 30 feet from the curb for garage and 20 feet from curb for living space.
 - d. Front yard setback: public road: 30 feet minimum structure setback from right-of-way line.
 - e. Side yard setback: 5 feet, or 30 feet if side yard is adjacent to public road.
 - f. Rear yard setback: 25 feet, or 30 feet if rear yard is adjacent to public road.

- g. Maximum height: 2-story.
 - h. Unit size: all units shall contain a minimum of two bedrooms and minimum of 960 square feet of living space.
 - i. Attached garage required: 2 stalls, 11' X 24' minimum each stall.
 - j. Surface parking required: minimum 18' X 24' in front of garage.
 - k. Guest parking: ½ stall per unit dispersed conveniently throughout development, unless comparable street parking is available.
 - l. Front building façade: minimum 35% brick, stucco, stone or cultured stone.
 - m. Building variation: No identical front façade shall be located consecutively on the same side of any street. At least 3 different floor plans and 3 different architectural variations for front façade are required in any development with 10 or more homes.
 - n. Landscaping shall include a minimum of two overstory trees per unit and shall meet the minimum planting standards outlined in this Ordinance.
 - o. Sidewalks and trails may be required within any development.
- 2. Apartments, condominiums and cooperatives.** Apartments, condominiums, and cooperatives feature common building access to individual units, common security, managed property maintenance and managed utility service provisions, but do not include personal or health care service provisions by building management.
- a. Maximum density: 30 units per acre.
 - b. Maximum height: 5 stories.
 - c. Minimum unit size: efficiency/1-bedroom 600 square feet; 2-bedroom 720 square feet; additional bedrooms 120 square feet each.
 - d. Front yard setback: 30 feet.
 - e. Side yard setback: 20 feet, or 30 feet if side yard is adjacent to public road.
 - f. Rear yard setback: 30 feet.
 - g. Private access drives: driveways providing access to buildings shall be a minimum of 24 feet in width. Private access drives containing public utilities shall include public utility easements.
 - h. Garage parking required: ½ Garage Space per unit, underground or at-grade parking (within the footprint of the building) shall be required. Parking spaces shall be 10'X20' with 24' driveway aisles.
 - i. Surface parking: 2 stalls per unit. The number of surface parking spaces may be offset by the number of garage stalls provided, if the garage stalls are automatically assigned to dwelling units. Parking spaces shall be 10'X20' with 24' driveway aisles.
 - j. Guest parking: ¼ stall per unit, unless comparable street parking is available.
 - k. Parking areas may occupy ⅓ of the minimum required yard area.
 - l. Individual utility metering: all units are required to be served with individual private and public utility services and metering, unless otherwise approved by the City
 - m. Building exteriors: The City requires a mix of architectural features, building materials and color schemes to accentuate the appearance of multiple family dwellings. Building materials may include masonry products (brick, stone, stucco, decorative block, tile, cast stone, pre-cast textured concrete panels), wood, EIFS, composite wood panels and lap siding, composite fiber-cement panels and lap siding, metal panels, composite metal panels, other composite material panels, glass panels, windows and trim.
 - 1) 35% of the façade on all exteriors shall consist of masonry products. This masonry percentage requirement does not include façade surface area

consisting of windows and doors and associated trim. For the purpose of this section, masonry does not include bare cinder block, unadorned pre-stressed panels, or smooth concrete panels.

- 2) Panels and lap siding shall be used to complement masonry materials and shall be roughly proportionate to each other. Visible joints in all siding materials shall be architecturally integrated into the building design.
 - 3) The percentage of the required exterior materials may be modified by the City when the use of staggered unit elevations, balconies and porches, shutters, gable end returns, mantels, corbels, cornices, cupolas, false dormers or windows, and similar combinations of architectural enhancements are incorporated to accentuate the exterior building design.
 - 4) Colors shall be earth tone, such as shades of brown and soft neutral colors. Multiple color schemes are permitted, provided they are complementary and compatible with the primarily masonry exterior. The use of contrasting, yet harmonious colors may also be permitted provided they are compatible with the primarily masonry exterior.
 - 5) No individual floor of a building may be one color or one siding material, except for the use of masonry products.
 - 6) The percentage of the required exterior materials on non-residential facing façades may be modified by the City if the street facing or front façade is correspondingly enhanced.
 - 7) In Planned Unit Developments with multiple properties, the character of all buildings shall reflect a common theme with compatible building styles, building materials, color schemes, landscaping, site lighting and pedestrian circulation.
 - 8) Development plans shall include descriptions of unit sizes, rental or sales price points, indoor common areas and group usable space, storage space options, building elevations with detailed breakdowns of building materials and colors, floor plans, trash and recycling facilities, site lighting, and outdoor group usable amenities.
 - n. Landscaping shall include a minimum of one overstory tree per unit; however, 25% of the overstory trees may be substituted with perennial foundation plantings at a ratio of 10 foundation plantings per overstory tree. All landscaping shall meet the minimum planting standards outlined in this Ordinance.
 - o. Sidewalks and trails may be required within any development.
 - p. All mechanical equipment integral to the building function shall be screened from view from adjacent public right of ways, streets, and properties, including equipment located on the rooftop.
 - 1) Screening must be architecturally designed and made from materials compatible in design and quality to those of the overall building design.
 - 2) A cross section for each elevation may be required for proposed roof top mechanical screenings.
 - q. Pitched roofs that are exposed shall be constructed of commercial grade architectural shingles, wood singles, slate, tile, copper or heavy gage standing seam steel. Flat roofs are not subject to these requirements.
3. **Attached Dwellings.** These individually owned homes include “Row Homes,” attached single family homes aligned side-by-side and with garage access on one side of the building and “Townhomes,” attached single family homes aligned side-by-side and back-to-back with garage access on two sides of the building.

Attached single family dwellings are managed by a homeowners' association, which governs architectural controls, establishes association fees, provides lawn care, snow plowing, trash and recycling collection, exterior building maintenance and repair, and all common area maintenance and repair within a development.

- a. Minimum lot area: none.
- b. Maximum density: 30 units per acre.
- c. Maximum units per building: none.
- d. Private streets allowed and public utilities required. Public utilities shall be constructed according to minimum City standards. Private streets with no on-street parking shall be a minimum 24 feet width with curbing. Streets with one-side parking shall be a minimum 30 feet width. All streets shall be paved and shall meet a minimum 7-ton City design standard. Public utility easements shall be dedicated for the minimum width of the private street.
- e. Private access drives: driveways providing access to individual units shall be a minimum of 24 feet in width. Private access drives containing public utilities shall include public utility easements.
- f. Individual utility metering: all units are required to be served with individual private and public utility services and metering, unless otherwise approved by the City.
- g. Front yard setback: Private road: 30 feet from the curb for garage and 20 feet from curb for living space.
- h. Front yard setback: Public road: 30 feet minimum structure setback from right-of-way line.
- i. Side yard Setback: zero lot line on common walls; 25 feet garage setback to private road curb; 20 feet living space setback from private road curb, or 30 feet building setback if side yard is adjacent to public road.
- j. Rear Yard setback: 25 feet from private road curb, or 30 feet if rear yard is adjacent to public road or private property.
- k. Maximum height: 3-story.
- l. Unit size: all units shall contain a minimum of two bedrooms and minimum of 960 square feet of living space.
- m. Attached garage required: 2 stalls, 11' X 24' minimum each stall.
- n. Surface parking required: minimum 18' X 24' in front of garage.
- o. Guest parking: ½ stall per unit dispersed conveniently throughout development, unless comparable street parking is available.
- p. Building exteriors: The City requires a mix of architectural features, building materials and color schemes to accentuate the appearance of multiple family dwellings. Building materials may include masonry products (brick, stone, stucco, decorative block, tile, cast stone, pre-cast textured concrete panels), wood, EIFS, composite wood panels and lap siding, composite fiber-cement panels and lap siding, metal panels, composite metal panels, other composite material panels, glass panels, windows and trim.
 - 1) 35% of the façade on all exteriors shall consist of masonry products. This masonry percentage requirement does not include façade surface area consisting of windows and doors and associated trim. For the purpose of this section, masonry does not include bare cinder block, unadorned pre-stressed panels, or smooth concrete panels.
 - 2) Panels and lap siding shall be used to complement masonry materials and shall be roughly proportionate to each other. Visible joints in all siding materials shall be architecturally integrated into the building design.

- 3) The percentage of the required exterior materials may be modified by the City when the use of staggered unit elevations, balconies and porches, shutters, gable end returns, mantels, corbels, cornices, cupolas, false dormers or windows, and similar combinations of architectural enhancements are incorporated to accentuate the exterior building design.
 - 4) Colors shall be earth tone, such as shades of brown and soft neutral colors. Multiple color schemes are permitted, provided they are complementary and compatible with the primarily masonry exterior. The use of contrasting, yet harmonious colors may also be permitted provided they are compatible with the primarily masonry exterior.
 - 5) No individual floor of a building may be one color or one siding material, except for the use of masonry products.
 - 6) The percentage of the required exterior materials on non-residential facing façades may be modified by the City if the street facing or front façade is correspondingly enhanced.
 - 7) In Planned Unit Developments with multiple properties, the character of all buildings shall reflect a common theme with compatible building styles, building materials, color schemes, landscaping, site lighting and pedestrian circulation.
 - 8) Development plans shall include descriptions of unit sizes, rental or sales price points, indoor common areas and group usable space, storage space options, building elevations with detailed breakdowns of building materials and colors, floor plans, trash and recycling facilities, site lighting, and outdoor group usable amenities.
 - q. Landscaping shall include a minimum of one overstory tree per unit; however, 25% of the overstory trees may be substituted with perennial foundation plantings at a ratio of 10 foundation plantings per overstory tree. All landscaping shall meet the minimum planting standards outlined in this Ordinance.
 - r. Sidewalks and trails may be required within any development.
 - s. All mechanical equipment integral to the building function shall be screened from view from adjacent public right of ways, streets, and properties, including equipment located on the rooftop.
 - 1) Screening must be architecturally designed and made from materials compatible in design and quality to those of the overall building design.
 - 2) A cross section for each elevation may be required for proposed roof top mechanical screenings.
 - t. Pitched roofs that are exposed shall be constructed of commercial grade architectural shingles, wood singles, slate, tile, copper or heavy gage standing seam steel. Flat roofs are not subject to these requirements.
4. **Assisted-living multiple family dwellings.** These housing units typically include apartments that directly or indirectly provide tenants who are less independent with a variety of services such as meals, housekeeping, personal care, and health care.
- a. Maximum density: 30 units per acre.
 - b. Minimum unit size: efficiency 250 square feet; 1-bedroom 350 square feet.
 - c. Front yard setback: 30 feet.
 - d. Side yard setback: 20 feet, or 30 feet if side yard is adjacent to public road.
 - e. Rear yard setback: 30 feet.

- f. Maximum height: 5 stories.
- g. Private access drives: driveways providing access to buildings shall be a minimum of 24 feet in width. Private access drives containing public utilities shall include public utility easements.
- h. Surface parking: 1 stall per unit; or 1 stall per maximum employee and contracted staff plus ½ stall per unit guest parking. “Proof of parking” provisions required in this Ordinance are applicable.
- i. Parking areas may occupy ⅓ of the minimum required yard area.
- j. Building exteriors: The City requires a mix of architectural features, building materials and color schemes to accentuate the appearance of multiple family dwellings. Building materials may include masonry products (brick, stone, stucco, decorative block, tile, cast stone, pre-cast textured concrete panels), wood, EIFS, composite wood panels and lap siding, composite fiber-cement panels and lap siding, metal panels, composite metal panels, other composite material panels, glass panels, windows and trim.
 - 1) 35 % of the façade on all exteriors shall consist of masonry products. This masonry percentage requirement does not include façade surface area consisting of windows and doors and associated trim. For the purpose of this section, masonry does not include bare cinder block, unadorned pre-stressed panels, or smooth concrete panels.
 - 2) Panels and lap siding shall be used to complement masonry materials and shall be roughly proportionate to each other. Visible joints in all siding materials shall be architecturally integrated into the building design.
 - 3) The percentage of the required exterior materials may be modified by the City when the use of staggered unit elevations, balconies and porches, shutters, gable end returns, mantels, corbels, cornices, cupolas, false dormers or windows, and similar combinations of architectural enhancements are incorporated to accentuate the exterior building design.
 - 4) Colors shall be earth tone, such as shades of brown and soft neutral colors. Multiple color schemes are permitted, provided they are complementary and compatible with the primarily masonry exterior. The use of contrasting, yet harmonious colors may also be permitted provided they are compatible with the primarily masonry exterior.
 - 5) No individual floor of a building may be one color or one siding material, except for the use of masonry products.
 - 6) The percentage of the required exterior materials on non-residential facing façades may be modified by the City if the street facing or front façade is correspondingly enhanced.
 - 7) In Planned Unit Developments with multiple properties, the character of all buildings shall reflect a common theme with compatible building styles, building materials, color schemes, landscaping, site lighting and pedestrian circulation.
 - 8) Development plans shall include descriptions of unit sizes, rental or sales price points, indoor common areas and group usable space, storage space options, building elevations with detailed breakdowns of building materials and colors, floor plans, trash and recycling facilities, site lighting, and outdoor group usable amenities.
- k. Landscaping shall include a minimum of one overstory tree per unit; however, 25% of the overstory trees may be substituted with perennial foundation plantings at a ratio of 10 foundation plantings per overstory tree.

All landscaping shall meet the minimum planting standards outlined in this Ordinance.

- l. Sidewalks and trails may be required within any development.
- m. All mechanical equipment integral to the building function shall be screened from view from adjacent public right of ways, streets, and properties, including equipment located on the rooftop.
 - 1) Screening must be architecturally designed and made from materials compatible in design and quality to those of the overall building design.
 - 2) A cross section for each elevation may be required for proposed roof top mechanical screenings.
- n. Pitched roofs that are exposed shall be constructed of commercial grade architectural shingles, wood singles, slate, tile, copper or heavy gage standing seam steel. Flat roofs are not subject to these requirements.

B. Commercial Developments.

1. Commercial Developments in the Mixed Use High Density Residential District

- a. Sidewalks and trails may be required in every development.
- b. CUP applications shall include, but not be limited to, detailed site plans, floor plans, utility plans, building elevations with detailed breakdowns of building materials and colors, trash and recycling facilities, landscaping plans, site lighting plans and pedestrian movement plans.
- c. Building exteriors: The City requires a mix of architectural features, building materials and color schemes to accentuate the appearance of commercial buildings. Building materials may include masonry products (brick, stone, stucco, decorative block, tile, cast stone, pre-cast textured concrete panels) wood, EIFS, composite wood panels and lap siding, composite fiber-cement panels and lap siding, metal panels, composite metal panels, other composite material panels, glass panels, windows and trim.
 - 1) 80% of the façade on all exteriors of all buildings shall consist of masonry products such as, brick, stone, stucco, decorative block, tile, cast stone, pre-cast textured concrete panels. This masonry percentage requirement does not include façade surface area consisting of windows and doors and associated trim. For the purpose of this section, masonry does not include bare cinder block, unadorned pre-stressed panels, or smooth concrete panels.
 - 2) The remaining combination of accent materials may not detract from the overall appearance of the primarily masonry building design and accent materials must be used to create a harmonized design that is apparent on each building façade that is visible to the public via public right of way and adjacent property.
 - 3) Accent materials shall be consistent in grade and quality of the primary building materials. For each wall exceeding 200 feet in length there shall be an architectural feature or accent feature every 1/3rd of the wall length.
 - 4) Visible joints in all siding materials shall be architecturally integrated into the building design.
 - 5) Colors shall be earth tone, such as shades of brown and soft neutral colors. Multiple color schemes are permitted, provided they are complementary and compatible with the primarily masonry exterior. The

- use of contrasting, yet harmonious colors may also be permitted provided they are compatible with the primarily masonry exterior.
- 6) A visually distinct front entrance must be present and obvious from the street, while remaining harmonious with the overall finish of the building.
 - 7) The percentage of the required exterior materials may be modified by the City when the use of staggered elevations, staggered parapets, mantels, corbels, cornices, and similar combinations of architectural enhancements are incorporated to accentuate the exterior building design.
 - 8) The percentage of the required exterior materials on non-residential facing and non-street facing façades may be modified by the City if the street facing or front façade is correspondingly enhanced. Enhancements may include, but are not limited to, the increase in architectural enhancements, and complementary horizontal or vertical design features.
 - 9) In Planned Unit Developments with multiple properties, the character of all buildings shall reflect a common theme with compatible building styles, building materials, color schemes, landscaping, site lighting and pedestrian circulation.
- d. Pitched roofs that are exposed shall be constructed of commercial grade architectural shingles, wood shingles, slate, tile, copper or heavy gage standing seam steel. Flat roofs are not subject to these requirements.
 - e. All mechanical equipment integral to the building function shall be screened from view from adjacent public right of ways, streets, and properties, including equipment located on the rooftop.
 - 1) Screening must be architecturally designed and made from materials compatible in design and quality to those of the overall building design.
 - 2) A cross section for each elevation may be required for proposed roof top mechanical screenings.
 - f. No display of merchandise shall be permitted on any roof.

SECTIONS 7A-676 through 7A-6679. [Reserved for future use]

SECTION 7A-680. COMMUNITY COMMERCIAL (CC) DISTRICT DEFINED. The purpose of the CC District is to provide space for high intensity retail sales, entertainment, and convenience with low intensity onsite services and office space that serve local and regional population bases. The high visibility and accessibility of this district will support the highest building and site design standards in the I-35 Freeway Corridor, with no intention to serve extensive land users or uses with limited opportunities for outdoor display of retail goods and no outdoor storage. All uses in the CC District require connection to public sewer and water.

SECTION 7A-681. COMMUNITY COMMERCIAL (CC) DISTRICT DESCRIBED. The CC District, established by amendment to the City Code and as modified by subsequent amendments, is illustrated on the City of Columbus Official Zoning Map.

SECTION 7A-682. COMMUNITY COMMERCIAL (CC) DISTRICT PERMITTED USES. The following uses shall be permitted in the CC District:

- A. Municipal buildings and facilities and parks.

SECTION 7A-683. COMMUNITY COMMERCIAL (CC) DISTRICT CONDITIONAL USES. The following uses shall be conditional, according to the provisions Sections 7A-540 through 7A-547:

- A. Gasoline sales and related convenience retail sales and accessory car wash.
- B. Indoor sales and storage of retail goods to consumers, such as groceries, alcohol, clothing, household goods, medical, electronics, sporting goods, and similar uses, excluding pawn shops.
- C. Bakeries with primarily direct retail sales to consumers.
- D. Indoor commercial recreation.
- E. Hotel/motel.
- F. Licensed childcare.
- G. Restaurant or coffee shop, including accessory drive thru.
- H. Professional offices.
- I. Boutique/gift shop.
- J. Family movie theaters.
- K. Dry cleaners, hair salons, photography studio, and other on-premises business services.
- L. Yoga and small fitness centers, wellness center, dance studios, and similar uses.
- M. Micro distillery/brewery with retail sales and accessory open-air patio.
- N. Pharmacy and accessory drive thru.
- O. Veterinary clinic or hospital, including accessory small animal indoor boarding, grooming, and day care.
- P. Small animal indoor boarding, grooming, or day care, including ancillary veterinary care.

SECTION 7A-684. COMMUNITY COMMERCIAL (CC) DISTRICT INTERIM USES.

- A. Seasonal or temporary outdoor displays of retail goods and rental products, exceeding 72-hour periods, subject to the restrictions of this Code applicable to outdoor display.

SECTION 7A-685. COMMUNITY COMMERCIAL (CC) DISTRICT PERFORMANCE STANDARDS.

- A. Sidewalks and trails may be required in every development.
- B. CUP applications shall include, but not be limited to, detailed site plans, floor plans, utility plans, building elevations with detailed breakdowns of building materials and colors, trash and recycling facilities, landscaping plans, site lighting plans and pedestrian movement plans.
- C. Building exteriors: the City requires a mix of architectural features, building materials and color schemes to accentuate the appearance of commercial buildings. Building materials may include masonry products (brick, stone, stucco, decorative block, tile, cast stone, pre-cast textured concrete panels) wood, EIFS, composite wood panels and lap siding, composite fiber-cement panels and lap siding, metal panels, composite metal panels, other composite material panels, glass panels, windows and trim.
 - 1. 80% of the façade on all exteriors of all buildings shall consist of masonry products such as, brick, stone, stucco, decorative block, tile, cast stone, pre-cast textured concrete panels. This masonry percentage requirement does not include façade surface area consisting of windows and doors and associated trim. For the

purpose of this section, masonry does not include bare cinder block, unadorned pre-stressed panels, or smooth concrete panels.

2. The remaining combination of accent materials may not detract from the overall appearance of the primarily masonry building design and accent materials must be used to create a harmonized design that is apparent on each building façade that is visible to the public via public right of way and adjacent property.
 3. Accent materials shall be consistent in grade and quality of the primary building materials. For each wall exceeding 200 feet in length there shall be an architectural feature or accent feature every 1/3rd of the wall length.
 4. Visible joints in all siding materials shall be architecturally integrated into the building design.
 5. Colors shall be earth tone, such as shades of brown and soft neutral colors. Multiple color schemes are permitted, provided they are complementary and compatible with the primarily masonry exterior. The use of contrasting, yet harmonious colors may also be permitted provided they are compatible with the primarily masonry exterior.
 6. A visually distinct front entrance must be present and obvious from the street, while remaining harmonious with the overall finish of the building.
 7. The percentage of the required exterior materials may be modified by the City when the use of staggered elevations, staggered parapets, mantels, corbels, cornices, and similar combinations of architectural enhancements are incorporated to accentuate the exterior building design.
 8. The percentage of the required exterior materials on non-residential facing and non-street facing façades may be modified by the City if the street facing or front façade is correspondingly enhanced. Enhancements may include, but are not limited to, the increase in architectural enhancements, and complementary horizontal or vertical design features.
 9. In Planned Unit Developments with multiple properties, the character of all buildings shall reflect a common theme with compatible building styles, building materials, color schemes, landscaping, site lighting and pedestrian circulation.
- D. Pitched roofs that are exposed shall be constructed of commercial grade architectural shingles, wood shingles, slate, tile, copper or heavy gage standing seam steel. Flat roofs are not subject to these requirements.
- E. All mechanical equipment integral to the building function shall be screened from view from adjacent public right of ways, streets, and properties, including equipment located on the rooftop.
1. Screening must be architecturally designed and made from materials compatible in design and quality to those of the overall building design.
 2. A cross section for each elevation may be required for proposed roof top mechanical screenings.
- F. No display of merchandise shall be permitted on any roof.

SECTIONS 7A-686 through 7A-689. *[Reserved for future use]*

SECTION 7A-690. GENERAL COMMERCIAL (GC) DISTRICT DEFINED. The purpose of the GC District is to provide a quality environment for a mix of entertainment, retail and service business uses, professional offices, financial institutions, and medical facilities, with higher design standards, outdoor displays of retail goods, limited to 15% of the gross square feet of the combined building floor area and no other outdoor storage. All uses in the GC District require connection to public sewer and water.

SECTION 7A-691. GENERAL COMMERCIAL (GC) DISTRICT DESCRIBED. The GC District, established by amendment to the City Code and as modified by subsequent amendments, is illustrated on the City of Columbus Official Zoning Map.

SECTION 7A-692. GENERAL COMMERCIAL (GC) DISTRICT PERMITTED USES. The following uses shall be permitted in the GC District:

- A. Municipal buildings and facilities and parks.

SECTION 7A-693. GENERAL COMMERCIAL (GC) DISTRICT CONDITIONAL USES. The following uses shall be conditional:

- A. Gasoline sales and related convenience retail sales and accessory car wash.
- B. Vehicle Travel Center and indoor vehicle repair.
- C. Indoor RV and truck wash facility.
- D. Indoor Sales and storage of retail goods to consumers, such as groceries, alcohol, clothing, household goods, medical, electronics, sporting goods, and similar uses, excluding pawn shops.
- E. Pharmacy and accessory drive thru.
- F. Licensed childcare.
- G. Restaurant or coffee shop, including accessory drive thru.
- H. Catering service.
- I. Bakeries with primarily direct retail sales to consumers.
- J. Boutique/gift shop.
- K. Family movie theaters.
- L. Indoor commercial recreation.
- M. Hotel/motel.
- N. Event center.
- O. Professional offices and financial institutions.
- P. Corporate campus/professional office campus
- Q. Medical clinics, hospitals and support facilities.
- R. Beer production with on-site sales.
- S. Alcohol distillery with on-site sales.
- T. Dry cleaners, hair salons, photography studio, and other on-premises business services.
- U. Yoga and small fitness centers, wellness center, dance studios, and similar uses.
- V. Indoor shooting range, sales, and service.
- W. Indoor scooter, motorcycle, 4-wheeler and similar personal recreational vehicle sales and accessory service.

SECTION 7A-694. GENERAL COMMERCIAL (GC) DISTRICT INTERIM USES.

- A. Seasonal or temporary outdoor displays of retail goods and rental products subject to the restrictions of this Code applicable to outdoor display.

SECTION 7A-695. GENERAL COMMERCIAL (GC) DISTRICT PERFORMANCE STANDARDS.

- A. Sidewalks and trails may be required in every development.
- B. CUP applications shall include, but not be limited to, detailed site plans, floor plans, utility plans, building elevations with detailed breakdowns of building materials and

- colors, trash and recycling facilities, landscaping plans, site lighting plans and pedestrian movement plans.
- C. Building exteriors: The City requires a mix of architectural features, building materials and color schemes to accentuate the appearance of commercial buildings. Building materials may include masonry products (brick, stone, stucco, decorative block, tile, cast stone, pre-cast textured concrete panels) wood, EIFS, composite wood panels and lap siding, composite fiber-cement panels and lap siding, metal panels, composite metal panels, other composite material panels, glass panels, windows and trim.
1. 70 % of the façade on all exteriors of all buildings shall consist of masonry products such as, brick, stone, stucco, decorative block, tile, cast stone, pre-cast textured concrete panels. This masonry percentage requirement does not include façade surface area consisting of windows and doors and associated trim. For the purpose of this section, masonry does not include bare cinder block, unadorned pre-stressed panels, or smooth concrete panels.
 2. The remaining combination of accent materials may not detract from the overall appearance of the primarily masonry building design and accent materials must be used to create a harmonized design that is apparent on each building façade that is visible the public via public right of way and adjacent property.
 3. Accent materials shall be consistent in grade and quality of the primary building materials. For each wall exceeding 200 feet in length there shall be an architectural feature or accent feature every 1/3rd of the wall length.
 4. Visible joints in all siding materials shall be architecturally integrated into the building design.
 5. Colors shall be earth tone, such as shades of brown and soft neutral colors. Multiple color schemes are permitted, provided they are complementary and compatible with the primarily masonry exterior. The use of contrasting, yet harmonious colors may also be permitted provided they are compatible with the primarily masonry exterior.
 6. A visually distinct front entrance must be present and obvious from the street, while remaining harmonious with the overall finish of the building.
 7. The percentage of the required exterior materials may be modified by the City when the use of staggered elevations, staggered parapets, mantels, corbels, cornices, and similar combinations of architectural enhancements are incorporated to accentuate the exterior building design.
 8. The percentage of the required exterior materials on non-residential facing and non-street facing façades may be modified by the City if the street facing or front façade is correspondingly enhanced. Enhancements may include, but are not limited to, the increase in architectural enhancements, and complementary horizontal or vertical design features.
 9. In Planned Unit Developments with multiple properties, the character of all buildings shall reflect a common theme with compatible building styles, building materials, color schemes, landscaping, site lighting and pedestrian circulation.
- D. Pitched roofs that are exposed shall be constructed of commercial grade architectural shingles, wood shingles, slate, tile, copper or heavy gage standing seam steel. Flat roofs are not subject to these requirements.
- E. All mechanical equipment integral to the building function shall be screened from view from adjacent public right of ways, streets, and properties, including equipment located on the rooftop.
1. Screening must be architecturally designed and made from materials compatible in design and quality to those of the overall building design.

2. A cross section for each elevation may be required for proposed roof top mechanical screenings.
- F. No display of merchandise shall be permitted on any roof.

SECTION 7A-696. OUTDOOR DISPLAY AND SCREENING STANDARDS.

- A. Outdoor displays of approved finished product for direct retail sale or lease must be accessory to an approved primary building and are not subject to screening requirements. All proposed outdoor display shall be reviewed and approved through the planning and zoning application process.
- B. No other outside storage is permitted.

SECTIONS 7A-697 through 7A-699. *[Reserved for future use]*

SECTION 7A-700. HIGHWAY COMMERCIAL (HC) DISTRICT DEFINED. The purpose of the HC District is to provide retail, entertainment, medical facilities, assisted living, professional offices, and service businesses that serve highway users and the entire regional community and allow outdoor storage of retail goods, vehicles, and equipment not exceeding 50% of the gross square feet of the combined building floor area. These areas will have higher site design standards due to the proximity to the freeway. All uses in the HC District require connection to public sewer and water.

SECTION 7A-701. HIGHWAY COMMERCIAL (HC) DISTRICT DESCRIBED. The HC District, established by amendment to the City Code and as modified by subsequent amendments, is illustrated on the City of Columbus Official Zoning Map.

SECTION 7A-702. HIGHWAY COMMERCIAL (HC) DISTRICT PERMITTED USES. The following uses shall be permitted in the HC District:

- A. Municipal buildings and facilities and parks.

SECTION 7A-703. HIGHWAY COMMERCIAL (HC) DISTRICT CONDITIONAL USES. The following uses shall be conditional:

- A. Gasoline sales and related convenience retail sales and accessory car wash.
- B. Vehicle travel center and indoor vehicle repair.
- C. Indoor RV and truck wash facility.
- D. Indoor sales and storage of retail goods to consumers, such as groceries, alcohol, clothing, household goods, medical, electronics, sporting goods, auto supplies, building supplies and similar uses, excluding pawn shops.
- E. UPS/FedEx drop off/retail store.
- F. Commercial bakeries.
- G. Hotel/motel.
- H. Licensed childcare.
- I. Restaurant or coffee shop, including accessory drive thru.
- J. Full-service fitness center.
- K. Financial institutions
- L. Medical clinics, hospitals and support facilities.
- M. Funeral home.
- N. Assisted living facilities, subject to the provisions in this code.
- O. Commercial beer production and alcohol distilling with accessory retail sales.
- P. Family movie theaters.

- Q. Dry cleaners, hair salons, dance studios, photofinishing, and other on-premises business services.
- R. Indoor vehicle service and repair.
- S. Indoor RV service and repair.
- T. Utility trailers, boats and recreational vehicle sales and service that were in existence in the former Community Retail and Commercial/Showroom districts at the adoption of this ordinance.
- U. Indoor new construction equipment sales, service, and rental.
- V. Enclosed self-storage warehouse with accessory outdoor storage.
- W. Indoor commercial recreation.
- X. Indoor shooting range, sales, and service.
- Y. Indoor building supply center.
- Z. Indoor scooter, motorcycle, 4-wheeler and similar personal recreational vehicle sales and accessory service

SECTION 7A-704. HIGHWAY COMMERCIAL (HC) DISTRICT INTERIM USES.

- A. Crop agriculture.
- B. Off-Premises signs or highway billboards, subject to the restrictions of this Code applicable to signs.
- C. Seasonal or temporary outdoor displays of retail goods and rental products, subject to the restrictions of this Code applicable to outdoor display.

SECTION 7A-705. HIGHWAY COMMERCIAL (HC) DISTRICT PERFORMANCE STANDARDS.

- A. Sidewalks and trails may be required in every development.
- B. CUP applications shall include, but not be limited to, detailed site plans, floor plans, utility plans, building elevations with detailed breakdowns of building materials and colors, trash and recycling facilities, landscaping plans, site lighting plans and pedestrian movement plans.
- C. Building exteriors: The City requires a mix of architectural features, building materials and color schemes to accentuate the appearance of commercial buildings. Building materials may include masonry products (brick, stone, stucco, decorative block, tile, cast stone, pre-cast textured concrete panels) wood, EIFS, composite wood panels and lap siding, composite fiber-cement panels and lap siding, metal panels, composite metal panels, other composite material panels, glass panels, windows and trim.
 - 1. At least 70% of the façade on all exteriors of all buildings shall consist of masonry products such as, brick, stone, stucco, decorative block, tile, cast stone, pre-cast textured concrete panels. This masonry percentage requirement does not include façade surface area consisting of windows and doors and associated trim. For the purpose of this section, masonry does not include bare cinder block, unadorned pre-stressed panels, or smooth concrete panels.
 - 2. The remaining combination of accent materials may not detract from the overall appearance of the primarily masonry building design and accent materials must be used to create a harmonized design that is apparent on each building façade that is visible the public via public right of way and adjacent property.
 - 3. Accent materials shall be consistent in grade and quality of the primary building materials. For each wall exceeding 200 feet in length there shall be an architectural feature or accent feature every 1/3rd of the wall length.

4. Visible joints in all siding materials shall be architecturally integrated into the building design.
 5. Colors shall be earth tone, such as shades of brown and soft neutral colors. Multiple color schemes are permitted, provided they are complementary and compatible with the primarily masonry exterior. The use of contrasting, yet harmonious colors may also be permitted provided they are compatible with the primarily masonry exterior.
 6. A visually distinct front entrance must be present and obvious from the street, while remaining harmonious with the overall finish of the building.
 7. The percentage of the required exterior materials may be modified by the City when the use of staggered elevations, staggered parapets, mantels, corbels, cornices, and similar combinations of architectural enhancements are incorporated to accentuate the exterior building design.
 8. The percentage of the required exterior materials on non-residential facing and non-street facing façades may be modified by the City if the street facing or front façade is correspondingly enhanced. Enhancements may include, but are not limited to, the increase in architectural enhancements, and complementary horizontal or vertical design features.
 9. In Planned Unit Developments with multiple properties, the character of all buildings shall reflect a common theme with compatible building styles, building materials, color schemes, landscaping, site lighting and pedestrian circulation.
- D. Pitched roofs that are exposed shall be constructed of commercial grade architectural shingles, wood shingles, slate, tile, copper or heavy gage standing seam steel. Flat roofs are not subject to these requirements.
- E. All mechanical equipment integral to the building function shall be screened from view from adjacent public right of ways, streets, and properties, including equipment located on the rooftop.
1. Screening must be architecturally designed and made from materials compatible in design and quality to those of the overall building design.
 2. A cross section for each elevation may be required for proposed roof top mechanical screenings.
- F. No display of merchandise shall be permitted on any roof.

SECTION 7A-706. OUTDOOR DISPLAY AND SCREENING STANDARDS.

- A. Outdoor displays of approved finished product for direct retail sale or lease must be accessory to a principal use and are not subject to screening requirements. All proposed outdoor display shall be reviewed and approved through the planning and zoning application process. No outdoor display shall be located in the front yard setback area of the property nor allowed to occupy any required parking, driveway or maneuvering areas.
- B. Outside Storage Limitation and Requirements:
1. With the exception of the above display of retail merchandise, all other accessory outdoor storage of finished product not for direct retail sale and company owned vehicles, and equipment (trailers) shall be located behind the principal building, except in the rear yard setback area. On through lots (double frontage lots), outside storage may also be located between the principal building and the side yard setback area. All outdoor storage shall be screened from adjacent properties and public roadways as required by the following standards:
 - a. Required screening shall be at a height to effectively limit public view of outdoor storage area.
 - b. Required screening shall be located entirely within the required setbacks.

- c. Required screening shall be at least ninety-five (95) percent opaque throughout the year.
- d. Required screening may be satisfied by one (1) or more of the following:
 - 1) A berm.
 - 2) A decorative fence with the finished side (side without structural supports) facing out. For the purpose of this section, a chain-link fence with slats or fabric materials is not a decorative fence.
 - 3) A decorative masonry wall.
 - 4) A hedge or other vegetative plantings that are planted at least three (3) feet in height and grow to the required height within two (2) years of installation.
 - 5) Required screening may be reduced by the City if the public view from adjacent property is limited due to wetlands or other permanent natural features.
- e. The construction of a lean-to or accessory structure for screening is permitted, provided that design standards for the specific zoning district are followed and maintained as required, as well as all other applicable standards in this Code, including structure setback and placement.
- f. A screening plan must be included in all land use applications that includes proposed outdoor storage.
- g. No outdoor storage shall occupy any required parking, driveway or maneuvering areas.
- h. The property owner shall be responsible for the restoration or repair of screening that becomes not in compliance with the approved screening plan. Approved screening must be maintained in a reasonable condition and shall not by reason of age, decay, accident, or otherwise be allowed to become and remain in a state of disrepair or noncompliance with approved screening plan.

SECTIONS 7A-707 through 7A-709. *[Reserved for future use]*

SECTION 7A-710. HORSE RACING (HR) DISTRICT DEFINED AND DESCRIBED.

- A. **Horse Racing (HR) District Defined.** The purpose of the HR District is to establish a zoning district for the development and operation of entertainment facilities related to horse racing. The District is intended to provide a quality environment for commercial entertainment and recreational uses regulated through Minnesota Statutes Chapter 240, Minnesota Racing Commission rules, regulations and permits, and provisions of this Code.
- B. **Horse Racing (HR) District Described.** (Refer to Zoning Map).

SECTION 7A-711. HORSE RACING (HR) DISTRICT USES. The following uses shall be regulated within the HR District:

- A. **Permitted Uses.**
 - 1. Public utilities and public safety facilities.
 - 2. Public park and ride and similar transit facilities as accessory uses.
 - 3. Municipal buildings and facilities.
- B. **Conditional Uses.** The following uses shall be conditional in the HR District:
 - 1. Indoor and outdoor Standardbred horseracing facilities, including harness racing track, grandstand, indoor restaurant and beverage services, indoor horse racing

novelty sales, tack shop, and existing State-permitted card club, simulcasting, and pari-mutuel betting facilities.

2. Fixed or portable vending of food and beverages, and racing venue novelty sales and services, itemized within the Conditional Use Permit, and located within the secured outdoor apron/lawn area attached to the grandstand and buildings.
 3. Pony rides, face painting, minstrels or non-stage musical acts, juggling and similar family-oriented entertainment, permitted in the Conditional Use Permit, and located within the secured outdoor apron/lawn area attached to the grandstand and buildings.
 4. Accessory parking, including overnight recreational vehicle parking and related accessory uses and structures.
 5. Horse care facilities, including ship-in barns, paddock, and veterinary facilities for boarding, grooming, training, showing and racing horses.
 6. Maintenance buildings and facilities.
 7. Accessory exterior storage specified in the Conditional Use Permit.
 8. Indoor stage music and comedy entertainment and seasonal outdoor stage music entertainment, located within the secured racetrack and outdoor entertainment areas.
 9. Water feature, Rainbow Trout fishing within a secure perimeter fence.
 10. Seasonal outdoor miniature golf and volleyball facilities, located within the secured racetrack and outdoor entertainment areas.
 11. Hotels, motels, banquet and convention facilities as part of a planned unit development (PUD) subject to the provisions of this Ordinance.
- C. **Interim Uses.** The following shall be interim uses in the HR District:
1. Periodic portable vending of food, beverages, and racing venue novelty sales and services, itemized in the Interim Use Permit, and located outside of buildings or secured areas within the horse racing facility.
 2. Periodic entertainment activities, such as pony rides, face painting, non-stage musical acts, juggling, and similar activities, itemized in the Interim Use Permit, and located outside of buildings or secured areas within the horse racing facility.
 3. Periodic non-horse racing, commercial or charitable events, such as arts and crafts shows, flea markets, car and boat shows, animal shows, fundraising events, and similar activities, itemized in the Interim Use Permit, and located outside of buildings or secured areas within the horse racing facility.
 4. Periodic fireworks displays, itemized in the Interim Use Permit.
 5. Alcoholic beverages, served outside of buildings or secured areas within the horse racing facility as itemized in the Interim Use Permit, provided exclusively through the horse racing facility liquor license.
- D. **Special Interim Use Permit Procedures.** A Special Interim Use Permit may be applied for in the HR District to include a number of interim uses which may occur within a particular year. A Special Interim Use Permit may be applied for according to the public hearing and procedural requirements of Sections 7A-530 through 7A-532 of this Code. A Special Interim Use Permit shall be valid for five years, subject to annual administrative review and renewal. Upon issuance of a Special Interim Use Permit, the City Council may at its discretion allow flexibility in the specific dates for which proposed events may occur, provided proper notice is given to the City. For example, a permit may be authorized for certain activities to occur a certain number of times, but without specified dates, during the annual renewal period. Upon proper notification, the City Administrator may approve authorized

activities on specific dates without amending the Special Interim Use Permit or without conducting additional public hearings. Similarly, the City Council may at its discretion expand the types of activities or uses allowed in the Interim Use Permit, provided the City Council finds the proposed additional uses or activities are consistent with the uses identified in subsection C, above.

- E. **Special Interim Use Permit Criteria.** The Special Interim Use Permit applicant shall execute a Special Interim Use Permit Agreement detailing the proposed annual events, including but not limited to, requirements for:
1. Site plans for each event subject to City Administrator approval.
 2. Notification requirements and procedures for individual special events.
 3. Sufficient security, parking and traffic control.
 4. Plans for Site restoration and surrounding Site cleanup to be completed within 36 hours of the conclusion of each event.
 5. Food Service is provided in accordance with permits and requirements under City, County and State regulations.
 6. City Building Inspection of tents and temporary structures, as necessary, for each event.
 7. Necessary limits on any amplified music regarding both level of noise and time of day.
 8. Compliance with City and State laws on alcoholic beverage licenses and permits.

SECTION 7A-712. HORSE RACING (HR) DISTRICT DESIGN STANDARDS.

- A. Principal structure exteriors must be primarily brick, stucco, textured concrete block, pre-manufactured masonry panels, glass panels, wood, and similar appearances, with combinations of other materials not listed above that do not detract from the overall appearance of the structures. Accessory structure exteriors shall be complimentary with principal structure styles and colors.
- B. Landscaping and screening must include a combination of overstory shade trees, ornamental trees, conifers, and foundation plantings.
- C. Foundation plantings may include shrubs, hedges, and perennial flowers.
- D. Shade trees are preferred along property lines and parking areas to establish a canopy effect at maturity.
- E. Conifers are encouraged to be planted in combination with screening for authorized storage areas.
- F. Ornamentals and foundation plantings are encouraged to be designed and planted in groupings to accent public exposures of the site.
- G. Landscaping quantities and planting standards shall be consistent with the provisions of this Code.

SECTIONS 7A-713 through 7A-719. *[Reserved for future use]*

SECTION 7A-720. GENERAL BUSINESS (GB) DISTRICT DEFINED. The purpose of the GB District is to serve as a transitional area between commercial and industrial zones. This area provides for professional and commercial offices, low impact services, retail businesses, small building trades shops, machine shops, welding shops, and warehousing. This district requires design and development standards that are compatible with typical commercial and industrial uses. Outside storage displays of retail goods, vehicles and equipment are limited to 150% of the gross square feet of the combined building floor area and screening that minimizes the impacts of extensive land uses and outdoor storage. All uses in the GB District require connection to public sewer and water.

SECTION 7A-721. GENERAL BUSINESS (GB) DISTRICT DESCRIBED. The GB District, established by amendment to the City Code and as modified by subsequent amendments, is illustrated on the City of Columbus Official Zoning Map.

SECTION 7A-722. GENERAL BUSINESS (GB) DISTRICT PERMITTED USES. The following uses shall be permitted in the GB District:

- A. Municipal buildings and facilities and parks.

SECTION 7A-723. GENERAL BUSINESS (GB) DISTRICT CONDITIONAL USES. The following uses shall be conditional:

- A. Medical clinics and support facilities.
- B. Assisted living facilities.
- C. Professional offices.
- D. Licensed childcare.
- E. Family movie theaters.
- F. Corporate campus/professional office campus
- G. Dry cleaners, hair salons, and other on-premises business services.
- H. Funeral home.
- I. Commercial bakeries and catering services.
- J. Small building trade shop, cabinet making, welding, machine shops and auto glass repair.
- K. Commercial beer production and alcohol distilling with accessory retail sales.
- L. Indoor vehicle service and repair.
- M. Indoor RV service and repair.
- N. Indoor building supply center.
- O. Indoor RV and truck wash facility.
- P. Indoor new/used construction equipment sales, service, and rental.
- Q. Internet commerce with accessory indoor retail storage and sales.
- R. Enclosed self-storage warehouse with accessory outdoor storage.
- S. Warehousing, distribution and datacenters.
- T. Veterinary clinic or hospital, including accessory small animal indoor boarding, grooming, and day care.
- U. Small animal indoor boarding, grooming, or day care, including ancillary veterinary care.
- V. Indoor commercial recreation.
- W. Laboratories, excluding animal testing.
- X. Indoor shooting range, sales, and service.

SECTION 7A-724. GENERAL BUSINESS (GB) DISTRICT INTERIM USES.

- A. Crop agriculture.
- B. Off-Premises signs or highway billboards, subject to the restrictions of this Code applicable to signs.
- C. Seasonal or temporary outdoor displays of retail goods and rental products, subject to the restrictions of this Code applicable to outdoor display.

SECTION 7A-725. GENERAL BUSINESS (GB) DISTRICT PERFORMANCE STANDARDS.

- A. Sidewalks and trails may be required in every development.
- B. CUP applications shall include, but not be limited to, detailed site plans, floor plans, utility plans, building elevations with detailed breakdowns of building materials and colors, trash and recycling facilities, landscaping plans, site lighting plans and pedestrian movement plans.
- C. Building exteriors: The City requires a mix of architectural features, building materials and color schemes to accentuate the appearance of commercial buildings. Building materials may include masonry products (brick, stone, stucco, decorative block, tile, cast stone, pre-cast textured concrete panels) wood, EIFS, composite wood panels and lap siding, composite fiber-cement panels and lap siding, metal panels, composite metal panels, other composite material panels, glass panels, windows and trim.
 - 1. At least 50% of the façade on all exteriors of all buildings shall consist of masonry products such as, brick, stone, stucco, decorative block, tile, cast stone, pre-cast textured concrete panels. This masonry percentage requirement does not include façade surface area consisting of windows and doors and associated trim. For the purpose of this section, masonry does not include bare cinder block, unadorned pre-stressed panels, or smooth concrete panels.
 - 2. The remaining combination of materials may not detract from the overall appearance of the primarily masonry building design.
 - 3. Visible joints in all siding materials shall be architecturally integrated into the building design.
 - 4. Colors shall be earth tone, such as shades of brown and soft neutral colors. Multiple color schemes are permitted, provided they are complementary and compatible with the primarily masonry exterior. The use of contrasting, yet harmonious colors may also be permitted provided they are compatible with the primarily masonry exterior.
 - 5. A visually distinct front entrance must be present and obvious from the street, while remaining harmonious with the overall finish of the building.
 - 6. The percentage of the required exterior materials may be modified by the City when the use of staggered elevations, staggered parapets, mantels, corbels, cornices, and similar combinations of architectural enhancements are incorporated to accentuate the exterior building design.
 - 7. The percentage of the required exterior materials on non-residential facing and non-street facing façades may be modified by the City if the street facing or front façade is correspondingly enhanced. Enhancements may include, but are not limited to, the increase in architectural enhancements, and complementary horizontal or vertical design features.
 - 8. In Planned Unit Developments with multiple properties, the character of all buildings shall reflect a common theme with compatible building styles, building materials, color schemes, landscaping, site lighting and pedestrian circulation.
- D. Pitched roofs that are exposed shall be constructed of commercial grade architectural shingles, wood shingles, slate, tile, copper or heavy gage standing seam steel. Flat roofs are not subject to these requirements.
- E. All mechanical equipment integral to the building function shall be screened from view from adjacent public right of ways, streets, and properties, including equipment located on the rooftop.
 - 1. Screening must be architecturally designed and made from materials compatible in design and quality to those of the overall building design.

2. A cross section for each elevation may be required for proposed roof top mechanical screenings.
- F. No display of merchandise shall be permitted on any roof.

SECTION 7A-726. OUTDOOR DISPLAY AND SCREENING STANDARDS.

- A. Outdoor displays of approved finished product for direct retail sale or lease must be accessory to a principal use and are not subject to screening requirements. All proposed outdoor display shall be reviewed and approved through the planning and zoning application process. No outdoor display shall be located in the front yard setback area of the property nor allowed to occupy any required parking, driveway or maneuvering areas.
- B. Outside Storage Limitation and Requirements:
 1. With the exception to the above display of retail merchandise, all other accessory outdoor storage of finished product not for direct retail sale and company owned vehicles and equipment (trailers) shall be located behind the principal building, except in the rear yard setback area. On through lots (double frontage lots), outside storage may also be located between the principal building and the side yard setback area. All outdoor storage shall be screened from adjacent properties and public roadways as required by the following standards:
 - a. Required screening shall be at a height to effectively limit public view of outdoor storage area.
 - b. Required screening shall be located entirely within the required setbacks.
 - c. Required screening shall be at least ninety-five (95) percent opaque throughout the year.
 - d. Required screening may be satisfied by one (1) or more of the following:
 - 1) A berm.
 - 2) A decorative fence with the finished side (side without structural supports) facing out. For the purpose of this section, a chain-link fence with slats or fabric materials is not a decorative fence.
 - 3) A decorative masonry wall.
 - 4) A hedge or other vegetative plantings that are planted at least three (3) feet in height and grow to the required height within two (2) years of installation.
 - e. Required screening may be reduced by the City if the public view from adjacent property is limited due to wetlands or other permanent natural features.
 - f. The construction of a lean-to or accessory structure for screening is permitted, provided that design standards for the specific zoning district are followed and maintained as required, as well as all other applicable standards in this Code, including structure setback and placement.
 - g. A screening plan must be included in all land use applications that includes proposed outdoor storage.
 - h. No outdoor storage shall occupy any required parking, driveway or maneuvering areas.
 - i. The property owner shall be responsible for the restoration or repair of screening that becomes not in compliance with the approved screening plan. Approved screening must be maintained in a reasonable condition and shall not by reason of age, decay, accident, or otherwise be allowed to become and remain in a state of disrepair or noncompliance with approved screening plan.

SECTIONS 7A-727 through 7A-729. *[Reserved for future use]*

SECTION 7A-730. LIGHT INDUSTRIAL (LI) DISTRICT DEFINED. The purpose of the LI District is to provide locations and opportunities for businesses that require more extensive land uses, enclosed outside storage areas for non-retail goods, and facilities for production, assembly, repair, and distribution. District uses require design and development standards that are compatible with typical uses and screening that minimizes the impacts of extensive land uses. Outdoor storage of retail goods, vehicles, equipment and products are limited to 200% the gross square feet of the combined building floor area. All uses in the LI District require connection to public sewer and water.

SECTION 7A-731. LIGHT INDUSTRIAL (LI) DISTRICT DESCRIBED. The LI District, established by amendment to the City Code and as modified by subsequent amendments, is illustrated on the City of Columbus Official Zoning Map.

SECTION 7A-732. LIGHT INDUSTRIAL (LI) DISTRICT PERMITTED USES. The following uses shall be permitted in the LI District:

- A. Municipal buildings and facilities and parks.

SECTION 7A-733. LIGHT INDUSTRIAL (LI) DISTRICT CONDITIONAL USES. The following uses shall be conditional:

- A. Gasoline sales and related convenience retail sales and car wash.
- B. Indoor automobile service and repair.
- C. Indoor RV and truck wash facility.
- D. Professional offices.
- E. Indoor building supply center.
- F. Commercial alcohol distillery/beer production with accessory retail sales.
- G. Small building trades shop, cabinet making, welding, machine shops and auto glass repair.
- H. On-premises business service.
- I. Internet commerce with accessory indoor retail storage and sales.
- J. Enclosed self-storage warehouse with accessory outdoor storage.
- K. New/used construction equipment sales and service with accessory outdoor storage.
- L. Veterinary clinic or hospital, including accessory small animal indoor boarding, grooming, and day care.
- M. Small animal indoor boarding, grooming, or day care, including ancillary veterinary care.
- N. Laboratories, excluding animal testing.
- O. Indoor commercial recreation.
- P. Light industry, warehousing, production and assembly.
- Q. Wholesale distribution, truck terminals and data centers.
- R. Asphalt production facility in existence in the LI District at the adoption of this Ordinance.
- S. Indoor shooting range, sales, and service.

SECTION 7A-734. LIGHT INDUSTRIAL (LI) DISTRICT INTERIM USES.

- A. Crop agriculture.

- B. Off-Premise signs or highway billboards, subject to the restrictions of this Code applicable to signs.
- C. Seasonal or temporary outdoor displays of retail goods and rental products, subject to the restrictions of this Code applicable to outdoor display.

SECTION 7A-735. LIGHT INDUSTRIAL (LI) DISTRICT PERFORMANCE STANDARDS.

- A. Sidewalks and trails may be required in every development.
- B. CUP applications shall include, but not be limited to, detailed site plans, floor plans, utility plans, building elevations with detailed breakdowns of building materials and colors, trash and recycling facilities, landscaping plans, site lighting plans and pedestrian movement plans.
- C. Building exteriors: The City requires a mix of architectural features, building materials and color schemes to accentuate the appearance of commercial buildings. Building materials may include masonry products (brick, stone, stucco, decorative block, tile, cast stone, pre-cast textured concrete panels) wood, EIFS, composite wood panels and lap siding, composite fiber-cement panels and lap siding, metal panels, composite metal panels, other composite material panels, glass panels, windows and trim.
 - 1. At least 30% of the façade on all exteriors of all buildings shall consist of masonry products such as, brick, stone, stucco, decorative block, tile, cast stone, pre-cast textured concrete panels. This masonry percentage requirement does not include façade surface area consisting of windows and doors and associated trim. For the purpose of this section, masonry does not include bare cinder block, unadorned pre-stressed panels, or smooth concrete panels.
 - 2. The remaining combination of materials may not detract from the overall appearance of the primarily masonry building design.
 - 3. Visible joints in all siding materials shall be architecturally integrated into the building design.
 - 4. Colors shall be earth tone, such as shades of brown and soft neutral colors. Multiple color schemes are permitted, provided they are complementary and compatible with the primarily masonry exterior. The use of contrasting, yet harmonious colors may also be permitted provided they are compatible with the primarily masonry exterior.
 - 5. A visually distinct front entrance must be present and obvious from the street, while remaining harmonious with the overall finish of the building.
 - 6. The percentage of the required exterior materials may be modified by the City when the use of staggered elevations, staggered parapets, mantels, corbels, cornices, and similar combinations of architectural enhancements are incorporated to accentuate the exterior building design.
 - 7. The percentage of the required exterior materials on non-residential facing and non-street facing façades may be modified by the City if the street facing or front façade is correspondingly enhanced. Enhancements may include, but are not limited to, the increase in architectural enhancements, and complementary horizontal or vertical design features.
 - 8. In Planned Unit Developments with multiple properties, the character of all buildings shall reflect a common theme with compatible building styles, building materials, color schemes, landscaping, site lighting and pedestrian circulation.

- D. Pitched roofs that are exposed shall be constructed of commercial grade architectural shingles, wood shingles, slate, tile, copper or heavy gage standing seam steel. Flat roofs are not subject to these requirements.
- E. All mechanical equipment integral to the building function shall be screened from view from adjacent public right of ways, streets, and properties, including equipment located on the rooftop.
 - 1. Screening must be architecturally designed and made from materials compatible in design and quality to those of the overall building design.
 - 2. A cross section for each elevation may be required for proposed roof top mechanical screenings.
- F. No display of merchandise shall be permitted on any roof.

SECTION 7A-736. REQUIREMENT FOR PUBLIC UTILITIES. No use shall be approved for a property in the LI District without connection to public utilities, except:

- A. Where public utility connections are not located immediately adjacent to a property, provided the council approves the phasing for such connection to public utilities within a development agreement applicable to the affected property; or
- B. Interim Uses listed in Section 7A-734, provided:
 - 1. The proposed interim use and/or any associated construction activities shall not delay, impede, or interfere with any public utilities proposed in the LI District; and
 - 2. The interim use permit shall require that the owner of the property connect with such public utilities if the same are implemented by the City; and
 - 3. If the interim use constitutes an expansion of an existing use or the development of a new use, the applicant shall deposit with the City an amount equal to the estimated access and/or connection charges that will be imposed and against the subject property for such public utilities, if implemented. Such deposit shall be separately accounted for by the City and used to offset any future access and/or connection charges for public utilities imposed against the property.

SECTION 7A-737. OUTDOOR DISPLAY AND SCREENING STANDARDS.

- A. Outdoor displays of approved finished product for direct retail sale or lease must be accessory to a principal use and are not subject to screening requirements. All proposed outdoor display shall be reviewed and approved through the planning and zoning application process. No outdoor display shall be located in the front yard setback area of the property nor allowed to occupy any required parking, driveway or maneuvering areas.
- B. Outdoor storage limitations and requirements:
 - 1. With the exception to the above display of retail merchandise, all other accessory outdoor storage of finished product not for direct retail sale and company owned vehicles and equipment (trailers), and raw materials shall be located behind the principal building, except in the rear yard setback area. On through lots (double frontage lots), outside storage may also be located between the principal building and the side yard setback area. All outdoor storage shall be screened from adjacent properties and public roadways as required by the following standards:
 - a. Required screening shall be at be at a height to effectively limit public view of outdoor storage area.
 - b. Required screening shall be located entirely within the required setbacks.
 - c. Required screening shall be at least ninety-five (95) percent opaque throughout the year.

- d. Required screening may be satisfied by one (1) or more of the following:
 - 1) A berm.
 - 2) A decorative fence with the finished side (side without structural supports) facing out. For the purpose of this section, a chain-link fence with slats or fabric materials is not a decorative fence.
 - 3) A decorative masonry wall.
 - 4) A hedge or other vegetative plantings that are planted at least three (3) feet in height and grow to the required height within two (2) years of installation.
- e. Required screening may be reduced by the City if the public view from adjacent property is limited due to wetlands or other permanent natural features.
- f. The construction of a lean-to or accessory structure for screening is permitted, provided that design standards for the specific zoning district are followed and maintained as required, as well as all other applicable standards in this Code, including structure setback and placement.
- g. The outside storage of raw materials cannot exceed the height of the required screening or must be setback far enough that the site line does not allow public view.
- h. A screening plan must be included in all land use applications that includes proposed outdoor storage.
- i. No outdoor storage shall occupy any required parking, driveway or maneuvering areas.
- j. The property owner shall be responsible for the restoration or repair of screening that becomes not in compliance with the approved screening plan. Approved screening must be maintained in a reasonable condition and shall not by reason of age, decay, accident, or otherwise be allowed to become and remain in a state of disrepair or noncompliance with approved screening plan.

SECTIONS 7A-738 through 7A-739. *[Reserved for future use]*

SECTION 7A-740. COMMERCIAL/INDUSTRIAL (C/I) DISTRICT DEFINED. The purpose of the Commercial/Industrial District is to encourage the establishment of areas for general commerce and business, retail sales, wholesale sales, and light Manufacturing. Activities would include retail outlets, service stations, eating and drinking establishments, and Manufacturing activities commonly located in an serving the local market. The overall character of the District is intended to be transitional in nature, thus industrial uses allowed in this district shall be limited to those which can compatibly exist adjacent to commercial and lower density activities. Due to the high volumes of traffic which usually accompany these business activities, it is absolutely necessary that C/I Districts be located on a collector or arterial as specified by the City of Columbus Comprehensive Plan.

SECTION 7A-741. COMMERCIAL/INDUSTRIAL (C/I) DISTRICT DESCRIBED. The C/I District established upon adoption of the City Code and as modified by subsequent ordinance amendment is illustrated on the City of Columbus Official Zoning Map.

SECTION 7A-742. COMMERCIAL/INDUSTRIAL (C/I) DISTRICT PERMITTED USES. The following uses shall be permitted in the C/I District:

- A. Agricultural uses, except animal feedlots.

- B. Licensed day-care facilities and licensed pre-schools, accessory to a business or retail use and intended to serve the employees of the principal use.
- C. Parking structures as an accessory to the use for which they provide parking.
- D. Public pedestrian trails, but not public parks.
- E. Storage buildings. If the accessory building is secondary to the principal use, the accessory building shall be roofed and painted to be harmonious with the principal building.
- F. Accessory structures for single-family detached homes in existence in the C/I District on May 1, 2003.
- G. Municipal buildings and facilities.

SECTION 7A-743. COMMERCIAL/INDUSTRIAL (C/I) DISTRICT CONDITIONAL

USES. As evidenced by the Comprehensive Plan, most lands in the City of Columbus are limited in their capacity to be developed because of poor soil conditions, relatively high water table, lack of municipal water supply, lack of municipal sanitary sewer, and lack of municipal storm sewer. Until these municipal facilities become available, it will be necessary for nearly all C/I uses to be administered as Conditional Uses. The principal conditions employed to address these concerns are environmental and include such things as (i.) non-contamination of the groundwater system through utilization of containment systems for off-site waste disposal and lawful on-site sewage disposal systems; (ii.) installation of lawful wells for on-site water supply; and, (iii.) installation of on-site or acquisition and installation of off-site surface water retention areas to nullify the impact of construction of impervious surfaces on the site. Environmental conditions are not the only conditions which may be placed upon a C/I use. Other conditions, intended to make the C/I use as harmonious as possible with its surrounding lawful uses, may be imposed by the City Council. ~~Cross-reference: see the General Standards for all Conditional Uses at § 7A-563 above.~~

The following uses shall be conditional in the C/I District:

- A. Building trade/contractor offices, including company-owned vehicle repair, and including storage of company-owned vehicles, equipment and materials.
- B. Licensed day care facilities.
- C. Light industrial manufacturing, processing, assembling, storing, testing, or similar industrial uses which are relatively clean, quiet, and free of objectionable or hazardous elements, such as smoke, noise, odor, or dust.
- D. Communication towers and broadcast towers.
- E. Lumber yards and sales.
- F. Gasoline sales and accessory convenience retail store and food service facilities.
- G. Greenhouses, nurseries and retail sales of materials raised on the premises (and packaged seeds, soils, soil amendments, gardening tools and hard accessories).
- H. Implement and recreational vehicle sales and service.
- I. Machine shops, welding shops, and similar service establishments.
- J. Mortuaries.
- K. Restaurants and cafes.
- L. Retail stores and shops.
- M. Appliance and electronic service repair businesses, vehicle service and repair businesses, and body shops.
- N. Used automobile sales.
- O. Veterinary clinics, animal hospitals, and commercial dog kennels.
- P. Warehousing and storage facilities.
- Q. ~~Other commercial uses which, in the opinion of the City Council, are of the same general character as the Conditional Uses in this Section 7A-793 and which will not be obnoxious or detrimental to the Commercial/Industrial District.~~
- R. Adult Uses, subject to the standards in Section 7A-900.

SECTION 7A-744. COMMERCIAL/INDUSTRIAL (C/I) DISTRICT INTERIM USES.

- A. Pawn shop and secondhand goods dealers.
- B. Temporary outdoor facilities for entertainment events, such as outdoor theaters, outdoor music amphitheaters, outdoor sound stages and temporary facilities, such as parking, for special events, no more than seven (7) consecutive days or twenty (20) days in one year.
- C. Yard waste (defined as grass, leaves, brush, and shrubbery) and limited City approved source separated food waste (defined as Source-Separated Compostable Material as defined under Minn. Stat. § 115A.03, subd. 32a, and as amended) composting, when subordinate to a legally established landscaping business in existence on the date of the ordinance.
- D. Residential dog kennels associated with owner occupied residences in existence in the C/I District on May 1, 2003, ~~subject to the standards and provisions in Section 7A-809A.~~
- E. Mineral Extraction.

SECTION 7A-745 COMMERCIAL/INDUSTRIAL (C/I) DISTRICT DESIGN STANDARDS.

- 1. Principal structures and authorized accessory structures within the Commercial/Industrial District must be compatible with the predominant building appearance and style within the District.
- 2. Building exteriors must consist of finished steel panels, glass panels, textured concrete block, pre-manufactured masonry panels, brick, stucco, and similar appearances.
- 3. Building exposures facing public streets and dissimilar zoning districts must include a combination of approved materials that include no more than 50% metal exteriors.
- 4. Landscaping must include a combination of overstory shade trees, ornamental tree, conifers, and foundation plantings.
- 5. Foundation plantings may include shrubs, hedges, and perennial flowers.
- 6. Shade trees are preferred along property lines and parking areas to establish a canopy effect at maturity.
- 7. Conifers are encouraged to be planted in combination with screening for authorized storage areas.
- 8. Ornamentals and foundation plantings are encouraged to be designed and planted in groupings to accent public exposures of the site.
- 9. Landscaping quantities and planting standards shall be consistent with the provisions ~~in Section 7A-820~~ of this Code.

SECTIONS 7A-746 through 7A-799. [Reserved for future use]

ARTICLE VIII
GENERAL PROVISIONS AND PERFORMANCE STANDARDS

SECTION 7A-800. GENERAL PROVISIONS. The regulation set by this Ordinance shall be minimum regulations and shall apply uniformly to each class or kind of ~~S~~structure or land, except as hereinafter provided.

- A. **Buildings, Structures, Land Use.** No ~~B~~building, ~~S~~structure, or land shall be used or occupied and no ~~B~~building or ~~S~~structure or part thereof shall be erected,

constructed, reconstructed, moved, or structurally altered except in conformity with all of the regulations of this Ordinance.

B. **Yard.** No ~~Y~~ard or ~~L~~ot existing at the time of passage of this Ordinance shall be reduced in dimension or area below the minimum requirements set forth herein. Yards or ~~L~~ots created after the effective date of this Ordinance shall meet at least the minimum requirement set forth herein. ~~No part of a Yard or other Open Space or Off-Street Parking or loading space required about or in connection with any Building for the purpose of complying with this Ordinance, shall be included as part of a Yard, Open Space, or Off-Street Parking or loading space similarly required for any other Building.~~

C. **Property Access.**

1. Except as otherwise provided in ~~Section 7A-800 (C) 6 below~~, any ~~S~~tructure erected or moved for use as a ~~D~~welling ~~U~~nit or with a ~~R~~eplacement ~~C~~ost in excess of two thousand dollars (\$2,000) shall be easily accessible to fire and other emergency equipment, and shall be on a ~~L~~ot adjacent or with access to a ~~P~~ublic ~~S~~treet, or with access to an approved ~~P~~rivate ~~S~~treet unless specifically allowed by City Code.

2. The City Engineer shall review all commercial site plans for new or modified access to public roadways and recommend access pavement width, the angle of intersection, the location and separation of access points and the radius of curbed accesses.

3. In general, driveway accesses shall be spaced and separated from other accesses and intersections in a manner consistent with the Anoka County Access Spacing Guidelines and/or the City's spacing guidelines depending on jurisdiction of roadway.

4. The Fire Code Official shall review all site plans for new or modified commercial/industrial development and comment on access requirements to and around building to ensure proper access for emergency response vehicles.

5. Fire apparatus access shall be provided in accordance with Uniform Fire Code for every facility, building or portion of a building hereafter constructed or moved into or within the jurisdiction when any building is located more than 150 feet from fire apparatus access as measured by an approved route around the exterior of the building or facility.

6. In the Rural Residential District, a ~~L~~ot that has no frontage on a public road or street may obtain a ~~Zoning Permit and a B~~uilding ~~P~~ermit for a ~~S~~ingle ~~F~~amily ~~D~~welling and ~~A~~ccessory ~~B~~uildings if the ~~L~~ot has frontage on a driveway for which all of the following conditions have been meet:

a. no more than two (2) ~~L~~ots not meeting the frontage requirements of this Section shall be permitted access to the driveway;

b. except where alternative agreements are approved by the City Council, all owners of abutting properties of the driveway must enter into a maintenance agreement in which the owners shall covenant to maintain a driveway, consisting of an elevated and well-drained road top, not less 16.0 feet wide, constructed of Class V aggregate (and preferably finished with bituminous surface). The Building Inspector may withhold issuance of a Certificate of Occupancy until the driveway has been constructed to these standards.

c. all owners of properties abutting by the driveway enter into a development agreement with the City, including but not limited to the following minimum provisions:

- i. Granting a sixty-six (66) foot wide right-of-way easement over the driveway to the public, as determined by the City Council.
 - ii. Granting of public drainage and utility, and trail easements over the driveway, as determined by the City Engineer.
 - iii. Agreement to obtain a permit from the City for construction of private improvements according to City standards.
 - iv. Agreement waiving the right to object to the proposed future special assessments for the costs of construction of a public street over the dedicated right-of-way.
 - v. Recording the agreement on the title of the abutting properties.
 - d. For the purposes of lot width requirements, access via a driveway under this provision shall be classified as a private street.
- D. **Traffic.** Each proposed use shall not create such a volume of automotive traffic so as to overburden the surrounding road system.
- E. **Temporary Buildings and Structures.** Temporary **B**uildings and **S**tructures incidental to construction work are permitted, but only for the period of such work.
- F. **Accessory Buildings.** No **A**ccessory **B**uilding shall be erected in any required Yard.
- G. **Additional Structures.** More than one (1) **S**tructure used for a permitted or permissible **P**rincipal use or customary associated use may be erected on a single **L**ot, provided that yard and other requirements of this Ordinance shall be met for each **S**tructure. This Section shall not be interpreted to permit more than one (1) **D**welling per Lot. [Formerly, § 7A-815, amended by Ord. No. 89-1, effective July 21, 1989.]
- H. **Visibility at Intersections.** On a **C**orner **L**ot, nothing shall be erected, placed, planted or allowed to grow in such manner as to materially impede vision between a height of two and one-half (2-1/2) feet to ten (10) feet above the centerline **G**rades of the intersection **S**trees in the area bounded by the **S**treet lines of such **C**orner Lots and a line joining points along fifty (50) feet from the point of intersection.
- I. **Fences, Walls, and Hedges.** Notwithstanding other provisions of this Ordinance, Fences, walls, and hedges may be permitted in any required Yard or along the edge of any **Y**ard providing that **D**riveway entrances are not shielded by **F**ences, walls, and hedges in such a way so as to obstruct the view of a driver entering a public road from the **D**riveway.
- J. **Off-Street Loading/Delivery.** Each building designed or modified to include raised (dock) or at-grade vehicle delivery bays shall include adequate maneuvering and parking areas sufficient to eliminate any vehicle maneuvering or parking in public rights-of-way or occupying required parking areas. All raised (dock) delivery areas shall be appropriately screened from public street and all residential land uses.
- K. **Required Residential Screening.**
 1. A scaled and dimensioned screening plan must be submitted to the Zoning Administrator prior to approval of the following:
 - a. Any new nonresidential use, structure, building addition, site improvement, or land use change that occurs on a property located within a non-residentially zoned district that abuts property located within a residentially zoned district or within 150 feet of an existing residence, including but not limited to:

- i. outdoor storage, contractor's yard, commercial equipment and commercial vehicles;
- ii. any new development that requires an interim use permit, conditional use permit, planned unit development or subdivision approval; and
- iii. outdoor storage areas.

2. The screening plan must be reviewed and approved administratively by the Zoning Administrator except where it accompanies a land use application, in which case it shall be reviewed concurrently with that application by the Planning Commission and City Council. The required screening plan shall restrict direct visual access to the nonresidential use or nonresidential property from any residentially zoned property or residence within 150 feet. The screening shall be designed and maintained as follows:

- a. Required screening shall be at least six (6) feet in height.
- b. Required screening shall be located entirely within the required setbacks.
- c. Required screening shall be at least ninety-five (95) percent opaque throughout the year.
- d. Required screening shall be satisfied by one (1) or more of the following:
 - i. A berm.
 - ii. A decorative fence. For the purposes of this section, a chain-link fence with slats or fabric material is not a decorative fence. The finished side of fence (the side having no structural supports) shall face the residential property.
 - iii. A decorative masonry wall.
 - iv. A hedge or plantings that grow to the required height within three (3) years of installation.

3. The required screening requirement may be waived by the Zoning Administrator in locations where the minimum separation of non-residentially zoned developable areas and residential zone developable areas is at least one-quarter mile, due to wetlands, public waters, or publicly-owned properties. The property owner shall be responsible for the restoration or repair of screening that becomes not in compliance with the approved screening plan. Approved screening must be maintained in a reasonable condition and shall not by reason of age, decay, accident, or otherwise be allowed to become and remain in a state of disrepair on noncompliance with the approved screening plan.

[§ 7A-800, Subsection K, amended by Nord. No. 15-10, effective January 14, 2016.]

L. Temporary Family Care Dwelling Unit in the Rural Residential District.

The City may grant approval of a temporary family care dwelling unit, in addition to the principal dwelling unit allowed by this Section, following receipt of an application for an Interim Use Permit, and subject to the procedures in Sections 7A-530 through 7A-532. A temporary family care dwelling unit shall meet all the requirements of the City Code, but a temporary family care dwelling unit shall not be allowed in a detached accessory structure. Approval of an Interim Use Permit for a temporary family care dwelling unit also requires a finding that no reasonable alternative is available for assisted living arrangements for immediate family members of the owner(s) of such principal dwelling unit.

[§ 7A-800, amended by Ord. No. 89-15, effective, December 29, 1989, and amended by Ord No. 02-01, effective May 17, 2002, and amended by Ord. No. 04-04A, effective June 3, 2004, amended by Ord. 05-01, effective December 1, 2005, amended by Ord. No. 07-

02, effective March 1, 2007, as amended by Ord. No. 11-06, effective August 4, 2011, amended by Ord. No. 16-01, effective February 11, 2016.]

SECTION 7A-801. DISTRICT LOT, AREA, YARDS, AND OTHER DIMENSIONAL CRITERIA. The following lot and usage standards apply within the respective zoning districts:

Table A

Zoning District	Lot Area		Density	Lot Width	Front Yard Setback	Side Yard Setback	Rear Yard Setback	Structure Height	Floor Area Ratio	Lot Coverage
	W/O Public Sewer	W/ Public Sewer								
<i>Notes:</i>			Dwelling unit/ Acres	Must abut public or private road (where permitted)					Ratio gross structural floor area to gross lot area	Maximum ratio of impervious surfaces to gross lot area shall not exceed:
RR	5 ac.	NA	1:5	220 ft ¹	75 ft ³	20 ft ⁵	20 ft ⁷	35 ft ¹⁰	NA	1:4
CLO					75 ft from Coon Lake	10 ft	30 ft from ROW for accessory bldg.	35 ft	NA	1:4
CC	2.5 ac.	0.5 ac.	1:5 (Existing Dwelling only)	120 ft	30 ft Transitional or Interim use: 75 ft ⁴	10 ft ⁶ :	10 ft ⁸	50 ft	1:1	1:2 ¹²
GC	2.5 ac.	0.5 ac.	1:5 (Existing Dwelling only)	120 ft	30 ft Transitional or Interim use: 75 ft ⁴	10 ft ⁶	10 ft ⁸	50 ft	1:1	1:2 ¹²
HC	2.5 ac.	0.5 ac.	1:5 (Existing Dwelling only)	120 ft	30 ft Transitional or Interim use: 75 ft ⁴	10 ft ⁶	10 ft ⁸	50 ft	1:1	1:2 ¹²
GB	2.5 ac.	0.5 ac.	1:5 (Existing Dwelling only)	120 ft	30 ft Transitional or Interim use: 75 ft ⁴	10 ft ⁶	10 ft ⁸	50 ft	1:1	1:2 ¹²
LI	2.5 ac.	0.5 ac.	1:5 (Existing Dwelling only)	120 ft	30 ft Transitional or Interim use: 75 ft ⁴	10 ft ⁶	10 ft ⁸	50 ft	1:1	1:2 ¹²

Zoning District	Lot Area		Density	Lot Width	Front Yard Setback	Side Yard Setback	Rear Yard Setback	Structure Height	Floor Area Ratio	Lot Coverage
	W/O Public Sewer	W/ Public Sewer								
C/I	2.5 ac. ²	NA	1:5 (Existing Dwelling only)	120 ft	75 ft	10 ft ⁶	35 ft ⁸	50 ft: Business ¹¹ 35 ft: Residential	1:1	1:2 ¹²
HR	20 ac.	20 ac.	NA	120 ft	30 ft	10 ft	10 ft	50 ft	1:1	1:2 ¹²

- 1: Lot width at a Cul-de-Sac is a minimum 60 ft and the lot width must be 220 ft at the front yard setback distance.
2: Residences require 5 acres.
3: No above-ground structures, except fences and signposts, shall be erected, placed, or moved within 75 ft of any front lot line. Measured from the edge of public ROW. No fences may obstruct vehicular visibility or movement at any intersection.
4: Parking may not occupy more than 1/3 of required front yard area in all commercial, industrial and Mixed-Use districts
5: Accessory Buildings in RR are regulated in Section 7A-805.
6: No structure, except fences and signposts, shall come within 35 ft of any RR ~~or SR~~ District boundary line.
7: Accessory Buildings in RR are regulated in Section 7A-805.
8: Setbacks abutting residential RR ~~or SR~~ Districts shall be a minimum of 35 ft.
9: Permitted Ag structures, such as silos, grain bins, and grain elevators shall not exceed 75' in height.
10: Accessory Buildings in RR are regulated in Section 7A-805.
11: Raw material tanks, silos, bins, conveyors, corresponding building enclosures, and accessory equipment there to shall not exceed 100' in height.
12: Lot coverage may exceed 1:2 ratio or maximum 50% coverage upon a case-by-case-determination by the City Engineer that the existing or proposed stormwater management system can accommodate a higher lot coverage ratio.

Table B

Zoning District	Lot Area	Residential Density	Front Yard Setback	Side Yard Setback	Rear Yard Setback	Structure Height
MU-MD Residential Association Managed Detached Dwelling	5,000 s.f. NA	Minimum = 8 units per acre Maximum = 16 units per acre	Private Street = 30 ft minimum from curb to garage & 20 ft minimum from curb for living space. Public Street = 30 ft minimum from right of way line to structure	5 ft minimum setback 30 ft minimum setback from public road	25 ft minimum setback 30 ft minimum setback from public road	2- story

Zoning District	Lot Area	Residential Density	Front Yard Setback	Side Yard Setback	Rear Yard Setback	Structure Height
MU-MD Residential Attached Dwellings	Duplex: 5,000 s.f. per unit Other: NA	Density: NA Maximum Units per Building = 8 Minimum = 8 units per acre Maximum = 16 units per acre	Private Street = 30 ft minimum from curb to garage & 20 ft minimum from curb for living space. Public Street = 30 ft minimum from right of way line to structure	Duplex = zero lot line on common wall; 10 ft on opposite side yard, or 30 ft if side yard is adjacent to public road Row/Townhome = zero lot line on common walls; 25 ft garage setback to access drive; 20 ft living spaces setback, or 30 ft if side yard is adjacent to public road	25 ft minimum setback 30 ft minimum setback from public road	2- story
MU-MD Residential Multiple Family Dwellings	1 acre	Minimum = 8 units per acre Maximum = 16 units per acre	30 ft minimum setback	20 ft minimum setback 30 ft minimum from public road	30 ft minimum setback	3-story
MU-MD Commercial	Follow Minimum Standards as outlined in the GC District, unless the building is mixed use residential.					
MU-HD Residential Association Managed Senior Detached Dwelling	5,000 s.f.	Minimum = 17 units per acre Maximum = 30 units per acre NA	Private Street = 30 ft minimum from curb to garage & 20 ft minimum from curb for living space. Public Street = 30 ft minimum from right of way line to structure	5 ft minimum setback 30 ft minimum setback from public road	25 ft minimum setback 30 ft minimum setback from public road	2- story
MU-HD Residential Attached Dwellings	None	Minimum = 17 units per acre Maximum = 30 units per acre	Private Street = 30 ft minimum from curb to garage & 20 ft minimum from curb for living space. Public Street = 30 ft minimum from right of way line to structure	Zero lot line on common walls; 25 ft garage setback to private road curb; 20 ft living space setback from private road curb, or 30 ft if side yard is adjacent to public road	25 ft from private road curb, or 30 ft if rear yard is adjacent to public road or private property	3-story

Zoning District	Lot Area	Residential Density	Front Yard Setback	Side Yard Setback	Rear Yard Setback	Structure Height
MU-HD Residential Apartment, Condominiums, and Cooperatives	None	Minimum = 17 units per acre Maximum = 30 units per acre	30 ft minimum setback	20 ft minimum setback 30 ft minimum setback from public road	30 ft minimum setback	5 stories
Senior Citizen-MU-H Assisted Living	None	Maximum = 30 units per acre 20 units per acre	<u>30 ft minimum setback</u>	<u>20 ft minimum setback</u> <u>30 ft minimum setback from public road</u>	<u>30 ft minimum setback</u>	<u>5 stories</u>
MU-HD Commercial	Follow Minimum Standards as outlined in the CC District, unless the building is mixed use residential.					
MU-LD	Minimum Standards as outlined in the C/I District	1 unit per acre <u>as outlined in the MU-L District</u>	Minimum Standards as outlined in the C/I District			

A. Lot Area:

~~Without Public Sewer~~ ~~With Public Sewer~~

~~AG 20 acres NA¹~~

~~A/P 40 acres NA~~

~~RR 5 acres NA~~

~~SR 5 acres 10,000 sq. ft.²~~

~~CR 2.5 acres 0.5 acres~~

~~C/S 2.5 acres 0.5 acres~~

~~LI 2.5 acres 0.5 acres~~

~~C/I 2.5 acres³ NA~~

~~HR 20 acres 20 acres~~

¹Not applicable.

²Land area required per dwelling units; maximum density is three units per acre.

³Residences require 5 acres.

B. Residential Density:

~~AG 1 dwelling unit per 40 acres~~

~~A/P 1 dwelling unit per 40 acres~~

~~RR 1 dwelling unit per 5 acres~~

~~SR 3 attached dwelling units per acre (with public sewer); (without public sewer: existing dwelling only)~~

~~CR Existing dwelling only: 1 dwelling unit per 5 acres
C/S Existing dwelling only: 1 dwelling unit per 5 acres
LI Existing dwelling only: 1 dwelling unit per 5 acres
C/I Existing dwelling only: 1 dwelling unit per 5 acres
HR None~~

~~C. **Lot width.** Lots must abut a public road, or private street in such districts that private streets are allowed, for the minimum width prescribed except that the width on a cul-de-sac must be at least sixty (60) feet at the right-of-way line and the full minimum width at the front yard setback line.~~

~~AG 240 feet
A/P 240 feet
RR 220 feet
SR 175 feet
CR 120 feet
C/S 120 feet
LI 120 feet
C/I 120 feet
HR 120 feet~~

~~D. **Front yard setbacks.** The following principal and accessory building setbacks apply:~~

~~AG 75 feet
A/P 75 feet
RR 75 feet¹
SR 30 feet; interim use: 75 feet
CR 30 feet; transitional or interim use: 75 feet²
C/S 30 feet; transitional or interim use: 75 feet²
LI 30 feet; transitional or interim use: 75 feet²
C/I 75 feet
HR 30 feet~~

~~¹No above ground structures, except fences and sign posts, shall be erected, placed, or moved to within seventy five (75) feet of any front lot line. Front lot line is measured from the edge of the public right-of-way. Front yard setbacks apply to side yards with street frontage. No fences may obstruct vehicular visibility or movement at any intersection.~~

~~²Parking may not occupy more than 1/3 of required front yard area in the CR/, C/S, or LI Districts.~~

~~E. **Side yard setbacks.** The following principal and accessory building setbacks apply:~~

~~AG 20 feet
A/P 20 feet
RR 20 feet¹
CLO 10 feet
SR 20 feet (side yard does not have garage access);
35 feet (side yard has garage access)
CR 10 feet²-commercial uses
30 feet senior citizen housing
CS 10 feet²
LI 10 feet²
C/I 10 _____ feet²
HR 10 feet~~

~~¹Accessory Buildings in the RR District are regulated in Section 7A-805.~~

~~²No structure, except fences and signposts, shall come within thirty-five (35) feet of any RR or SR District boundary line.~~

~~F. **Rear yard setbacks.** The following principal and accessory building setbacks apply:~~

~~AG — 20 feet~~

~~A/P — 20 feet~~

~~RR — 20 feet¹~~

~~SR — 30 feet (same as front yard when abutting public or private street)~~

~~CR — 10 feet²~~

~~C/S — 10 feet²~~

~~LI — 10 feet²~~

~~C/I — 35 feet²~~

~~HR — 10 feet~~

~~¹Accessory Buildings in the RR District are regulated in Section 71-805.~~

~~²Setbacks abutting residential RR or SR District(s) shall be a minimum of 35 feet.~~

~~G. **Structure Height.** The following maximum height limitations apply, unless specifically excepted in other provisions of this Code:~~

~~AG — 35 feet¹~~

~~A/P — 35 feet¹~~

~~RR — 35 feet²~~

~~SR — 35 feet~~

~~CR — 50 feet~~

~~C/S — 50 feet~~

~~LI — 50 feet~~

~~C/I — business: 50 feet³;~~

~~— residential: 35 feet~~

~~HR — 50 feet~~

~~¹Permitted agricultural structures, such as silos, grain bins, and grain elevators, shall not exceed 75 feet in height.~~

~~²Accessory Buildings in the RR District are regulated in Section 7A-805.~~

~~³Raw material tanks, silos, bins, conveyors, corresponding building enclosures, and accessory equipment thereto shall not exceed 100 feet in height.~~

~~H. **Floor Area Ratio.** The maximum ratio of gross total structural floor area to gross total lot area shall not exceed the following:~~

~~AG — 1:10~~

~~A/P — 1:10~~

~~RR — Not applicable~~

~~SR — 1:1~~

~~CR — 1:1~~

~~CS — 1:1~~

~~LI — 1:1~~

~~C/I — 1:1~~

~~HR — 1:1~~

~~I. **Lot Coverage.** Impervious surfaces are all surfaces which are constructed on the ground or which cover the ground which are impervious to precipitation, such as Buildings, Driveways, paved parking areas, Sidewalks, patios, and so forth. The maximum ratio of impervious surfaces to gross lot area shall not exceed the following:~~

~~AG — 1:4~~

~~A/P — 1:4~~

~~RR — 1:4
SR — 1:2¹
CR — 1:2¹
C/S — 1:2¹
LI — 1:2¹
C/I — 1:2¹
HR — 1:2¹~~

~~¹Lot coverage may exceed 1:2 ratio or maximum 50% coverage upon a case-by-case determination by the City Engineer that the existing or proposed stormwater management system can accommodate a higher lot coverage ratio.~~

SECTION 7A-802. BUILDABLE AREA.

A. **General Requirement.** Every Lot without public wastewater treatment shall have at least one (1) ~~B~~buildable ~~A~~area. All ~~B~~buildings, ~~G~~garages, ~~A~~accessory ~~B~~buildings, and individual on-site sewage disposal systems shall be constructed within a ~~B~~buildable ~~A~~area. All drain field sites for ~~Individual On-Site Sewage~~~~Subsurface~~ Treatment ~~s~~Systems (~~SSTS~~) shall be staked, fenced, barricaded or otherwise isolated from the site of any construction so that soils in the drain field site are not disturbed or compacted during construction. Accessory ~~B~~buildings constructed on a ~~B~~buildable ~~A~~area separate from the ~~B~~buildable ~~A~~area upon which the ~~P~~principal ~~S~~structure is constructed shall have a ~~B~~buildable ~~A~~area which is two times (2x) the square footage of the lowest floor(s) of the ~~A~~accessory ~~B~~buildings if there is no ~~on-site sewage treatment system~~~~SSTS~~ needed for the ~~A~~accessory ~~B~~buildings. If there is plumbing in the ~~A~~accessory ~~B~~building, the ~~B~~buildable ~~A~~area shall be increased by 2,000 square feet to accommodate a 20' x 100' drainfield. ~~Driveway requirements are contained in Section 7A-201, Paragraph 8.B, and in Section 7A-819.~~

B. **Survey Elevations.** Semi-permanent elevation markings are required to be placed on the construction site to aid city officials in their determination that the elevation requirements of this Code have been met. It is advisable for the surveyor to place durable markers, e.g., 6 feet or 8 feet steel fence posts, with finish elevations marked on each post, at each corner of the ~~B~~buildable ~~A~~area(s), at two opposite corners or ends of the drain field area(s), and at least one post adjacent to each segment of the ~~D~~driveway(s). If the elevation markings are not present upon the completion of construction, either the Building Inspector or the Zoning Administrator shall have the authority to require an additional survey to verify that the construction elevation requirements of this Code have been met.

C. **Penalty.** Construction ~~E~~elevations in the City of Columbus are critical measurements. During the time period between the placement of the elevation markers by a surveyor and the issuance of a Certificate of Occupancy, any person who moves, alters, or otherwise tampers with construction elevation markers shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine or by imprisonment in accordance with the provisions of ~~Chapter 1, Section 1-109 of this~~ City Code.

SECTION 7A-803. MINIMUM CONSTRUCTION ELEVATIONS ABOVE KNOWN HIGH WATER AND DRIVEWAY DESIGN REQUIREMENTS. All new construction in all districts shall be constructed at a reasonably safe elevation above the ~~H~~high ~~W~~water ~~T~~able in order to avoid water seepage problems and in order to provide adequate drainage from the ~~S~~structure to the ~~individual sewage treatment system~~~~SSTS~~.

A. **Optimum Elevation For New Construction.** The optimum elevation for new construction is six (6.0) feet above the level of the **H**igh **W**ater **T**able as measured to the top of the lowest footing (= bottom of the lowest floor). Construction at or above six (6.0) feet above the **H**igh **W**ater **T**able is strongly advised. The optimal elevation is shown in Illustration No. 4, Appendix A to Chapter 7A.

B. **Acceptable Minimum Elevation For New Construction.**

1. Except for **A**ccessory **B**uildings, the acceptable minimum elevation for new construction is three (3.0) feet above the level of the **H**igh **W**ater **T**able as measured to the top of the lowest footing (= bottom of the lowest floor), or two (2.0) feet above the designated or designed 100-year flood elevation, whichever is higher, unless evidence is submitted and certified by a geotechnical engineer, at the expense of the developer or property owner, that a lesser separation can be achieved and is warranted, and that evidence is verified by the City Engineer. Where any such geotechnical engineering report is based on piezometer data, the acceptable minimum elevation for new construction shall be four (4.0) feet above the level of the **H**igh **W**ater **T**able, and said piezometers must be installed on each individual proposed lot for a minimum of twelve (12) months. Any construction below the **O**ptimum **E**levation of six (6.0) feet above the **H**igh **W**ater **T**able shall require installation of: not less than one sump; one sump pump; and drain tiles either inside or outside all of the footings. The sump pump shall not be connected to the septic system in any manner. Caution: Although a three (3.0) foot minimum separation is acceptable under this Section, current FHA and VA construction standards require not less than four (4.0) feet minimum elevation as measured from the **H**igh **W**ater **T**able to the top of the lowest footing. The three (3.0) feet minimum elevation required by this Section will meet or exceed the requirements of the ~~Anoka County Flood Plain Management Ordinance, the Anoka County Shoreland Management Ordinance, and Rice Creek Watershed District Regulations~~ as of July 1, 1990. Coon Creek Watershed District and Sunrise River Watershed District do not have independent regulations for minimum construction elevations. The acceptable minimum elevation, sump, and drain tile are shown at Illustration No. 3, Appendix A to Chapter 7A.
2. Accessory **B**uildings which have no need for an on-site sewage treatment system and which are constructed on a **B**uildable **A**rea which is separate from the Buildable Area upon which the **P**rincipal **S**tructure is built, are not required to have a sump, sump pump, or drain tiles if built at less than the **O**ptimum **E**levation. The acceptable minimum elevation for **A**ccessory **B**uildings is two (2) feet above the **H**igh **W**ater **T**able as measured to the top of the lowest footing.

C. **Driveway Design Requirements.** The City Council finds that it is in the public interest to adopt uniform **D**riveway construction specifications. These uniform **D**riveway specifications recognize that most sites for new construction in the City of Columbus will have a **H**igh **W**ater **T**able lying relatively close to the native surface. It is the intent of the City Council to address public safety concerns by adopting uniform **D**riveway specifications which should allow access to the **B**uildable **A**rea by emergency services vehicles (police, fire, ambulance, etc.) It is the further intent of the City Council to address property value concerns by adopting high quality **D**riveway specifications which should foster construction of durable and safe **D**riveways, thereby protecting property values.

1. **Driveway Required.** Every **B**uildable **A**rea shall be connected to a public road by a **D**riveway which meets or exceeds the requirements of this City

Code. A second **B**uildable **A**rea on a lot, e.g., one used for construction of an **A**ccessory **B**uilding, may be connected by a **D**riveway to either the public right-of-way or to the first **B**uildable **A**rea on the **L**ot, and such **D**riveway shall meet or exceed the minimum specifications of this Section.

2. If a commercial use and residential use share a common **D**riveway, the **D**riveway shall be constructed at the optimum width, not the minimum width, as shown in Illustration No. 5, Appendix “A” of this Chapter 7A.

~~3.~~ **Apron.** Every **D**riveway shall be connected to a public right-of-way by an **A**pron which meets the design requirements shown at Illustration No. 4, Appendix “A” to this Chapter 7A. Driveway width and the variation in elevation between the road and the **L**ot are factors which determine the length of the culvert which is required under the **A**pron. Exact culvert requirements must be obtained from ~~either the City Road Maintenance Supervisor or from the City Engineer.~~ Public Works Department.

4. **Buildable Area Contiguous with Front Setback.** Where the **B**uildable **A**rea is contiguous with the **F**ront **S**etback, the **D**riveway shall be constructed at a uniform grade from the elevation at the juncture with the **A**pron to the elevation at the **F**ront **S**etback.

5. **Buildable Area Not Contiguous with Front Setback.** Where the **B**uildable **A**rea is not contiguous with the **F**ront **S**etback, the **D**riveway shall be constructed to meet or exceed the minimum specifications of this Section and of Illustration No. 5, Appendix “A” to this Chapter 7A. If the **D**riveway is built at less than the optimum specifications, then the **D**riveway shall include a “turn-around” area in front of the house or principal structure on the **L**ot of not less than 24 feet by 24 feet, constructed and surfaced in the same manner as the **D**riveway.

6. **Subsurface Correction.** The requirement to provide subsurface correction during **D**riveway construction (removal of unsuitable material or placement of fabric mat) shall be determined by the City Engineer exercising ~~his~~ professional judgment on a case by case basis.

7. **Surfacing.** If the elevation of the native soils prior to **D**riveway construction is 3.0 feet or more above the **H**igh **W**ater **T**able, and if the composition of the soils in the **D**riveway **A**rea is free of organic soils, then sand or sand-unspecified gravel aggregate is required for surfacing. If the elevation of the native soils prior to **D**riveway **C**onstruction is less than 3.0 feet above the **H**igh **W**ater **T**able, then bituminous, concrete or 4 inches of Class V aggregate surfacing is required.

8. **Illustrations.** The illustrations of **A**prons and **D**riveways, Illustrations Nos. 4 and 5, Appendix “A” to this Chapter 7A, contain additional design requirements and specifications which are incorporated herein by reference. These Illustrations and their design requirements may be modified by City Council resolutions upon the advice of the City Engineer.

9. **Inspections.** Driveway construction shall be monitored and inspected by the Building Inspector. The Building Inspector shall have the discretion to call for additional elevation measurements, soil tests, or other on-site measurements as are necessary to ensure that **D**riveways are constructed according to the standards established by this City Code. In difficult topography or soil conditions, the Building Inspector may consult directly with the City Engineer for professional assistance.

10. **Variation from Strict Compliance.** The City Engineer may exercise ~~his~~ professional judgment and authorize some variation from strict compliance

with these ~~D~~driveway design requirements for conditions found at the site, provided that the variations result in the construction of a ~~D~~driveway which meets the spirit and intent of this Section.

SECTION 7A-804. GENERAL PROVISIONS FOR THE RURAL RESIDENTIAL (RR) DISTRICT AND PUBLIC UTILITY AND PUBLIC SERVICE FACILITY STANDARDS.

A. **Minimum Structure Size:** The minimum foundation area shall be one thousand (1,000) square feet for a one-story dwelling, and eight hundred (800) square feet for a dwelling with two or more stories.

B. **Minimum Structure Width:** The minimum dwelling width shall be twenty-four (24) feet at its narrowest point.

C. **Lot area** must have at least one (1) ~~B~~uildable area or ~~F~~uture ~~B~~uildable ~~A~~rea.

D. **Foundation Provisions:** All ~~D~~welling ~~U~~nits must have permanent foundations with perimeter frost footings according to the State Building Code.

E. **Dwelling Unit Wall Provisions:** All new ~~D~~welling ~~U~~nits constructed shall have exterior walls constructed in accordance with the Uniform Building Code and State Energy Code. A ~~D~~welling ~~U~~nit constructed elsewhere prior to January 1, 2000 and moved into the City, shall not be considered to be in violation of this provision if it is constructed with not less than two (2) inch by four (4) inch dimension lumber on sixteen (16) inch centers, and otherwise conforms to the Uniform Building Code and State Energy Code.

F. **Parking:** Two (2) off-street ~~P~~arking ~~S~~paces shall be provided per ~~D~~welling ~~U~~nit (minimum). Required parking spaces shall be surfaced with Class V, pavement, an equivalent or more durable material.

G. **~~Parking and Storage of Certain Vehicles:~~** No more than ~~two~~~~four~~ (24) vehicles or ~~recreational~~ trailers ~~of any kind or type without required license plates~~ shall be ~~stored parked~~ or stored on any residentially-zoned property, other than in completely enclosed ~~B~~uildings, ~~two (2) of which may be allowed without required license plates~~, with the exception of licensed antique vehicles ~~which are not required to have license plate~~. Commercial trailers, such as tractor trailers and large box trucks exceeding 26,000 lbs. shall not be stored on any residential property unless it is accessory to a residential use and located entirely within an enclosed building.

H. **Animals:** Customary farm animals may be housed in the RR District, subject to Minnesota Law and the following provisions:

1. Feed lots with ten (10) or more animal units and the raising of hogs or swine are not allowed on parcels of less than twenty (20) acres.

2. Commercial boarding of horses shall be subject to the restrictions applicable to Interim Use Permits and Residential Zone Businesses under § 7A-806. Dog kennels are subject to the provisions in § 7A-809 Dog Kennels. The keeping of four (4) or more dogs, over the age of six (6) months, requires a Residential Dog Kennel Permit.

3. Farm ~~A~~animal ~~D~~ensity: hooved animals. One-half (0.5) habitable acre per Animal Unit shall be required for hooved farm animals, including but limited to horses, cows, swine, sheep, goats, and other non-poultry, non-fowl, non-bird or furbearing animals. Land shall be considered habitable for the purposes of this Chapter 7A if it is fenced as required to restrain the animal, adequately drained so that it is not flooded, and is accessible to the animal at all times of the year other than intermittently due to severe weather.

4. Farm ~~A~~animal ~~D~~ensity: non-hooved animals. A maximum of sixteen (16) poultry, fowl, other farm-birds, rabbits and other furbearing farm animals shall be allowed per habitable acre. The maximum number of animals shall

apply to animals over the age of three (3) months. Roosters shall only be permitted on lots of five (5) acres or more. Land shall be considered habitable for the purposes of this Chapter 7A if it is fenced as required to restrain the animal, adequately drained so that it is not flooded, and is accessible to the animal at all times of the year other than intermittently due to severe weather.

5. Animal **S**tructures. Permanent wood structures or pre-manufactured farm animal structures shall be required for the safe keeping of all farm animals. Animal structures shall not be located closer than one hundred (100) feet from an abutting property residence. Animal structures shall not be allowed in the **F**ront **Y**ard of any property and shall be set back at least seventy-five (75) feet from the **S**ide **Y**ard and **R**ear **Y**ard. Animal structures shall be compatible with standards recommended by the University of Minnesota Extension Service for housing animals.

6. Animal **S**anitation. Animal structures and outdoor runs shall be cleaned of manure and feed residue as needed. Manure and feed residue shall be disposed of or composted in a manner that does not result in odors or unsanitary conditions impacting neighboring properties.

7. Animal **F**eed and **W**ater. Animal feed shall be kept in secure containers to prevent attraction to rodents or other vermin. Animals shall have daily access to water.

8. Slaughtering. Slaughtering of animals, except for personal consumption, shall be prohibited.

9. Product **S**ales. The sale of farm animals, eggs, meat or other animal products shall be compliant with the Minnesota Department of Agriculture Dairy and Food Inspection requirements.

10. The keeping of animals is subject to the provisions of Chapter 5 of the City Code: Public Safety and Public Nuisance.

I. **Parks and Playgrounds:** Parks and **P**laygrounds are allowed in the RR District subject to the following:

1. All uses are approved by the City Council.

2. Lighted areas shall be located and the source of illumination shielded so that neither the light source nor direct visible rays or glare project beyond the area of the park to be illuminated. In no case shall any light standard be placed closer than seventy-five (75) feet from any adjacent property line, except that a light standard may be erected at or near a **D**riveway or **D**riveway apron where the **D**riveway intersects the edge of the right-of-way.

3. At the option of the City Council on such date as the situation may arise, noise buffers may be required to shield adjacent residence(s) from undue noise pollution. This may be in the form of a tall solid fence or heavy vegetation.

J. **Public Utilities and Public Service Facilities:** Public Utilities and Public Service Facilities may be allowed as conditional uses in several zoning districts and must adhere to the following additional standards:

1. Structures and uses shall be consistent with underlying zoning district dimensional standards.

2. All Structures erected, placed, or moved specifically for the operation of the **P**ublic **U**tility or **P**ublic **S**ervice **F**acility shall be completely surrounded or enclosed by a **B**uilding or security Fence.

3. Outdoor mechanical equipment, structures, appurtenances, and parking shall be appropriately screened from adjacent properties and public roads.

4. No unsafe, uncomfortable, or offensive vibrations, noises, visual effects, odors, or air pollutants shall be allowed to radiate across Lot lines.

K. **Cemeteries:** May be allowed as a conditional use and must adhere to the following additional standards:

1. No cemetery plot or Structure shall be placed within fifty (50) feet of any Lot line and seventy-five (75) feet from the Frontage.

2. Cemeteries must be established, operated, and maintained in accord with Minnesota Statutes ~~Chapters 306 (public cemeteries) or 307 (private cemeteries)~~. Compliance with those statutes shall be a continuing condition of the conditional use permit.

3. No unsafe, uncomfortable, or offensive vibrations, noises, visual effects, odors, or air pollutants shall be allowed to radiate across Lot line.

SECTION 7A-805. RESIDENTIAL ACCESSORY BUILDINGS. Accessory Buildings are permitted, subject to the following general restrictions affecting all Accessory Buildings on any lot size:

A. All Accessory Buildings subject to the State Building Code shall conform to the Building Code as contained in Chapter 13 of this City Code. Accessory Building construction shall consist of either: pole building construction; slab construction; or footing-foundation construction. The walls and roof of any Accessory Building shall be constructed of durable building materials including wood, metal, stone, brick, or similar material. Accessory structures shall not be constructed with fabric, plastic or vinyl, except as provided in subsection L. below. No vehicle, trailer or manufactured home shall be used as an Accessory Building.

B. Restrictions in this Chapter on the size and placement on the lot of Accessory Buildings shall not apply on any parcel of twenty (20) acres or larger that is classified as agricultural land for tax purposes and is used for agriculture purposes.

C. All Accessory Buildings shall be same or similar with the Dwelling in terms of color.

D. Accessory Buildings shall be located no closer than 75 feet from any road easement or road right-of-way and no closer than the height of the building or 20 feet from any side lot line, whichever is greater, or the height of the building or 20 feet from any rear lot line, whichever is greater. The placement of an Accessory Building shall meet the following additional requirements.

1. Interior lot. No Accessory Building shall be located in the required front yard area nor located closer to the road easement line or road right-of-way than the front of the principal structure.

2. Corner lot. No Accessory Building shall be located in the required front yard area nor located closer to the road easement line or road right-of-way line than the front of the principal structure not located closer to the road easement line or road right-of-way line, from which primary access to the principal structure is gained, than the rear of the principal structure. The Accessory Building shall be located no closer than the required front yard setback line from the road easement line or road right-of-way line, from which no access is gained or from which secondary access to the principal structure is gained.

3. Septic System Subsurface Treatment Areas System (SSTS) Area. No accessory structure shall be located within a primary or alternative Soil Treatment SSTS Area.

4. Garage Placement. All garages must be located within fifty (50) feet of the Principal Building and must be used as defined in ~~Section 7A-201~~ of the

City Code. Garages will not be included in the total square footage limitations listed in Subsection G of this Section.

E. Setback Exception. The setback from the Front Lot Line (measured at the edge of the public right-of-way) may be reduced for an Accessory Building upon the review and recommendation of the Building Official and City Administrator and based upon compliance with the following criteria:

1. The lot size and width are consistent with the standards in ~~Section 7A-804~~ the City Code.
2. Accessory Buildings shall not be placed within the front yard setback (seventy-five (75) feet from the edge of the public right-of-way).
3. Fencing, landscaping, or natural vegetation is present between the street and the Accessory Building, and must be effectively obstructed from views from adjacent residential properties or the right-of-way. "Effectively obstructed" shall mean 80% opaque throughout the year. Screening must be maintained continually and shall be replaced or repaired if destroyed or damaged.
4. The placement of the Accessory Building complies with the minimum well and septic requirements pursuant to Chapter 14.
5. The proposed Accessory Building is designed to be harmonious with the Ddwelling. The Proposed Accessory Building is constructed with the exterior building materials that are the same or similar style and color of the siding and roofing of the dwelling.

F. The size of Accessory Buildings shall be regulated as follows:

1. The maximum square footage of Accessory Buildings on parcels of less than one acre shall be 1,800 square feet;
2. The maximum square footage of Accessory Buildings on parcels of at least one acre, but less than five acres, shall be 2,700 square feet for the first acre, plus 600 square feet per acre for the remaining acreage or portion thereof. (For example, a parcel that is 1.75 acres in size would be allowed a maximum building floor area of 3,150 square feet based upon the following calculation: 2,700 square feet + (600 square feet x .75) = 3,150.)
3. The maximum square footage of Accessory Buildings on parcels of at least five acres shall be 6,800 square feet for the first five acres, plus 700 square feet per acre for the remaining acreage or portion thereof. (For example, a parcel that is 7.5 acres in size would be allowed a maximum building floor area of 8,550 square feet based upon the following calculation: 6,800 square feet + (700 square feet x 2.5 = 8,550.)¹

¹Parcels with large Accessory Buildings shall fully comply with the above restrictions at the time of any application for subdivision. For instance, a 10 acre parcel with 10,000 square feet of Accessory Buildings could not be subdivided until the Accessory Buildings were reduced in size to comply with this ordinance.

G. All Accessory Buildings shall have side walls a minimum of eight (8) feet in height and a maximum of sixteen (16) feet in height as measured from the finished floor. For example height shall be measured from the concrete, dirt or gravel along the base of the wall to the bottom of the roof truss. Accessory Buildings with taller sidewalls may require structural engineering plans and specifications.

H. The square footage of Accessory Buildings is measured from the footings, outer walls, or support posts, and includes lean-to's, and car ports. Gazebos, wood sheds, potting sheds, saunas, playhouses, dog houses, and similar accessory structures, except Conex containers and PODS as described herein, not exceeding 200 square feet, are not

included in the calculation of permitted square footage for ~~A~~accessory ~~B~~buildings. The square footage of ~~A~~accessory ~~B~~buildings meeting the definition of a private garage will be measured from the roof, excluding the two-foot overhang.

I. ~~Residential~~ Accessory ~~B~~buildings for single family detached and single family attached dwellings in the ~~SR-Suburban Residential~~ MU-M Mixed Use Medium Density District and MU-H Mixed Use High Density District shall be attached to the dwelling units. Each dwelling unit shall have a minimum of two (2) side-by-side garage stalls with minimum interior dimensions of eleven (11) feet by twenty four (24) feet. Surface parking spaces shall be designed to park one automobile in front of each garage stall. Surface parking spaces shall be at least ten (10) feet by (20) feet in area. Driveway aisles between garages facing one another and sharing a common driveway shall be at least twenty-four (24) feet wide.

J. Residential ~~A~~accessory ~~B~~buildings may not be placed between the principal structure and the Ordinary High Water Level (OHWL) in the Shoreland Overlay District (see Chapter 7E Shoreland Management Ordinance for other standards and provisions affecting property located within the Shoreland Overlay District). The requirements in ~~Section 7A-805~~ the City Code restricting the location of a ~~Residential~~ ~~A~~accessory ~~B~~building between the principal structure and the road right-of-way or road easement may be waived in the Shoreland Overlay District, provided it is demonstrated to the Zoning Administrator there is no reasonable alternative to locating the Residential Accessory Building between the principal structure and the road right-of-way or easement. ~~All other provisions of Section 7A-805 shall remain in effect.~~

K. Multi-modal shipping (Conex) containers or portable on-demand storage (PODS) containers shall be allowed as an Accessory Building subject to the following:

1. The container shall be no more than forty (40) feet in length, and shall same or similar in color with the Dwelling and there shall be no logos or advertising on the exterior of the container.
2. The container must be located entirely to the rear of the principal residence and effectively obstructed from views from adjacent residential properties or the right-of-way. "Effectively obstructed" shall mean 80% opaque throughout the year. Screening may include landscaping, fencing or berming or any combination thereof.
3. No container shall be located within twenty (20) feet of an adjoining property line.
4. No container may be stacked upon another container or combined with another container to increase the width.
5. A property owner shall be permitted one (1) container on a property of four and three-fourths (4.75) acres or more.
6. The container must be placed on a level non-degradable slab/foundation, and it must be elevated at least six (6) inches above the ground.
7. Containers may not be placed on any property approved as part of a planned unit development in which lot averaging was used to create lots of less than five (5) acres, regardless of the subject property's size.
8. The temporary placement of containers, not meeting the requirements of paragraphs 1-7, in a front yard or side yard may be allowed by the City Administrator for a maximum of thirty (30) days when used for moving into or out of a Dwelling, or for a maximum of ninety (90) days when used for an extensive remodeling project. The maximum timeframe for a container used during remodeling may be extended by the Building Official to coincide with the term of the building permit, not to exceed one hundred eighty (180) days.

9. The area of a container regulated under this section shall be counted at two (2) times the actual area when calculating the maximum allowable Accessory Building area on a property.

L. Accessory structures constructed with fabric, plastic or vinyl shall be located entirely behind the principal residence and shall not be located within a side yard or rear yard area and shall be effectively obstructed from views from adjacent residential properties or the right-of-way. "Effectively obstructed" shall mean 80% opaque throughout the year. Screening may include landscaping, fencing or berming or any combination thereof.

SECTION 7A-806. RESIDENTIAL ZONE BUSINESSES. Residential Zone Businesses are clearly accessory and incidental to the principal residential use of property in the Rural Residential (RR) District. Residential Zone Businesses are considered a privilege and not a right. The use of a residence for a business is allowed only for those businesses that can be conducted on residential property with little or no impact on adjacent residential uses. Residential Zone Businesses are not intended for growing or larger businesses that are customarily located in commercially zoned properties. The use of a residence for a business is considered temporary and is not allowed to change the appearance of the residential property or affect the future use of the principal or accessory structures for residential purposes. Residential Zone Businesses are subject to the following additional minimum requirements and limitations:

- A. Residential Zone Businesses are allowed only in the Rural Residential (RR) District.
- B. The property on which a Residential Zone Business is proposed must be in conformance with all minimum dimensional standards required in [Section 7A-801](#) the City Code.
- C. A Residential Zone Business requires an Interim Use Permit ~~as provided in Section 7A-530 through 7A-532.~~
- D. A Residential Zone Business Interim Use Permit is required for any Home Occupation that does not meet the definition and standards ~~in Section 7A-201, subsection 49,~~ for a Home Occupation.
- E. Residential Zone Businesses are allowed only when the principal use of the property is maintained and occupied as a residence. The owner of the Residential Zone Business must own and reside in the residence.
- F. Employees of Residential Zone Businesses that use the premises of the Residential Zone Business on a regular basis are limited to the occupants of the principal residential structure. Employees or subcontractors of a Residential Zone Business not residing on the premises are allowed on the premises only on a non-regular or infrequent basis.
- G. No outside display or storage of materials, products, debris, junk, waste, equipment, or vehicles associated with Residential Zone Businesses is permitted except vehicles customarily allowed for the principal residential use of the property.
- H. The operation and conduct of Residential Zone Businesses shall be consistent with the performance standards and all other requirements of the Columbus City Code.
- I. The operation and conduct of Residential Zone Businesses shall occur only within principal and accessory buildings, except for vehicle usage, deliveries and similar incidental activities that cannot be conducted within structures.
- J. The operation and conduct of Residential Zone Businesses shall be considered "invisible" to adjacent properties to the extent practicable and shall not impact the principal use and enjoyment of adjacent properties for residential purposes.
- K. Proposed additions and renovations to principal and accessory buildings to be used for Residential Zone Businesses shall not be permitted when such additions and

renovations may be determined by the City to jeopardize or limit the future use of the property for normal residential purposes.

L. A Residential Zone Business Interim Use Permit application must clearly identify the daily routine and frequency of proposed business activities with regard to business vehicular use, deliveries, and many customer or client visits to the premises.

M. Normal hours of residential Zone Business activities are visible or detectable outside the principal or accessory structures shall be limited to 7:00 a.m. to 7:00 p.m. Monday through Saturday. Exceptions to the hours of operation may be considered and only when specified in the Interim Use Permit for service-oriented businesses, such as hair and personal care facilities, music studios, dance studios, animal training facilities, small equipment repair, and similar services required by or benefiting area residents.

N. Parking required for Residential Zone Businesses shall be based upon the nature of the business and may be limited to restrict Residential Zone Business activities to a level or intensity of use that does not impact adjacent properties or future residential use of the property.

O. Additional landscaping, screening, fencing, or other buffering may be required for any Residential Zone Business.

P. Only one sign, parallel to and affixed to the plane of a wall of the principal structure and not exceeding two square feet in area, is permitted for any Residential Zone Business. Permitted vehicles or equipment with business identification signs or other advertising associated with the Residential Zone Business shall not be parked or displayed on the premises for advertising purposes.

Q. The City may impose additional conditions, standards, or requirements for a Residential Zone Business deemed appropriate and necessary to protect the public health, safety and welfare.

R. No expansion or intensification of an Interim Use Permit for a Residential Zone Business shall be permitted unless in conformance with ~~the procedures provided in Sections 7A-532 through 7A-532 and~~ all other provisions of the City Code.

S. An Interim Use Permit for a Residential Zone Business shall be terminated consistent with the provisions in ~~Section 7A-532 of~~ the City Code.

SECTION 7A-807. SWIMMING POOLS. The term “swimming pool” shall include any pool, “hot tub,” or “spa” with a water depth capacity of three (3.0) feet or greater, and shall include any such Structure with a capacity greater than 5,000 gallons. Swimming pools are permitted subject to the following conditions:

A. Swimming Pools shall be permitted only as an accessory use, on the same lot as, and intended for use by the occupants of, an accompanying residential unit or units.

B. A Building permit is required, except where specifically exempted by the Uniform Building Code. Compliance with the Building Code is required.

C. The property owner’s application for a Building permit shall include a site plan scaled drawing showing the type and size of pool, location of pool, location of house, garage, fencing and other improvements on the Llot, location of Sstructures on all adjacent Llots, location of filter unit and pump and writing indicating the types of such units, location of back-flush and drainage outlets, grading plan, finished elevations and final treatment (decking, landscaping, etc.) around pool, location of existing overhead or underground wiring, utility Easements, trees and similar features, and location of any water heating unit.

D. Pools shall not be located within twenty (20) feet of any septic tank/drainfield nor within six (6) feet of any principal Sstructure or frost footing unless the pool is constructed entirely within the Ddwellling. The edge of the pool shall be located no closer than twenty-five (25) feet from any side or Rrear Llot Lline, and no closer than

eighty (80) feet from the edge of any right-of-way or the front of the house (whichever is greater). The required safety fencing or surrounding ~~S~~structure shall be located no closer than twenty (20) feet from any side or ~~R~~rear ~~L~~ot ~~L~~ine and no closer than seventy-five (75) feet from the edge of any right-of-way, unless the entire ~~Y~~ard area with the pool is enclosed with fencing which meets the safety standards described at Paragraph K below in which case the ~~F~~fence may be located on side or Rear Lot Lines.

E. Pools shall not be located beneath overhead utility lines nor over underground utility lines of any type.

F. Pools shall not be located within any private or ~~P~~ublic ~~U~~tility, walkway, drainage or other ~~E~~asement.

G. In the case of underground pools, the necessary precautions shall be taken during the construction, to:

1. Avoid damage, hazards or inconvenience to adjacent or nearby property.
2. Assure that proper care shall be taken in stockpiling excavated material to avoid erosion, dust or other infringements upon adjacent property.
3. All access for construction shall be over the owner's land and due care shall be taken to avoid damage to ~~P~~ublic ~~S~~treet and adjacent private or public property.

H. To the extent feasible, back-flush water or water from pool drainage shall be directed onto the owner's property or into approved public drainageways.

I. The filter unit, pump, heating unit and any other noisemaking mechanical equipment shall be located at least fifty (50) feet from any adjacent or nearby residential Structure and not closer than ten (10) feet to any ~~L~~ot line.

J. Lighting for the pool shall be shielded and directed toward the pool and not toward adjacent property.

K. A ~~S~~tructure or safety fencing of a non-climbable type at least five (5) feet in height shall completely enclose the pool or ~~Y~~ard area containing the pool.

L. Water in the pool shall be maintained in a suitable manner to avoid health hazards of any type. Such water shall be subject to periodic inspection by the local health officer.

M. All wiring, installation of heating units, grading, installation of pipes and all other installations and construction shall be subject to inspections.

N. Deviations from these standards for pools accessory to ~~C~~ommercial ~~U~~ses may be considered by the City Council as part of the site plan review or conditional use permit review process.

SECTION 7A-808. CHURCHES AND SCHOOLS. Churches and ancillary facilities operated by a ~~C~~hurch, such as a private park, a playground, and/or a recreation area, a ~~D~~ay ~~C~~are facility, a ~~P~~reschool and/or a ~~S~~chool, may be conditionally permitted in the Rural Residential (RR) District according to the conditions and restrictions contained herein. Schools, whether publicly- or privately-owned and operated, and ancillary facilities operated by a ~~S~~chool, such as a private park, a playground, and/or a recreation area, a ~~D~~ay ~~C~~are facility, and/or a ~~P~~reschool, may be conditionally permitted in the Rural Residential (RR) District according to the conditions and restrictions contained herein. The ~~C~~hurch and ~~S~~chool ancillary facilities listed above are deemed to be compatible with RR zoning. If a ~~C~~hurch or ~~S~~chool is proposed to have ancillary facilities other than those listed above, that ~~C~~hurch or ~~S~~chool will need to be located in one of the commercial zones.

A. Setbacks shall not be less than seventy-five (75) feet from right-of-way.

B. Side yard setback shall be not less than twenty (20) feet.

C. Lighted areas shall be approved prior to development and shall be placed in such a way that they do not infringe upon the rights of adjacent property owners. In no case

shall any unshielded light standard be placed closer than seventy-five (75) feet from any adjacent property line. Light standards with lights shielded to prevent direct lighting of adjacent properties may be placed as close as twenty (20) feet from a property line.

- D. No parking area shall be located within twenty (20) feet of Lot lines.
- E. No unsafe, uncomfortable, or offensive vibrations, noises, visual effects, odors, or air pollutants shall be allowed to radiate across Lot lines.
- F. Off-Street Parking requirements:
 - 1. Churches: at least one (1) parking space for each ~~two and one-half~~three (~~2-1/2~~3) seats based on the design capacity of the main assembly hall.
 - 2. Schools (elementary and ~~junior high~~middle school): at least one (1) parking space for each classroom plus one (1) additional space for each employee. Sports facilities will require additional parking. ~~one hundred (100) student capacity.~~
 - 3. Schools (high school through college): at least one (1) parking space for each ten (10) students based on design capacity plus ~~one~~two (~~1~~2) additional spaces for each ~~two (2) classrooms.~~ Sports facilities will require additional parking.
- G. Structures shall be designed and the grounds shall be landscaped so as to be harmonious with the neighborhood and with the district. Where existing residential uses on adjoining properties are sited at the side yard setback, the landscaping shall include landscape screening (fencing, earthen berms, trees, and shrubs, etc.) sufficient to protect the privacy of the adjacent residential use.
- H. A water meter shall be installed for the purpose of determining that the use is in compliance with regulations regarding the capacity of ~~individual sewage~~subsurface treatment systems contained in Minnesota Rules, Chapter 7080, and City Code, Chapter 14. If the use is not in compliance with such regulations, the City Council may order the owner to bring the individual sewage treatment system into compliance within a reasonable period of time, not to exceed one (1) year.

SECTION 7A-809. DOG KENNELS.

- A. **Rural Residential District.** The keeping of four (4) or more dogs, over the age of six (6) months, requires a Residential Dog Kennel Permit. The property acreage determines the maximum number of dogs allowed.
 - 1. **Residential Dog Kennel.** A Residential Dog Kennel Permit is required for keeping four (4) or more dogs, over the age of six (6) months. A maximum of ten (10) dogs are allowed in a Residential Dog Kennel. A Residential Dog Kennel Permit does not preclude the permittee from selling offspring, but does not allow boarding of dogs for a fee. Performance standards for a Residential Dog Kennel Permit include the following:
 - (a) A Residential Dog Kennel is permitted under procedures prescribed in subsection 2. below.
 - (b) The maximum number of dogs, over the age of six (6) months, allowed in a Residential Dog Kennel is based upon the following residential property acreage:

Less than 4 acres	4 dogs
4 acres or more and less than 6 acres	6 dogs
6 acres or more and less than 8 acres	8 dogs
8 acres or more	10 dogs

- (c) All dogs kept in a Residential Dog Kennel require up-to-date rabies vaccinations.
- (d) All dogs in a Residential Dog Kennel allowed out of doors must be contained on the permittee's property by a security fence, an electronic or "invisible fence," a tether, a leash, or under supervision and voice control.
- (e) Dogs kept out of doors unattended for six or more hours shall be provided adequate shelter, which keeps the dog dry, allows the dog to retain body heat, and is large enough to stand, turn freely, and lie down in a natural position.
- (f) Dog houses, cages, tethers, runs, or other out of doors containment areas shall be kept a minimum of seventy-five (75) feet from all property lines.
- (g) Dog houses, cages, tethers, runs, or other out of doors containment areas may be allowed between the street and the Pprincipal Bbuilding, only when there is fencing, landscaping, or natural vegetation which provides at least eighty (80) percent screening of the out of doors containment areas year round.
- (h) Dog houses or pens that are enclosed within a Pprincipal Bbuilding or authorized Aaccessory Bbuilding shall meet the setback required for the Pprincipal Bbuilding or Aaccessory Bbuilding.
- (i) Dog houses, cages, tethers, runs, or other out of doors containment areas shall be screened from any existing adjacent residence within one hundred fifty (150) feet. Adequate screening shall mean a privacy fence or landscaping sufficient to prevent views from neighboring residences to out of doors dog containment areas.
- (j) Dogs shall have access to clean water at all times.
- (k) Dogs shall be fed nutritious foods on a daily basis.
- (l) Feeding times may be regulated in the Residential Dog Kennel permit.
- (m) Food and water supplies and containers shall be kept in sanitary conditions.
- (n) Dog food shall be kept in locations and containers sufficient to prevent vermin infestation.
- (o) All dogs, including those under the age of six (6) months shall be kept in safe conditions and treated in a manner promoting the dogs' health and comfort.
- (p) Dog excrement shall be removed and disposed properly from out of doors containment areas on a regular basis to prevent odor and infestation.
- (q) Commercial Breeders shall keep and provide for dogs in a manner consistent with the Minnesota Department of Agriculture's "Best Management Practices for Care of Dogs and Cats by Dealers, Commercial Breeders, and Brokers," pursuant to 1994 Minnesota Laws, Chapter 642, Section 8, as may be amended from time to time.
- (r) All other applicable requirements and provisions for animal control, as described in Chapter 4 of the City Code, shall be met.
- (s) Dogs shall not be allowed to habitually bark and cause a public nuisance, as described in Chapter 5 of the City Code.
- (t) Dogs shall be kept in compliance with all other federal, state and local laws, rules, regulations, guidelines, and ordinances.
- (u) Permittees shall allow City personnel and its agents access to the kennel facilities at any time, upon reasonable notice, to inspect the facilities.

2. **Dog Kennel Permit.** Residential Dog Kennels in the Rural Residential District are permitted according to the following procedures and criteria:
- (a) Dog Kennels are permitted under the Interim Use Permit procedures prescribed in ~~Sections 7A-530 through 7A-532 of the Columbus City Code.~~
 - (b) Applications for a Dog Kennel Permit shall include written and graphic information sufficient to address the performance standards for a Residential Dog Kennel.
 - (c) Applications for a Dog Kennel Permit shall include a written description of measures proposed for animal safety during emergencies that occur when the facility is unattended.
 - (d) Issuance of a Dog Kennel Interim Use Permit is not a substitute for or intended to replace other applicable requirements for permits, licenses or regulations by federal, state, or other units of government.
 - (e) Dog Kennel Interim Use Permits are valid for a maximum of ten years, subject to administrative annual review and a 5-year, mid-term administrative review. Annual reviews shall include, but may not be limited to, the determination of the number and identification of dogs in the kennel and verification of up-to-date rabies vaccinations for all dogs. The 5-year, mid-term review shall include the determination that the kennel has operated in compliance with the conditions established for the kennel and that no substantiated complaint has been registered against the kennel. Failure to make such an administrative determination shall be grounds for permit revocation.
 - (f) The permittee shall complete the annual permit review requirements established by the City.
 - (g) Failure of the permittee to complete the annual review requirements within the timeframe required shall be grounds for permit revocation.
 - (h) Kennel operators with prior licenses for dog kennels at the time of this Ordinance shall prepare a Compliance Plan, if the number of dogs allowed under prior licensing exceeds the number of dogs allowed in Section 7A-809 subdivision A. 1. (b). The Compliance Plan shall include the number and adequate identification of all existing dogs and commit to the eventual compliance with the maximum number of dogs allowed on the property through natural attrition of the dogs. The Compliance Plan will be a part of the Dog Kennel Interim Use Permit.
 - (i) Dog Kennel Interim Use Permit fees are intended to cover the City's costs in administering kennel permitting, including at least one on-site inspection.
 - (j) The costs of additional inspections and remedial actions required as a result of prior inspection follow-ups or resulting from complaints about the facility shall be borne by the permittee.
 - (k) Upon expiration of a Dog Kennel Interim Use Permit, a permittee may reapply for an Interim Use Permit according to the procedures prescribed in ~~Sections 7A-530 through 7A-532 of this City Code.~~
 - (l) Violations of the conditions of the Dog Kennel Interim Use Permit shall be grounds for permit revocation.
- B. ~~Suburban Residential District. Dog Kennel Permits are not allowed in the Suburban Residential District.~~
- CB. **Horse Racing District.** Dog Kennel Permits are not allowed in the Horse Racing District.

DC. Mixed Use Medium Density District, Mixed Use High Density District Community Retail-Commercial District, General Commercial District, Highway Commercial/Showroom District, General Business District, Light Industrial District and Commercial/Industrial District. The mixed use, commercial and industrial zoning districts in the City include varying provisions for veterinary clinics, animal hospitals and boarding facilities. Such uses may allow dog boarding facilities ~~by right~~, by Conditional Use Permit or by Interim Use Permit. The acreage requirements for commercial boarding facilities are determined by the minimum lot size in each district. Dog Kennels that are associated with owner occupied legal nonconforming residences in any commercial or industrial zoning district shall follow the regulations and permitting requirements ~~in Section 7A-809 subdivision A for the Rural Residential District.~~

1. **Commercial Dog Kennel.** A Commercial Dog Kennel Permit is required for the boarding, breeding, training, and grooming of dogs for a fee in any commercial or industrial district that allows the boarding, breeding, training, or grooming of dogs. Boarding shall include temporary day time care of dogs and overnight care of dogs. A Commercial Dog Kennel Permit is not required for the overnight care of dogs or other domestic animals treated in a veterinary clinic or animal hospital. Performance standards for a Commercial Dog Kennel Permit include:
 - (a) A Commercial Dog Kennel is permitted under procedures prescribed in subsection 2. below.
 - (b) All dogs kept in a Commercial Dog Kennel require up-to-date- rabies vaccinations.
 - (c) The minimum acreage for a Commercial Dog Kennel is determined by the minimum acreage requirements in the underlying zoning district.
 - (d) All boarding pens shall be contained within the principal structure.
 - (e) No more than sixty (60) dogs shall be allowed for overnight boarding in a Commercial Dog Kennel and no more than sixty (60) dogs shall be allowed for temporary day time care. The actual number of dogs allowed shall be based upon the capacity of the principal structure to contain boarding pens, indoor exercise or training areas, grooming areas, and feeding areas.
 - (f) Out of doors exercise areas must be enclosed by security fencing.
 - (g) Dogs in a Commercial Dog Kennel shall only be allowed out of doors under employee supervision, unless otherwise specified in the Commercial Dog Kennel Permit.
 - (h) The city may require screening for out of doors containment areas. Adequate screening shall mean a privacy fence or landscaping or combination thereof.
 - (i) Applicants for a Commercial Dog Kennel Permit shall describe measures for animal safety during emergencies that occur when the facility is unattended.
 - (j) Dogs shall have access to clean water at all times.
 - (k) Dogs shall be fed nutritious foods on a daily basis.
 - (l) Feeding times may be regulated in the Dog Kennel Permit.
 - (m) Food and water supplies and containers shall be kept in sanitary conditions.
 - (n) Dog food shall be kept in locations and containers sufficient to prevent vermin infestation.

- (o) All dogs, including those under the age of six (6) months, shall be kept in safe conditions and treated in a manner promoting the dogs' health and comfort.
- (p) Dog excrement shall be removed from indoor and out of doors containment areas on a daily basis. Excrement shall be disposed of in a manner consistent with approved solid waste disposal or by other manner approved by the City.
- (q) Dogs shall be kept and provided for in a manner consistent with the Minnesota Department of Agriculture's "Best Management Practices for Care of Dogs and Cats by Dealers, Commercial Breeders, and Brokers," pursuant to 1994 Minnesota Laws, Chapter 642, Section 8, as may be amended from time to time.
- (r) All other applicable requirements and provisions for animal control, as described in Chapter 4 of the city Code, shall be met.
- (s) Dogs shall not be allowed to habitually bark and cause a public nuisance, as described in Chapter 5 of the City Code.
- (t) Kennels shall be operated in compliance with all other federal, state, and local laws, rules, regulations, guidelines, and ordinances.
- (u) Permittees shall allow City personnel and its agents access to the kennel facilities at any time, upon reasonable notice, to inspect the facilities.

2. **Dog Kennel Permit.** Commercial Dog Kennels in the [Mixed Use Medium Density District](#), [Mixed Use High Density District](#), [Community Retail Commercial District](#), [General Commercial/Showroom District](#), [Highway Commercial District](#), [General Business District](#), Light Industrial District and Commercial/Industrial District are permitted according to the following procedures and criteria:

- (a) Commercial boarding facilities allowed as a conditional use in any of the commercial and industrial zoning districts shall follow the Conditional Use Permit procedures prescribed in [Section 7A-540 through 7A-547](#) of the [Columbus](#) City Code.
- (b) Commercial boarding facilities allowed as an interim use in any of the commercial and industrial zoning districts shall follow the Interim Use Permit procedures prescribed in [Section 7A-530 through 7A-532](#) of the [Columbus](#) City Code.
- (c) Applications for a Dog Kennel Permit shall include written and graphic information sufficient to address the performance standards for a Commercial Kennel.
- (d) Applications for a Dog Kennel Permit shall include a written description of measures proposed for animal safety during emergencies that occur when the facility is unattended.
- (e) Issuance of a Dog Kennel Permit is not a substitute for or intended to replace other applicable requirements for permits, licenses or regulations by federal, state, or other units of government.
- (f) Applicants shall reimburse the City for all out of pocket costs associated with the issuance of the Dog Kennel Permit, facility inspections, and enforcement of the Dog Kennel Permit.

SECTION 7A-810. EXPANSION OF EXISTING ANTENNAE TOWERS. The limited expansion of [Broadcast Towers](#), ~~as defined in Section 7A-201(A) of this Code,~~ and supporting

~~A~~antenna~~(e)~~, as defined in ~~Section 7A-201(A) of this~~ City Code, may be allowed in the Rural Residential District pursuant to an Interim Use Permit, subject to the following conditions:

- A. The ~~B~~broadcast ~~T~~tower shall be located on a ~~L~~lot of no less than five (5) acres.
- B. Total height of the ~~B~~broadcast ~~T~~tower after expansion, including all attachments and antennae, shall be no greater than five hundred (500) feet.
- C. The ~~B~~broadcast ~~T~~tower shall have been constructed on its current Lot prior to August 1, 2000.
- D. The Interim Use Permit shall be valid for the term of the permit or until the ~~B~~broadcast ~~T~~tower is no longer used for the purpose of broadcasting, transmitting, receiving or relaying radio frequency or telecommunications signals for a period of one (1) year.
- ~~E. The provisions of Section 7A-818 of this City Code shall apply, except where superseded by more restrictive provisions of this Section. A Conditional Use Permit shall not be necessary if an Interim Use Permit is obtained.~~
- F. All Federal, State, and local permits and approvals shall be obtained prior to granting the Interim Use Permit, and all conditions of such permits or approvals shall be conditions of the Interim Use Permit. Any violation of Federal, State, or local regulations shall be grounds for revocation of the Interim Use Permit.
- G. Expansion of ~~A~~ccessory ~~B~~uildings or other structures, including fences, shall be prohibited unless necessary to accommodate the ~~B~~broadcast ~~T~~tower expansion.
- H. Outdoor storage of equipment or vehicles used in the maintenance or operation of the ~~B~~broadcast ~~T~~tower shall be prohibited.
- I. Fences and ~~S~~tructures used in the maintenance or operation of the ~~B~~broadcast ~~T~~tower shall be adequately screened by vegetation.
- J. Broadcast ~~T~~tower Interim Use Permits shall specify all materials or chemicals used on the ~~L~~lot which are hazardous, controlled, or may pose a threat to residents of the City. It shall be a violation of the ~~P~~ermit conditions, and grounds for permit revocation to use, store, or possess any such materials on the ~~L~~lot not specified on the ~~P~~ermit.
- K. For any ~~B~~broadcast ~~T~~tower granted an Interim Use Permit under this section, portions of the ~~B~~broadcast ~~T~~tower above the highest broadcasting, transmitting, receiving, or relaying apparatus shall be removed within one hundred eighty (180) days.

SECTION 7A-811. (RESERVED FOR FUTURE USE). PRIVATE STREETS ALLOWED. Private streets are allowed when approved as part of a subdivision development in all applicable Zoning Districts. Private streets may be approved only after all owners of benefited properties of the private street enter into an agreement with the City, including but not limited to the following minimum provisions:

- A. Granting approval of a right-of-way easement over the street to the public or to benefited property owners, as determined by the City Attorney.
- B. Granting approval of public utility and/or trail easements over the street as determined by the City Engineer.
- C. Recording the agreement on the title of the benefited properties.
- D. Agreement to obtain a permit from the City for construction of private improvements according to City standards.
- E. Agreement providing for the costs of construction and maintenance of the private street by the benefited property owners.

[§ 7A-811, formerly 7A-810 amended (renumbered) by Ord. No. 04-04A, effective June 3, 2004, amended by Ord. No. 08-03, effective April 17, 2008.]

SECTION 7A-812. OFF-STREET PARKING AND MANEUVERING. Specific parking requirements may be included within individual zoning district standards. If there is a conflict with differing parking standards anywhere in this Ordinance, the stricter provisions shall apply.

The following minimum areas shall be provided and maintained by ownership, Easement or lease, for and during the life of the respective uses hereinafter set forth. The maneuvering areas, access aisles, ~~D~~driveways and parking spaces shall be no closer than twenty (20) feet from the front property line or ~~five-ten (510)~~ feet to the side and rear property lines. No parking shall occupy public easement areas. Parking spaces shall be a minimum of ten (10) feet by twenty (20) feet in area and served by a twenty-four (24) foot-wide aisle or ~~D~~driveway. One-way parking aisles may be narrower, subject to site plan review and approval by the City Council.

Access drives and required parking areas for all businesses, ~~attached~~ residential dwellings with public sewer and water, churches, and schools shall be surfaced with bituminous or concrete. Approved business storage and maneuvering areas, and single family dwelling residential ~~D~~driveways in the Rural Residential District, may be constructed with all-weather aggregate materials. Authorized drive-through facilities, such as restaurant and drug store drive-up windows and car washes, shall have a minimum stacking area for five (5) vehicles at each window or bay, which does not eliminate or encumber any required parking spaces.

The general minimum parking requirements, except where specifically listed below, shall be one (1) parking space for each employee plus one (1) parking space for each two (2) invitees or one (1) parking space for each two hundred ~~fifty (2500)~~ square feet of Gross Floor Area of retail space, or one (1) parking space for each two thousand (2000) square feet of Gross Floor Area of warehouse space, whichever produces the higher number of parking spaces. The Planning Commission may recommend and the City Council may ~~reduce~~ modify parking requirements or ~~modify~~ establish parking standards, based upon findings that confirm a different number or configuration of parking spaces are adequate to serve a proposed use or if the use is not listed within these provisions.

The Planning Commission may recommend and the City Council may reduce parking requirements for uses requiring a Conditional or Interim Use Permit, based upon findings that there is “proof of parking area” availability on the property that could be improved for additional parking in the future and that the City can require such additional parking when it makes findings that additional parking is needed.

~~A. Auto Sales, Auto Leasing, Lumber Yards, and Open Sales Lots. One (1) parking space for each two thousand (2,000) square feet of land up to the first eight thousand (8,000) square feet, plus one (1) parking space for each four thousand (4,000) square feet of land more than the first eight thousand (8,000) square feet and up to twenty four thousand (24,000) square feet, plus one (1) parking space for each six thousand (6,000) square feet thereafter.~~

~~BA. Auto, Repair, Boat and Marine, and RV Sales and/or Service, Garden Stores, Carpenter Shops. Four (4) parking spaces plus one (1) for each five hundred (500) square feet of floor area over the first one thousand (1,000) square feet. One (1) parking space for each two hundred (200) square feet of retail, office and showroom space, plus one (1) parking space for each five hundred (500) square feet of storage and service area.~~

~~CB. Bowling Alleys. At least ~~f~~five (5) parking spaces for each bowling lane, plus additional spaces as may be required ~~herein~~ for related uses contained within the principal structure such as a restaurant.~~

~~DC. Car Wash.~~

- ~~1. Automobile drive through services. A minimum of ~~t~~ten (10) spaces, ~~or plus~~ one (1) space for each employee on the maximum shift, ~~whichever is greater.~~~~
- ~~2. Self-Service. A minimum of ~~two~~ Five (25) parking spaces per stall.~~

~~E. Churches and Clubs. At least one (1) parking space for each two and one-half (2 1/2) seats based on the design capacity of the main assembly hall.~~

FD. Day Care Facilities and Pre-Schools. One (1) space for each employee on the largest shift, plus one (1) space for every three (3) children or students attending during peak attendance.

~~G. Drive-In Food Establishments. At least one (1) parking space for each fifteen (15) square feet of Gross Floor Area in the Building allocated to drive-in operation.~~

HE. Financial Institutions, Offices, Municipal Buildings, and/or Public Office Buildings. ~~At least one~~ (1) parking space for each two hundred (200) square feet of ~~Gross Floor Area.~~

IE. Funeral Homes. ~~At least twenty~~ (20) parking spaces for each chapel or parlor, plus one (1) parking space for each funeral vehicle maintained on the premises. Aisle space shall also be provided off street for making up a funeral procession.

JG. Furniture Stores and Appliance Stores. ~~At least one~~ (1) parking space for each four hundred (400) square feet of ~~Gross Floor Area.~~

KH. Golf Courses. Five (5) parking spaces for each hole on the golf course plus requisite parking for restaurants and banquet facilities.

LI. Hospitals. ~~At least two~~ (2) parking spaces for each patient bed.

MJ. Hotels, and Motels, Tourist Homes, Motor Homes. ~~At least one~~ (1) space for each ~~Dwelling Unit or lodging~~ room plus one (1) additional space for each ~~four (4) units employee on the maximum shift.~~ In addition, spaces as may Separate parking shall be required be required ~~herein~~ for accessory ~~R~~estaurants, ~~B~~ars, ~~T~~averns, ~~Dance Halls,~~ or ~~Banquet H~~alls.

NK. Manufacturing, Fabricating, or Processing of a Product or Material. ~~Four (4) Off Street Parking Spaces plus one~~ (1) parking space for each ~~four hundred (400) square feet of floor area employee on the largest shift,~~ and one (1) space for each company owned truck that is not stored inside ~~the principal~~ building and guest parking as may be necessary for the business.

OL. Medical or Dental Clinics, Small Animal Hospitals. ~~At least three~~ One (3) parking spaces for each ~~staff doctor or dentist employee or~~ and one two (12) spaces for each ~~one hundred fifty (150) square feet of Gross Floor Area, whichever is greater patient room or station.~~

PM. Motor Fuel and/or Service Stations. ~~At least four~~ One (4) ~~Off Street Parking Spaces~~ per employee plus ~~two four (24) Off Street Parking Spaces~~ for each service stall. Those facilities designed ~~for sale of other items than strictly automotive products, parts or service with retail sales~~ shall be required to provide additional parking in compliance with other applicable sections of this Ordinance.

N. Offices. One (1) parking space for each two hundred (200) square feet of gross floor area.

QO. Public Facilities, Public Utilities, Police and Fire Public Safety Facilities. One (1) space per employee on maximum shift, plus one (1) space per utility vehicle or official vehicle.

RP. Retail Stores, Photography Studios, or Service Shops. ~~At least eight (8) spaces or one (1) Off Street Parking Space~~ for each two hundred (200) square feet of floor area for public sales ~~or service~~ plus one (1) space for each five hundred (500) square feet of service or storage area.

Q. Religious Institutions. One (1) parking space for each three (3) seats in the largest assembly.

SR. Theaters and Other Cultural and Entertainment Facilities. ~~At least one~~ (1) parking space for each three (3) Sseats of design capacity.

TS. Restaurants, Cafes, Bars, Taverns, and Night Clubs. ~~At least one (1) space for each three (3) seats based on capacity design, or where there is no design layout, one (1) space for each thirty five (35) square feet of Gross Floor Area.~~

UT. Sanitariums, Convalescent Homes, Rest Homes, Nursing Homes, Convalescent Homes, or Institutions. ~~At least one (1) parking space for each six (6) beds for which accommodations are offered, plus one (1) additional parking space for each fifteen (15) beds per employee on the maximum shift.~~

VU. Shopping Centers. Five ~~and one-half (5-1/2)~~ spaces per each one thousand (1,000) square feet of gross leasable floor area (exclusive of common areas).

WV. Schools (Elementary and Junior High Middle School). ~~At least one Two (2) parking spaces for each classroom plus one (1) additional space for each one hundred (100) student capacity employee. Sports facilities will require additional parking.~~

XW. Schools (High School through College). ~~At least one (1) parking space for each ten (10) students based on design capacity, plus one two (2) additional spaces for each two (2) classrooms. Sports facilities will require additional parking.~~

YX. Skating Rinks, Dance Halls, Miniature Golf, Private Clubs, Ice Arenas. Ten (10) parking spaces plus one (1) additional space for each two hundred (200) square feet of floor area devoted to the ~~Principal-principal Useuse.~~

Z. Slaughterhouses. ~~One (1) parking space for each employee, plus either one (1) parking space for each two (2) invitees/customers at maximum occupancy or one (1) parking space for each thirty five (35) square feet of area accessible to customers, whichever produces the higher number of parking spaces.~~

AA Y. Stadiums, Ballfields, and Other Sports Facilities. ~~At least one (1) parking space for each four (4) Seats of design capacity.~~

BB Z. Warehouse, Storage, Handling of Bulk Goods. The space which is solely used as office shall comply with office use requirements ~~along with at least~~ plus one (1) space for each 2,000 square feet of Gross Floor Area plus one (1) space for each employee on maximum shift and one (1) space for each company owned truck if not stored in the principal building.

SECTION 7A-813. MISCELLANEOUS BUSINESS, - RESIDENTIAL, AND INSTITUTIONAL USE PERFORMANCE STANDARDS. All commercial uses, industrial uses, churches, schools, and attached residential uses shall meet the following additional minimum standards.

A. **Landscaping.** The landscaping performance standards for all uses ~~are~~ prescribed in ~~Section 7A-820 of~~ this Code.

B. **Lighting.** All newly installed, repaired, or replaced outdoor lighting fixtures shall include cutoff luminaires and shall be directed away from residential property and public streets in such a way that residential structures shall be shielded from direct rays of light and so as not to exceed an intensity of illumination greater than one (1) foot-candle (one lumen per square foot) measured at the residential property line.

C. **Refuse and Litter.** All refuse must be stored in a building, a trash transport (dumpster) or in covered cans. The storage area shall be enclosed on all four sides by screening, compatible with the exterior of the building, not less than two feet higher than the refuse container.

D. **Restaurants, Cafes, and Drive-in Food Establishments.** Restaurants, cafes, and drive-in food establishments shall regularly inspect their premises from lot line to lot line, adjacent street, sidewalks and alleys within one hundred (100) feet of the Lot and remove any litter found thereon. Upon failure of any food establishment to comply with the requirements of this section, after seven days written notice to the facility, costs of cleanup shall be assessed against the facility which is the source of the litter.

E. **Speaker Boxes.** Speaker boxes used in connection with drive-in food establishments or other businesses shall not be audible on any adjacent property.

F. **Outdoor Display.** Outdoor displays of finished products for direct retail sale are ~~limited to certain regulated within in each specific zoning districts, and are~~ generally ~~regulated~~ through the Conditional Use Permit or Interim Use Permit procedure. All outdoor displays of finished products for direct retail sale are accessory to the principal use. The following exceptions apply:

1. ~~Outdoor displays of finished products for direct retail sale, not exceeding seventy two (72) consecutive hours in the CR Community Retail and C/S Commercial Showroom districts are allowed in any district during regular business hours, but must be removed after each business day closing.~~ Such outdoor displays shall be limited to areas adjacent to storefronts, shall not occupy parking stalls or driveways, and shall not ~~occupy more than fifty percent (50%) of the~~ ~~inhibit wheelchair accessibility on any sidewalk width.~~

2. ~~Outdoor displays of finished products for direct retail sale at gasoline sales/convenience stores are allowed adjacent to pump islands and storefronts, provided such displays shall not occupy parking stalls or driveways, and shall not occupy more than fifty percent (50%) of the~~ ~~inhibit wheelchair accessibility on any sidewalk width.~~

3. ~~Outdoor displays of finished products for direct retail sale for permitted uses in the LI Light Industrial and C/I Commercial/Industrial districts, provided such displays shall be located at least twenty (20) feet from the front property line and at least ten (10) feet from the side or rear property lines. Such outdoor displays shall not occupy parking stalls or driveways and shall not occupy more than fifth percent (50%) of the sidewalk width.~~

4. ~~Outdoor displays of finished products for direct retail sale for other permitted uses in commercial zoning districts will be evaluated in the site plan review process and may require screening from adjacent land uses and public roadways.~~

~~5.3.~~ No outdoor displays shall be located in areas that interfere with site lines necessary for safe vehicular movement on public roads or site access drives.

G. **Outdoor Storage.** Outdoor storage of business supplies, materials, vehicles, and equipment are ~~limited to certain regulated within each specific zoning districts, and are~~ generally ~~regulated~~ through the Conditional Use Permit or Interim Use Permit procedure. Outdoor storage areas are limited to side yard and rear yard locations and may require screening from public roadways and adjacent properties. No outdoor storage shall be located in areas that interfere with site liens necessary for safe vehicular movement on public roads or site access drives.

SECTION 7A-814. GENERAL PERFORMANCE STANDARDS FOR ALL LAND USES.

A. **Noise.** Noise shall not exceed the standards promulgated by the Minnesota Pollution Control Agency.

B. **Smoke and Particulate Matter.** Smoke and particulate matter emissions shall not exceed the standards promulgated by the Minnesota Pollution Control Agency.

C. **Toxic or Noxious Matter.** Toxic or noxious matter emitted from, or present at the site of, any use shall not exceed the standards promulgated by the Minnesota Pollution Control Agency.

D. **Odor.** The emission of odorous matter in such quantity as to be readily detectable at any point along Lot lines, and as to produce a public nuisance or hazard beyond Lot lines is prohibited.

- E. **Fire and Explosion Hazard.** Fire and explosion hazards present at the site of, or emitted from any use shall comply with the Minnesota State Fire Code.
- F. **Vibration.** No industrial operation or activity (except those not under the direct control of the manufacturer) shall cause at any time ground transmitted vibrations in excess of the limits applicable to construction vibration in the Uniform Building Code (1997).
- G. **Glare or Heat.** Any operation producing intense glare or heat shall be performed within a completely enclosed Building in such manner as not to create a public nuisance or hazard along Lot lines.
- H. **Additional Performance Standards for Research Activities.** All research, testing and development shall be carried on within entirely enclosed Buildings, and no noise, smoke, glare, vibration, or odor shall be detected outside of said Building.

SECTION 7A-815. FEEDLOT PERFORMANCE STANDARDS.

- A. **Findings.** The City Council finds that:
 - 1. The state of Minnesota requires environmental review by the Minnesota Pollution Control Agency of Feedlots having more than one thousand (1,000) animal units or more than five hundred (500) animal units in shoreland or floodplain areas, as provided under Minn. Rules § 4410.4300, subpart 29a and 29b, as amended;
 - 2. The City's soils are vulnerable to rapid contamination and spread of pollutants through groundwater; the City's dominant geographical characteristics are wetland and open water; and the City has a relatively high water table and is topographically level, so that there are very few large tracts where the water table is well below the soil surface;
 - 3. Public wildlife space and public waters are a dominant land use; these uses and the wildlife they support contribute significantly to the City's identity and quality of life;
 - 4. The City is, and will continue to be, subject to pressure to urbanize through residential and commercial development;
 - 5. Feedlots and other large-scale agriculture have historically not been an integral part of the City's economy;
 - 6. Odor is a natural and unavoidable by-product of Feedlots, which has a potential for negative effects on the City's residents and businesses, and which has the potential to negatively impact the City's plans for land use and development;
 - 7. The City is authorized to adopt land use controls to encourage and regulate the development of property, to mitigate potentially harmful effects on residents and businesses, to protect the public interest, and to promote the health, safety, and welfare of the community;
 - 8. Because state law treats Feedlots differently from other similar uses of land, it is appropriate and desirable to regulate the use of land by Feedlots separately from other land uses that may be sources of odor.
- B. **Feedlot Conditional Use Permit Administration.** The Building Inspector shall administer the City Feedlot permit program, including the following duties and powers:
 - 1. Receive and forward applications for State-administered certificates of compliance and permits together with City recommendations and City-imposed conditions to the Minnesota Pollution Control Agency;
 - 2. Oversee the inspection of Feedlot operations to ensure compliance with the standards of this Ordinance;

3. Consult with County departments, State and Federal agencies, and private consultants as needed to discharge these duties.

C. ~~Feedlot~~ **Conditional Use Permits Required.** A Conditional Use Permit ~~for a Feedlot shall be required shall be called a Conditional Feedlot Permit.~~ ~~for Any~~ person owning or operating a proposed or existing animal ~~F~~feedlot having ninety-nine (99) or more animal units ~~shall apply to the City for a Conditional Feedlot Permit~~ if:

1. A new ~~F~~feedlot is proposed; or
2. A change in operation of an existing ~~F~~feedlot is proposed; a change in operation includes:
 - (a) An increase beyond the permitted maximum number of animal units. The total number of animal units within a ~~F~~feedlot shall be based upon the animal numbers currently within the Feedlot plus the animal numbers that will be added through expansion; or
 - (b) An increase in the number of animal units which are confined at an unpermitted ~~F~~feedlot; or
 - (c) A change in the construction or operation of a ~~F~~feedlot that would affect the storage, handling, utilization, or disposal of animal manure; or
3. Ownership of an existing ~~F~~feedlot changes;
 - (a) A change in title to animals, animal buildings, or land constitutes a change in ownership; or
 - (b) Lessees operating on leased land shall be considered owners; or
4. A National Pollutant Discharge Elimination System (NPDES) permit application is required under state or federal rules and regulations; or
5. An inspection by MPCA staff or the City determines that the Feedlot creates or maintains a potential pollution hazard; or
6. A permit is required by the MPCA for land application of manure.

D. **Permit Application.** A permit application shall include the following:

1. Owner's and operator's name and address;
2. Proposed location of the ~~F~~feedlot including quarter section, range, and city;
3. Animal types and maximum number of animals of each type which will be confined at the Feedlot;
4. A sketch clearly indicating the dimensions of the ~~F~~feedlot and showing all existing homes, buildings, existing manure storage areas and/or structures, lakes, ponds, water courses, wetlands, dry-runs, rock outcroppings, roads, private sewer systems, and wells within one thousand five hundred (1,500) feet of the proposed ~~F~~feedlot;
5. Descriptions of the geological conditions, soil types, groundwater elevations, topography, and drainage pattern of the site and surrounding area;
6. Plans for buildings and structures as required by this Ordinance or other County and State ordinances and regulations.
7. A Manure Utilization Plan including:
 - (a) Manure handling and application techniques;
 - (b) Acreage available for manure application;
 - (c) Run-off potential;
 - (d) Plans for proposed manure storage or pollution abatement structures;
 - (e) Plans for the proper disposal of dead livestock;
8. Leases or agreements allowing the applicant to dispose of manure on land other than his own.

~~E. Conditional Feedlot Permit Hearings. When a Conditional Feedlot Permit is required pursuant to this Ordinance, application and proceeding for the Permit shall be according to Section 7A 560 of this Code, and with the following additional requirements:~~

~~1. Notice to nearby local governments. Written notice of the time, place and purpose of any public hearing shall be given to the legislative body of any town, city, or county within two miles of the affected property, and the Commissioner of Natural Resources if the affected property is within the Flood Plain or Shoreland District or a Wetland Zone.~~

~~2. A conditional Feedlot Permit shall not be issued unless the City Council finds that adequate measures will be taken to prevent and control odor, fumes, dust, noise, lights, vibration, and other potential aesthetic impacts, so that none of these will constitute a nuisance or disturbance.~~

FE. Feedlot ~~a~~Creage and ~~s~~Setback ~~r~~Requirements.

1. **Minimum ~~A~~area.** A minimum area of twenty (20) acres or such greater area required to meet all setbacks set forth by the City ~~of Columbus Zoning and Ordinance~~Code shall be required for ~~F~~feedlot operations.

2. **Additional ~~L~~land.** The Conditional ~~Feedlot-Use~~ Permit holder shall own or have sufficient additional land under contract to meet the manure utilization requirement for spreading of manure produced in his or her ~~F~~feedlot. The City shall retain copies of all written agreements between the ~~F~~feedlot operators and lessors or any person who permits land manure application and such agreement shall be a condition of the Conditional ~~Feedlot-Use~~ Permit. Each parcel of land subject to agreement shall be limited to one agreement per parcel for a term of not less than three years.

3. **Building, ~~H~~olding ~~B~~basin, ~~L~~agoon, and ~~M~~anure ~~S~~torage ~~A~~area ~~S~~etbacks.** Livestock buildings, manure holding basins, lagoons, and manure storage areas shall be constructed, operated, and maintained so as to minimize the aesthetic, health, and odor concerns associated with neighboring properties and land uses. The following setbacks shall apply:

(a) Property Lines

- (i) Rear yard – 100 feet
- (ii) Side yard – 100 feet
- (iii) Front yard – 100 feet

(b) Neighboring Properties

(i) Residence – 1,200 feet. The modifications and/or expansion of existing animal ~~F~~feedlots located within 1,200 feet of an existing dwelling unit shall be allowed if they do not further encroach on the established setback or if a variance for the modification and/or expansion is applied for and approved.

No permits for a new dwelling unit shall be issued within 1,200 feet of an existing permitted animal ~~F~~feedlot unless the deed for the property clearly states and the owner of the property is informed via Certified Mail that the animal ~~F~~feedlot was in existence prior to the residential property and may continue to operate in accordance with the terms of ~~the City Feedlot Management~~this Ordinance.

No permits shall be issued for the construction and/or creation of a new ~~F~~feedlot that is located within 1,200 feet of an existing dwelling other than that of the ~~F~~feedlot owner.

- (ii) Commercial or ~~I~~ndustrial ~~A~~activity: 1,200 feet

- (iii) Surface ~~W~~water (Manure Storage Area): 2,400 feet
- (iv) Public ~~P~~park: 2,400 feet
- (v) Public or ~~P~~private ~~D~~rainage ~~D~~ditches: 200 feet
- (vi) Church, ~~S~~synagogue, ~~M~~mosque, or other place of worship, with regularly scheduled services: 1,200 feet.
- (vii) Cemetery: 1,200 feet
- (viii) Minimum ~~S~~standards: The standards set above are minimum standards that may be increased by the City Council during the permit issuance process due to concerns or circumstances in a specific Conditional ~~Feedlot-Use~~ Permit application.

4. **Wetland ~~S~~etback.** No new ~~F~~feedlot shall be permitted within two hundred (200) feet of a ~~W~~wetland as defined in Minnesota Rules Chapter 6120.2500.

5. **Well ~~H~~ead ~~P~~rotection Areas.** Feedlot and manure management practices may be further regulated within Well Head Protection Zones if such zones are established by the City Council.

6. **Shoreland.** New ~~F~~feedlots shall not be located within three hundred (300) feet of a watercourse or lake.

7. **Prohibited locations of ~~F~~feedlots.** No new ~~F~~feedlots shall be constructed within any 100 year floodplain.

GE. Land ~~A~~pplication of ~~M~~anure. Land application of manure, including injection or any other subsurface application, shall conform to the Minnesota Statutes and Minnesota Pollution Control Agency (MPCA) Regulations. Applications to the Minnesota Pollution Control Agency for application of manure on land in the City of Columbus or from ~~F~~feedlots in the City of Columbus, shall be submitted to the City Building Inspector. The City Building Inspector shall forward the application and comments to the MPCA. The following additional local regulations on land application of manure shall apply:

1. **Soil ~~L~~oss in ~~S~~shoreland ~~A~~reas.** Land application of manure shall not be allowed on soils within shoreland that exceed allowable soil loss as set by the National Resource Conservation Service of the USDA (NRCS) unless a conservation plan that will reduce soil loss to the allowable level is developed and is showing progress towards implementation within one (1) year of issuance of a Conditional ~~Feedlot-Use~~ Permit.

2. **Slopes ~~I~~n ~~S~~shoreland ~~A~~reas.** During the period of December 1 to March 31, manure shall not be applied to soils with a slope of greater than twelve (12) percent that are within three hundred (300) feet of a protected water.

3. **Right-of-Way.** Manure shall not be applied to the right-of-way of public roads.

4. **Lakes.** If no potential pollution hazard exists, a minimum distance of two hundred (200) feet shall be maintained between surface applications of manure and all lakes. In cases when manure is injected or immediately incorporated, the separation distance may be reduced to one hundred (100) feet.

5. **Other ~~S~~urface ~~W~~waters.** If no potential pollution hazard exists, a minimum distance of seventy-five (75) feet shall be maintained between surface applications of manure and all other surface waters of the City.

6. **Drainage ~~D~~ditches.** If no potential pollution hazard exists, a minimum distance of one (1) rod or sixteen and one-half (16.5) feet shall be maintained between surface applications of manure and drainage ditches or grassed waterways unless classified as a wetland or protected water.

7. **Private ~~W~~wells.** If no potential pollution hazard exists, a minimum distance of one hundred (100) feet shall be maintained between surface applications of manure and any private water supply well.

8. **Public ~~W~~wells.** If no potential pollution hazard exists, a minimum distance of three hundred (300) feet shall be maintained between surface application of manure and any public water supply well.

9. **Residences.** Animal manure shall not be applied within one hundred (100) feet of a residence without injecting or immediate incorporation into the soil unless permission in the form of a written agreement is granted to spread closer by the residents. When determining the distance between a residence and manure application the distance shall be measured from the property lines to manure application.

10. **Treatment or ~~D~~isposal.** Any manure not utilized as domestic fertilizer shall be treated or disposed of in accordance with applicable State rules.

11. **Irrigation of ~~L~~iquid ~~M~~anure.** The application of liquid manure by irrigation is prohibited unless a Liquid Manure Irrigation Plan for the ~~F~~eedlot has been submitted to and approved by the City Building Inspector. The Liquid Manure Irrigation Plan must contain a description of the specific irrigation process proposed, amounts and frequency of application, analysis of the nutrient content of the manure or a proposed sampling schedule for the manure, a description of the land to be used, and a description of the methods to be used to limit aesthetic and odor problems with neighbors. The Building Inspector shall provide the City Engineer with copies of Liquid Manure Irrigation Plans for review and comment before approval is given.

HG. **Manure Storage and Transportation**

1. **Compliance with ~~S~~tate and ~~L~~ocal ~~S~~tandards.** All animal manure shall be stored and transported in conformance with Minnesota Pollution Control Agency rules 7020 and this Ordinance.

2. **Potential ~~P~~ollution ~~H~~azard ~~P~~rohibited.** No manure storage area shall be constructed, located, or operated so as to create or maintain a potential pollution hazard unless a certificate of compliance or a permit has been issued by the MPCA.

3. **Vehicles, ~~S~~preaders.** All vehicles used to transport animal manure on public roads shall be leak-proof. Manure spreaders with end gates shall be in compliance with this provision provided the end gate works effectively to restrict leakage and the manure spreader is leak-proof.

4. **Utilization as ~~D~~omestic ~~F~~fertilizer.** Animal manure, where utilized as domestic fertilizer, shall not be stored for longer than one (1) year.

5. **Runoff ~~C~~ontrol ~~S~~tructures.** All manure storage areas shall have runoff control structures to contain the liquid.

6. **Storage ~~C~~apacity.** A Manure Utilization Plan specifying storage capacity adequate for the type and quantity of manure generated by the animal ~~F~~eedlot shall be developed as part of the Conditional ~~Feedlot-Use~~ Permit process.

7. **Earthen Storage Basin.** All proposed earthen storage basins shall be prepared or approved by an engineer licensed by the State of Minnesota or a qualified NRCS employee. A report from an engineer licensed by the State of Minnesota or a qualified NRCS employee verifying that the earthen storage basin was constructed according to the plan must be submitted to and approved by the Building Inspector prior to use of the basin for manure storage.

8. **Engineer Rrequired.** Any plans for manure storage structures of five hundred thousand (500,000) gallons capacity or larger shall have been prepared or approved by an engineer licensed by the State of Minnesota or a qualified NRCS employee. A report from an engineer licensed by the State of Minnesota or a qualified NRCS employee must be submitted to and approved by Building Inspector prior to use of the structure for manure storage.

9. **Steel Ttanks.** No steel tanks shall be used for underground manure storage.

IH. Violations and Enforcement.

1. **Violations.** Any person, firm or corporation who shall violate any of the provisions hereof or who shall fail to comply with any of the provisions hereof or who shall make any false statement in any document required to be submitted under the provisions hereof, shall be guilty of a misdemeanor. Each day that a violation continues shall constitute a separate offense.

2. **Enforcement.**

(a) **Stop Work Orders.** Whenever any work is being done contrary to the provisions of this Ordinance, the Building Inspector or City Council may order the work stopped by written notice personally served upon the owner or operator of the Ffeedlot. All activities shall cease and desist until subsequent authorization to proceed is received from the Building Inspector.

(b) **Revocation.** Any person who fails to comply with the conditions set forth on the permit may be subject to revocation upon written notice personally served upon the permittee.

(c) **Interference Prohibited.** No person shall hinder or otherwise interfere with the Building Inspector in the performance of duties and responsibilities required pursuant to this Ordinance.

(d) **Access to Ppremises.** Upon the request of the Building Inspector and after reasonable notice, the applicant, permittee or any other person shall allow access at any reasonable time to the affected premises for the purposes of regulating and enforcing this Ordinance. Refusal to allow such reasonable access shall be deemed a separate and distinct offense, whether or not any other specific violations are cited.

(e) **Injunctive Rrelief and Oother Rremedies.** In the event of a violation of this Ordinance, the City Council may institute appropriate actions or proceedings, including requesting injunctive relief, to prevent, restrain, correct or abate such violations. All costs incurred for corrective action may be recovered by the City in a civil action in any court of competent jurisdiction or, at the discretion of the City, the costs may be certified as a special tax against the real property. These and other remedies, as determined appropriate by the City, may be imposed upon the applicant, permittee, installer, or other responsible person either in addition to or separate from other enforcement actions.

(f) **Abandonment.** Owners and operators of Ffeedlots shall have joint and severable liability for clean-up, closure or remediation of abandoned Ffeedlot sites.

SECTION 7A-816. PERFORMANCE STANDARDS FOR THE LOCATION, CONSTRUCTION AND USE OF COMMUNICATIONS TOWERS AND ANTENNA.

A. **Purpose.** In order to accommodate the communication needs of residents and business while protecting the public health, safety, and general welfare of the community, the City Council finds that these regulations are necessary in order to:

1. Facilitate the provision of wireless telecommunication services to the residents and businesses of the City;
2. Minimize adverse visual effects of towers through careful design and siting standards;
3. Avoid potential damage to adjacent properties from tower failure through structural standards and setback requirements; and
4. Maximize the use of existing and approved towers and buildings to accommodate new wireless telecommunication antennae in order to reduce the number of towers needed to serve the community.

B. **Interim Use Permit Required.** It shall be unlawful for any person, firm, or corporation to erect, construct in place, place or re-erect, or replace any tower without first making application to the City and securing an interim use permit therefore as hereinafter provided. The applicant shall provide at the time of application sufficient information to indicate that construction, installation, and maintenance of the antenna and tower will not create a safety hazard or damage to the property of other persons. Routine maintenance of towers and related structures shall not require the issuance of an interim use permit.

C. **Co-Location Requirements.** All commercial wireless telecommunication towers erected, constructed, or located within the City shall comply with the following requirements:

1. A proposal for a new commercial wireless telecommunication service tower shall not be approved unless it can be documented by the applicant that the telecommunications equipment planned for the proposed tower cannot be accommodated on an existing or approved tower or building within a one-half (1/2) mile search radius of the proposed tower due to one or more of the following reasons:

(a) The planned equipment would exceed the structural capacity of the existing or approved tower or building, as documented by a qualified professional engineer licensed by the state of Minnesota, and the existing or approved tower cannot be reinforced, modified, or replaced to accommodate planned or equivalent equipment at cost less than one hundred twenty-five percent (125%) of the cost of a new tower.

(b) The planned equipment would cause interference materially impacting the usability of other existing or planned equipment at the tower or building as documented by a qualified electrical engineer licensed by the state of Minnesota and the interference cannot be prevented at a reasonable cost.

(c) Existing or approved towers and buildings within the search radius cannot accommodate the planned equipment at a height necessary to function reasonably as documented by a qualified professional engineer licensed by the state of Minnesota.

(d) Other reasons affecting technical performance, system coverage, and system capacity which make it impractical to place or locate the planned telecommunications equipment upon an existing or approved tower or building as determined by the City Council during its review of an application for approval of an interim use permit.

2. Any proposed commercial wireless telecommunication service tower shall be designed, structurally, electrically, and in all respects, to accommodate

both the applicant's antennae and comparable antennae for at least one additional user. Towers must be designed to allow for future rearrangement of antennae upon the tower and to accept antennae mounted at varying heights.

D. **Tower and Antenna Design Requirements.** Proposed or modified towers and antennae shall meet the following design requirements:

1. Towers and antennae shall be designed to blend into the surrounding environment to the maximum extent possible through the use of color and camouflaging architectural treatment, except in instances where the color is dictated by federal or state authorities such as the Federal Aviation Administration.

2. Commercial wireless telecommunication service towers shall be of a monopole design unless determined that an alternative design would better blend into the surrounding environment.

E. **Tower Setbacks.** Towers shall conform with each of the following minimum setback requirements:

1. At a minimum, towers shall meet the setbacks of the underlying zoning district provided the setback is consistent with the requirements in subsection 3(b) below.

2. Towers shall be set back from any property line a minimum distance equal to the height of the tower, except that, upon certification of a professional engineer licensed by the state of Minnesota, the setback may be reduced to the height of the portion of the structure that will remain standing after an event of high winds or similar event because the tower is designed to collapse, fold on itself or curl in such event.

3. Towers shall not be located between a principal structure and a public street, with the following exceptions:

(a.) In industrial zoning districts, towers may be placed within a side yard abutting an internal industrial street.

(b.) On sites adjacent to public streets on all sides, towers may be placed within a side yard abutting a local street.

4. A tower's setback may be reduced or its location in relation to a public street varied, at the sole discretion of the City Council, to allow the integration of a tower into an existing or proposed structure such as a church steeple, light standard, power line support device, or similar structure.

F. **Tower Height.** The maximum height of towers shall not exceed one hundred seventy-five (175) feet in height. Antennae attached to towers may project above the maximum tower height a maximum of ten (10) feet.

G. **Tower Lighting.** Towers shall not be illuminated by artificial means and shall not display strobe lights unless such lighting is specifically required by the Federal Aviation Administration or other federal or state authority for a particular tower. Notwithstanding this provision, the City Council may, in its sole discretion, approve the placement of an antenna on existing or proposed lighting provided that the antenna is integrated with such lighting in a manner which substantially camouflages the antenna array and related facilities.

H. **Signs and Advertising.** The use of any portion of a tower for signs other than warning or equipment information signs is prohibited.

I. **Accessory Utility Buildings.** All utility buildings and structures accessory to a tower shall be architecturally designed to blend in with the surrounding environment and shall meet the minimum setback requirements of the underlying zoning district. Ground mounted equipment shall be screened from view by suitable vegetation, except where a design of non-vegetative screening better reflects and complements the architectural

character of the surrounding neighborhood. Accessory buildings shall not be more than two thousand (2,000) square feet in size.

J. Abandoned or Unused Towers or Portions of Towers. Abandoned or unused towers or portions of towers shall be removed as follows:

1. All abandoned or unused towers and associated facilities shall be removed within twelve (12) months of the cessation of operations at the site unless a time extension is approved by the City Council. A copy of the relevant portions of a signed lease which requires the applicant to remove the tower and associated facilities upon cessation of operations at the site shall be submitted at the time of application. In the event that a tower is not removed within twelve (12) months of the cessation of operations at a site, the tower and associated facilities may be removed by the City and the costs of removal assessed against the property.

2. Unused portions of towers above a manufactured connection shall be removed within six (6) months of the time of antenna relocation.

K. Antennae Mounted on Roofs, Walls, and Existing Towers. The placement of wireless telecommunication antennae on roofs, walls, and existing towers shall be approved by issuance of an interim use permit in the same manner as approval of new towers.

L. Interference with Telecommunications. No new or existing telecommunications service shall interfere with public safety telecommunications, or private telecommunications, including without limitation, radio, television, and personal communications, in accordance with rules and regulations of the Federal Communications Commission.

M. Additional Submittal Requirements. In addition to the information required elsewhere in this Code, development applications for towers and antennae shall include the following supplemental information:

1. A report from a qualified professional engineer licensed by the state of Minnesota which (a) describes the tower and antennae height and design including a cross section and elevation; (b) documents the height above grade for all potential mounting positions for co-located antennae and the minimum separation distances between antennae; (c) describes the tower's capacity, including the number and type of antennae that it can accommodate; and (d) includes an engineer's stamp and registration number.

2. For all commercial wireless telecommunication service towers, a letter of intent committing the tower owner and his or her successors to allow the shared use of the tower if an additional user agrees in writing to meet reasonable terms and conditions for shared use, including without limitation, reasonable rental rates for such shared use.

3. Before the issuance of a building permit, the following supplemental information shall be submitted: (a) a written statement from the applicant that the proposed tower and antenna comply with regulations administered by Federal Aviation Administration.

4. A written statement from a qualified electrical engineer licensed by the state of Minnesota stating that use of the proposed tower and antenna will not interfere with established telecommunications.

N. Construction Requirements. All antennae and towers erected, constructed, or located within the City, and all wiring therefore, shall comply with the following requirements:

1. All applicable provisions of this Code.

2. Towers shall be certified by a qualified professional engineer licensed by the state of Minnesota to conform to the latest structural standards and wind loading requirements of the Uniform Building Code and the Electronics Industry Association.

3. No part of any antenna or tower nor any lines, cable, equipment or wires or braces in connection with either shall at any time extend across or over any part of the right-of-way, public street, highway, sidewalk, or property line.

4. Towers and associated antennae shall be designed to conform with accepted electrical engineering methods and practices and to comply with the provisions of the National Electrical Code.

5. All signal and remote control conductors of low energy extending substantially horizontally above the ground between a tower or antenna and a structure, or between towers, shall be at least six and one-half (6.5) feet above the ground at all points, unless buried underground.

6. Every tower affixed to the ground shall be protected to discourage climbing of the tower by unauthorized persons by erection of a security fence at least six feet in height.

7. All towers shall be constructed to conform with the requirements of the Occupational Safety and Health Administration.

O. **Existing Antennae and Towers.** Antennae and towers in existence as of January 1, 1996, which do not conform to or comply with this Section are subject to the following provisions:

1. Towers may continue in use for the purpose now used and as now existing but may not be replaced or structurally altered without complying in all respects with this Section.

2. If such towers are hereafter damaged or destroyed due to any reason or cause whatsoever, the tower may be repaired and restored to its former use, location, and physical dimensions upon obtaining a building permit therefore, but without otherwise complying with this Section; however, if the cost of repairing the tower to the former use, physical dimensions, and location would be fifty (50) percent or more of the cost of a new tower of like kind and quality, then the tower may not be repaired or restored except in full compliance with this Section.

P. **Lights and Other Attachments.** No antenna or tower adjacent to any residential zoning district shall have affixed or attached to it in any way except during time of repair or installation any lights, reflectors, flashers, or other illuminating device, except as required by the Federal Aviation Agency or the Federal Communications Commission, nor shall any tower have constructed thereon, or attached thereto, in any way, any platform, catwalk, crow's nest, or like structure, except during periods of construction or repair. This provision shall not prohibit the attachment of an antenna mounting framework to any tower.

Q. **Violations.** Any person who shall violate any of the provisions of this Section shall be guilty of a misdemeanor.

SECTION 7A-817. PERFORMANCE STANDARDS FOR THE LOCATION, CONSTRUCTION AND USE OF BROADCASTING TOWERS.

A. **Purpose.** In order to accommodate the needs of existing and future commercial broadcasters while protecting the public health, safety, and general welfare of the community, the City Council finds that these regulations are necessary in order to:

1. Reserve appropriately located areas for Bbroadcast Ttowers, Accessory Equipment and Structures, Bbroadcast Buildings, and Related Bbroadcast Uses (such terms being hereinafter defined);

2. Provide for the operation and use of **B**broadcast **T**towers, **A**ccessory **E**quipment and **S**tructures, **B**broadcast **B**uildings, and **R**elated **B**broadcast **U**ses pursuant to Interim Use Permits.

3. Establish and maintain high standards of construction, maintenance and operation of **B**broadcast **T**towers, **A**ccessory **E**quipment and **S**tructures, **B**broadcast **B**uildings, and **R**elated **B**broadcast **U**ses, while protecting the health and safety of surrounding property users.

B. **Interim Use Permit Required.** It shall be unlawful for any person, firm, or corporation to erect, construct in place, place or re-erect, or replace any **B**broadcast **T**tower without first making application to the City and securing an interim use permit therefore as hereinafter provided. The applicant shall provide at the time of application sufficient information to indicate that construction, installation, and maintenance of the **B**broadcast **T**tower will not create a safety hazard or damage to the property of other persons. Routine maintenance of **B**broadcast **T**towers and related structures shall not require the issuance of an interim use permit.

C. **Lot size.** The property on which the **B**broadcast **T**tower exists or shall exist shall be no less than five (5) acres in size.

D. **Setbacks.** Uses on Property on which an interim use permit for a **B**broadcast **T**tower is granted shall comply with the following setbacks:

1. Guyed **B**broadcast **T**tower - minimum setback from the property line shall be as described in the original Interim Use Permit issued hereunder to the property owner.

2. Guy **W**ire **A**ncors - minimum setback from the property line for the above ground portion of a guy wire anchor shall be twenty (20) feet; no minimum setback for the below ground portion of a guy wire anchor.

3. Self-**S**upporting **T**tower - minimum setback from the property line shall equal the height above ground of the self-supporting tower.

4. Outside **M**aterial and **R**efuse **S**torage - minimum setback from the property line shall be two hundred (200) feet.

E. **Height.** The maximum height of a **B**broadcast **T**tower shall be five hundred (500) feet in height above ground level. The maximum height for any **B**broadcast **B**uilding shall be thirty-five (35) feet. Accessory **E**quipment ~~and Structures~~ mounted on top of a Broadcast Building shall ~~not be considered part of the Broadcast Building for purposes of determining its maximum height~~screened from view from adjacent property or public right-of-way.

F. **Lot Coverage.** The maximum lot coverage of all improvements shall be fifty (50) percent.

G. **Parking.** Parking spaces shall be provided at a ratio of one and one-half (1.5) spaces per employee on the site.

H. **Outside Material Storage.** Any materials, supplies or equipment, other than **A**ccessory **E**quipment and **S**tructures, stored outside shall be within approved outside storage areas which shall not exceed one thousand (1,000) square feet in the aggregate. Outside storage areas shall be screened and/or fenced as approved by the City Council to minimize the visual impact of the area and the surface shall be maintained in such a manner that dust and other wind generated materials are kept to a minimum.

I. **Refuse Storage.** All waste materials, debris, refuse and garbage shall be properly contained in a closed container designed for such purposes. Said containers shall be stored within a fully enclosed building or in an area screened and/or fenced as approved by the City Council.

J. **Signs and Advertising.** The use of any portion of a **B**broadcast **T**tower for signs other than warning or equipment information signs is prohibited.

K. **Broadcast Tower Lighting.** Broadcast Towers shall not be illuminated by artificial means and shall not display strobe lights unless such lighting is specifically required by the Federal Aviation Administration (FAA) or other federal or state authority for a particular Bbroadcast Tower. If such lighting is required, then the Bbroadcast Tower shall utilize a dual lighting system which includes red lights for nighttime and medium intensity flashing white lights for daytime and twilight use consistent with FAA rules and regulations.

L. **Abandoned or Unused Towers or Portions of Towers.** Abandoned or unused Bbroadcast Towers or portions of Bbroadcast Towers shall be removed as follows:

1. All abandoned or unused Bbroadcast Towers and associated facilities shall be removed within twelve (12) months of the cessation of operations at the site unless a time extension is approved by the City Council. A copy of the relevant portions of a signed lease which requires the applicant to remove the Broadcast Tower and associated facilities upon cessation of operations at the site shall be submitted at the time of application. In the event that a Bbroadcast Tower is not removed within twelve (12) months of the cessation of operations at a site, the Bbroadcast Tower and associated facilities may be removed by the City and the costs of removal assessed against the property.

2. Unused portions of Bbroadcast Towers above a manufactured connection shall be removed within six (6) months of the time of antenna relocation.

M. **Required Documentation.** The following shall be submitted at the time of application for an Interim Use Permit:

1. **Site Plan.** A plan or plans drawn to scale approved by the City's ~~Director of Community Development~~ including the following information and detail:

(a) A boundary survey of the property.

(b) A two-foot contour map of the property.

(c) Locations of existing and proposed public utilities and easements, each Bbroadcast Tower, Accessory Equipment and Structures, Bbroadcast Buildings, Related Bbroadcast Uses and Other Uses.

(d) Ground elevations for Bbroadcast Towers and or Accessory Equipment and Structures.

2. **Tower Diagram.** A detailed drawing of the Bbroadcast Tower structure clearly describing the height of the structure and all equipment located on the structure drawn to a scale.

3. **Structural Integrity Report.** A report prepared by a registered engineer stating that the configuration of the tower structure complies with applicable Federal or State of Minnesota safety regulations, or, in the case of the addition or replacement of a Bbroadcast Tower described in the original Interim Use Permit issued thereunder to the property owner, a report prepared by a registered engineer stating that the design and proposed method of constructing such added or replaced tower complies with applicable Federal and State of Minnesota safety regulations.

SECTION 7A-818. PERFORMANCE STANDARDS FOR SLAUGHTERHOUSES. All Slaughterhouses shall comply with State and Federal laws and regulations governing their operations, including Minnesota Statutes Chapter 31 and Title 9 of the Code of Federal Regulations, Part 301 et seq. All Slaughterhouses operations shall obtain, and shall submit to the

City, all permits, licenses, and approvals required by federal, state, or local law for the use, including those related to health, safety, and welfare.

SECTION 7A-819. PLANNED UNIT DEVELOPMENT (PUD).

A. **General Applicability.** In addition to where expressly allowed by conditional use permit (CUP), a PUD shall be a conditional use in the following zoning districts: [Mixed Use Medium Density \(MU-M\) District](#), [Mixed Use High Density \(MU-H\) District](#), [Community Retail Commercial \(CRC\) District](#), [General Commercial/Showroom \(GC/S\) District](#), [Highway Commercial \(HC\) District](#), [General Business \(GB\) District](#), Light Industrial (LI) District, and [Commercial/Industrial \(C/I\) District](#), ~~and Mixed Use Residential Commercial Districts~~. The purpose of the PUD provisions is to encourage exceptional development design standards and alternative design opportunities. In general, the standards for development shall be determined by application the underlying zoning district. In exchange for higher design standards, site preservation techniques, other unique development considerations, and other public benefit, conventional dimensional criteria may be modified or varied. ~~Examples of variations to dimensional standards include reductions in minimum lot areas, lot widths, and setbacks. Except where as expressly otherwise stated herein, the PUD provisions are not intended to modify minimum open space requirements, the density of residential dwellings, minimum design standards or requirements for the use or district, utility requirements, landscaping requirements, minimum structure separation, garage or parking requirements, or the quality of the appearance or construction of residential or commercial development.~~ The following provisions apply to all PUD applications:

1. **Procedure.** A complete Conditional Use Permit application must be made to the City for PUD consideration. The application shall include a subdivision site plan, when applicable, and written narrative of the proposed development. The Planning Commission and City Council must evaluate the application and make a determination on the merits of the proposed project as a PUD, based upon the conditional use permit standards in ~~Sections 7A-540 through 7A-547~~[the City Code](#). The PUD procedure may occur concurrently with the platting procedures prescribed in Chapter 8 of the City Code. If the PUD is approved by the City Council, the City shall issue a conditional use permit to the applicant, including conditions of approval, and record it with the Anoka County Recorder.

2. **Application Materials; Procedure.** An applicant shall make an application for a PUD as a conditional use permit subject to the required materials and procedure described in ~~Sections 7A-540 through 7A-547 of this Chapter~~[the City Code](#). In addition, all PUD applications shall be consistent with the following submittal requirements and procedures:

- a. The application shall include a written narrative of the proposed development, including all city code provisions for which flexibility is requested. The application shall include a site plan depicting the proposed development and, where applicable, provide details regarding lighting, security, stormwater treatment, open storage locations and details, truck turning movements, refuse and waste disposal, and any other information deemed necessary by the Zoning Administrator.
- b. The application shall include a written copy of the homeowners' association documents, if applicable. Such documents shall include provisions governing the maintenance of common areas, including, if applicable, private streets.
- c. When necessary, the application shall be accompanied by a Preliminary Plat of the proposed development, consistent with

the application requirements of the Subdivision Regulations (Chapter 8, Columbus City Code).

- d. The application shall be presented at a City staff meeting to review preliminary PUD eligibility and consistency with City Code requirements and provide comments to the application.
- e. The PUD application and Preliminary Plat shall be reviewed concurrently at a City Planning Commission hearing, consistent with the procedures for a review of a conditional use permit.
- f. If the PUD is approved by the City Council, the City shall issue a conditional use permit to the applicant, including conditions of approval, and record it with the Anoka County Recorder.
- g. When a plat is required, after approval of a Preliminary Plat and PUD, application shall be made for a Final Plat, consistent with the PUD, Preliminary Plat, and documentation required in the Subdivision Regulations.
- h. Review and approval of the Final Plat does not require review and recommendation by the Planning Commission, unless the Final Plat is not consistent with the approved PUD and Preliminary Plat.

B. **General PUD Standards.** The following will apply to all PUD applications:

1. Uses. The uses allowed in a PUD in the Mixed Use Medium Density (MU-M) District, Mixed Use High Density (MU-H) District, Community Retail-Commercial (CRC) District, General Commercial/Showroom (GC/S) District, Highway Commercial (HC) District, General Business (GB) District, Light Industrial (LI) District, and Commercial/ Industrial (C/I) District; and ~~Mixed Use Residential Commercial Districts~~ shall be limited to the permitted and conditional uses as described in the underlying zoning district except as limited by City Council action.

2. Private Streets. Whenever it does not contradict the provisions of this Ordinance as it relates to an adopted transportation plan or the protection of opportunities for reasonable development of surrounding land adjacent to a development proposed in the application, streets which are intended to be kept continuously closed to public travel or that are at all times posted as private streets may be retained as private streets and made a part of the PUD, provided a homeowner association agreement acceptable to the City contains provisions for street maintenance and replacement, and all private streets are constructed according to standards approved by the City.

3. Outlots or Common Open Space. No outlots or other remnants of land shall be included in any plat, except outlots with public access and future development potential.

4. Development Agreement. Any approved PUD shall require a development agreement between the applicant and the City to ensure the approved PUD is constructed and maintained as approved, including but not limited to installation, design, and maintenance of streets, utilities, amenities, or other aspects of the PUD. Any such development agreement shall be recorded against all parcels within the approved PUD.

5. Phasing. A PUD may be developed in multiple phases, but not to exceed twenty-four (24) months.

7. Dimensional Requirements. In a PUD containing more than one land use, individual uses shall be subject to minimum lot area, lot width, setbacks, height, floor area ratio, lot coverage and other dimensional standards as required under the underlying district, except where deviations are approved by the City Council.

C. **Specific PUD Standards.** Specifics PUD standards shall apply for PUD applications as follows:

1. **Rural Residential (RR) District PUD.** Residential PUD developments in the RR District are subject to the following standards:
 - a. **Lot Averaging.** All of the land within a development shall be subdivided into individually-owned parcels, except authorized outlots, and the average lot size within every development shall be no less than five (5) acres, less dedicated right-of-way.
 - b. **Flexible Dimension Standards.** The following minimum dimensional standards shall be allowed as a part of an approved PUD in the RR District. Unless identified below or expressly permitted by the City in the PUD approval, no other variations in dimensional standards, performance standards or other development requirements shall be permitted.
 - i. Maximum density – one (1) dwelling unit per five (5) buildable acres.
 - ii. Minimum lot area – 2.5 acres.
 - iii. Minimum lot width – 220 feet.
 - iv. Minimum lot width at setback line – 150 feet.
 - v. Minimum cul-de-sac frontage – 60 feet.
 - vi. Minimum front yard setback – 75 feet.
 - vii. Minimum side yard setback – 20 feet.
 - viii. Minimum rear yard set – 20 feet.
 - ix. Maximum structure height – 35 feet.
 - x. Lot coverage – 1:4 or 25% maximum.
2. **Senior Citizen Housing PUD.** In exchange for higher design standards, site preservation techniques, other unique development considerations, and other public benefit, the dimensional criteria of the underlying zoning district may be modified or varied and alternative development design may be allowed, including attached, detached, or villa-style townhomes. Senior Citizen Housing may include accessory uses that are customarily and commonly associated with Senior Citizen Housing, such as medical and foodservice facilities.
3. **Horse Racing (HR) District Hotel PUD.** Hotels, motels, banquet and convention facilities shall be allowed as part of a PUD in the HR District. In exchange for higher design standards, site preservation techniques, other unique development considerations, and other public benefit, the dimensional criteria of the underlying zoning district may be modified or varied, including, but not limited to: setbacks, building separation, shared access, street frontage, and lot area.

SECTION 7A-820. PERFORMANCE STANDARDS FOR LANDSCAPING.

A. **Minimum Quantities.** All proposed development activities, including site modifications or use intensifications, shall be subject to landscaping improvements. The following table illustrates requirements within each zoning district:

<u>District</u>	<u>Overstory Trees</u>	<u>Foundation Plantings</u>
RR	2 trees/unit/street frontage ¹	
<u>SRMU-M</u> <u>family)</u>	2 trees/unit/open space exposure ^{2 3}	<u>(attached and detached single</u>
<u>MU-H</u> <u>family)</u>	2 trees/unit/open space exposure ^{2 3}	<u>(attached and detached single</u>
<u>MU-M</u>	4 trees or 1/6000 sq. ft. site area ⁴	<u>(multiple family housing)</u>
<u>MU-M</u>	4 trees or 1/6000 sq. ft. site area ⁴	<u>(multiple family housing)</u>
<u>CC4</u>	4 trees or 1/6000 sq. ft. site area ⁴	

<u>GCR</u>	4 trees or 1/6000 sq. ft. site area ⁴
<u>HC/S</u>	4 trees or 1/6000 sq. ft. site area ⁴
<u>GB</u>	<u>4 trees or 1/6000 sq. ft. site area⁴</u>
<u>LI</u>	4 trees or 1/6000 sq. ft. site area ⁴
<u>PAC/I</u>	4 trees or 1/6000 sq. ft. site area ⁴

¹Trees shall be deciduous (shade or ornamental) and planted at the boulevard, except on cul de sacs where one (1) of the required trees may be planted off the boulevard but in the front yard area.

²Trees shall be deciduous (shade or ornamental). Unit exposures with street frontage shall be planted at the boulevard.

³Tree spacing must include trees at the boulevard at minimum fifty (50) feet intervals.

⁴The required number of trees is based upon a minimum of four (4) trees or one (1) tree per six thousand (6,000) square feet of site areas (net of wetlands, surface waters and existing road easements), whichever is greater. Tree spacing must include trees at the boulevard at minimum fifty (50) feet intervals.

B. Foundation Plantings. Foundation plantings (perennial flowers, deciduous shrubs, and coniferous shrubs) are encouraged in all commercial and industrial zoning districts. Suggested locations include building entrances, sign bases, berms and other similar visible locations.

C. Minimum Standards.

1. Overstory Trees

a. Deciduous Trees: Two-and-a-half (2-1/2) inch caliper planting size, balled, and burlapped.

b. Coniferous Trees: Six (6) feet in height planting size, balled, and burlapped.

2. Foundation Plantings. Coniferous and deciduous shrubs should be planted at a minimum of one-third (1/3) of the mature spread and height of a typical growth habits.

3. Boulevard Trees. All boulevard trees shall be hardwood shade trees or flowering trees.

4. Overstory Mix. When multiple quantities of overstory trees are required, at least fifty percent (50%) of the trees required shall be deciduous.

5. Hardiness. All landscape materials proposed shall be consistent with Minnesota hardiness zones, whether indigenous or foreign. Plant species must also be tolerant to snow storage, exposure to salt and sun scald in parking areas.

6. Diversity. In any development, in which at least eight (8) overstory trees are required, at least three (3) varieties of plantings are required.

7. Warranty. All required landscape materials shall be warranted for growth a minimum of two (2) years after planting.

D. Exceptions. In larger sites or in sites with phased development plans, the Planning Commission may recommend and the City Council may alter, at its sole discretion, the minimum quantity requirements and minimum standards in this Section.

E. Clear Zones. No landscaping over two (2) feet in height shall be planted or maintained in a "sight triangle" at the intersection of two public streets. Such a clear zone is a triangle measured thirty (30) feet from the intersection of two rights-of-way along each right-of-way.

SECTION 7A-821. SEASONAL OUTDOOR HOLIDAY EXHIBITION AND ASSEMBLY. A Seasonal Outdoor Holiday Exhibition and Assembly is any activity defined in Chapter 4 of this Code that is an outdoor "entertainment" or "amusement" or "social event," that is a "large assembly," that requires an "admission charge," and that is associated with a national holiday or special observance. A special observance includes Valentine's Day, St. Patrick's Day,

Halloween, community celebrations, and similar days or events that are customary observances but not national holidays.

- A. A Seasonal Outdoor Holiday Exhibition and Assembly located in the Rural Residential (RR) District must be on property abutting and with approved access to an “A Minor Reliever” Principal Arterial Highway as identified in the Columbus ~~2030~~-Comprehensive Plan.
- B. A Seasonal Outdoor Holiday Exhibition and Assembly located in the Rural Residential (RR) District requires an Interim Use Permit as provided in ~~Sections 7A-530 through 7A-533 of~~ this Code and a license (Special Event License) as provided in Article II, Chapter 4 of this Code.
- C. Seasonal Outdoor Holiday Exhibition and Assembly located in the Rural Residential (RR) District shall be permitted per parcel/property one time per calendar year for a period not exceeding 31 consecutive days.
- D. No Seasonal Outdoor Holiday Exhibition and Assembly located in the Rural Residential (RR) District shall operate between the hours of 10:00 p.m. and 9:00 a.m., Sunday through Thursday, or between the hours of 12:00 a.m. through 9:00 a.m., Friday, Saturday, holidays and special observances, and the evening before holidays and special observances.
- E. Findings necessary for the issuance of an Interim Use Permit for a Seasonal Outdoor Holiday Exhibition and Assembly shall include but not be limited to:
 1. Adequate highway access controls and traffic safety considerations.
 2. Adequate site parking and vehicle maneuvering.
 3. Adequate site security.
 4. Adequate event setback or site screening to minimize disturbances and inconveniences to adjacent properties.
 5. Consistency with City Code standards regulating site lighting, noise, and public nuisance.
 6. Consistency with all building, plumbing and electrical code requirements.
 7. Consistency with all Americans with Disabilities Act requirements.
 8. Provisions for potable water and portable sanitation facilities if appropriate.
 9. Provisions for trash collection, recycling and cleanup.
 10. Provisions for public safety services, emergency medical services, and fire protection services.
 11. Provisions for an escrow payment in an amount sufficient to guarantee performance of any conditions attached to the approval of the Interim Use Permit.
- F. Application submittal information shall be consistent with requirements in Article II, Chapter 4 of this Code and Section 7A-531 of this Code.
- G. The City may impose any conditions to an Interim Use Permit and Special Event License for a Seasonal Outdoor Holiday Exhibition and Assembly deemed necessary to meet the requirements of this Section of the city Code and to protect the public health, safety, and welfare.

SECTION 7A-822. MINERAL EXTRACTION.

- A. **Purpose.** It is the intent of these provisions to allow limited opportunities for ~~M~~Emineral ~~E~~xtraction in special circumstances and under specific conditions that minimize the impact on neighboring properties, minimize the impact on public streets, and minimize the loss of buildable, upland acreage in the City.

- B. **Interim Use Permit Required.** It shall be unlawful to conduct ~~M~~ineral ~~E~~xtraction or operate a ~~M~~ineral ~~E~~xtraction facility without first obtaining an Interim Use Permit, according to the procedures and requirements outlined in this Ordinance.
- C. **Term.** The maximum term for a ~~M~~ineral ~~E~~xtraction Interim Use Permit shall be twelve (12) months, including all site restoration. Unless renewed for a maximum one-year term extension by the City Council, no application for a Mineral Extraction Interim Use Permit shall be submitted or accepted by the City for the same property on which a permit has been issued until a minimum period of five (5) years from the date of expiration of a prior permit has lapsed.
- D. **Access Requirements.** Property on which ~~M~~ineral ~~E~~xtraction may be considered must have direct access to a minor arterial or collector roadway as defined and illustrated in the City of Columbus Comprehensive Plan. Transportation access or haul routes for ~~M~~ineral ~~E~~xtraction vehicles shall similarly be limited to minor arterials or collector roadways as defined and illustrated in the City of Columbus Comprehensive Plan.
- E. **Application.** An application for a ~~M~~ineral ~~E~~xtraction Interim Use Permit shall be submitted to the City on a form supplied by the City. Information shall include but not necessarily be limited to the following:
 - 1. Name, address, phone number, contact person for the operator.
 - 2. Name, address, phone number of the landowner.
 - 3. Acreage and complete legal description of the property on which the ~~M~~ineral ~~E~~xtraction will be located, including all contiguous property owned by the landowners.
 - 4. Acreage and site plan depiction where ~~M~~ineral ~~E~~xtraction will occur on the property on which the permit will apply.
 - 5. Estimated type and quantity of material to be extracted.
 - 6. Estimated time frame to mine and reclaim the property.
 - 7. A description of all vehicles and equipment estimated to be used by the operator on the property.
 - 8. A description of the estimated average daily and peak daily number of vehicles accessing the property, including a breakdown of operator owned and non-operator owned vehicles.
 - 9. A description of the haul routes within the City to be used in the ~~M~~ineral ~~E~~xtraction operation.
- F. **Supporting Documentation.** Every application for a ~~M~~ineral ~~E~~xtraction Interim Use Permit shall include submission of the following supporting documentation:
 - 1. A description of existing land uses on the subject property and all properties within one-half (1/2) mile.
 - 2. A description of land use designations in the Comprehensive Plan and zoning classifications of the subject property and all properties within one-half (1/2) mile.
 - 3. A description of the soil, vegetation, mineral content and topography of the subject property. A minimum of three (3) soil boring logs representative of the site and a description of the subsurface materials and water table elevation on the subject property must be submitted.
 - 4. A general description of surface waters, existing drainage patterns and groundwater conditions within one-half (1/2) mile of the subject property.
 - 5. A general description of any wells or private sewer systems of record, pipelines, power lines and other utilities or appurtenances on the subject property and adjacent properties.
 - 6. A general description of the depth, quantity, quality and intended uses of the mineral deposits on the subject property.

7. Existing topography of the subject property, illustrated by contours not exceeding two-foot intervals.
 8. Proposed topography of the subject property after Mmineral Extraction has been completed, illustrated by contours not exceeding two-foot intervals.
 9. An operations plan which illustrates the sequencing of mineral extraction, the locations of processing equipment, mineral stockpiles, staging areas, authorized accessory uses and access routes.
 10. Copies of MPCA application documents and operating permits.
 11. A description of the site hydrology and drainage characteristics during the operation. Identify any locations where drainage of any disturbed areas will not be controlled on the subject property and plans to control erosion, sedimentation and water quality of the runoff.
 12. A description of the potential impacts to adjacent properties resulting from Mmineral Extraction and off-site transportation, including but not limited to noise, dust, surface water runoff, groundwater contamination, traffic and aesthetics.
 13. A description of the plan to mitigate potential impacts resulting from Mmineral Extraction.
 14. A description of site screening, landscaping and security fencing.
 15. A complete description of site reclamation upon completion of Mmineral Extraction on the subject property, including material quantities, backfilling methods, compaction standards, and seeding standards.
 16. A description of the method in which complaints about any aspect of the facility operation or off-site transportation are to be received and the method which complaints are to be resolved.
- G. **Performance Standards.** Performance standards for Mmineral Extraction shall include but may not be limited to the following:
1. Hours of operation for Mmineral Extraction, including hauling of material, shall be limited to 8:00 a.m. through 7:00 p.m., Monday through Friday, excluding federal holidays.
 2. The City may require watering to control dust at any time when it is determined that airborne dust from extraction areas, processing activities, stockpiles or internal roadways creates a public nuisance. Other remedies to control dust may include berming, landscaping and enclosures for processing equipment.
 3. The City may require that any Mineral Extraction facility be enclosed with security fencing and gate-controlled access roads.
 4. No Mmineral Extraction activity may occur within one hundred fifty (150) feet of any adjacent property residence and within fifty (50) feet of any adjacent property line, road right-of-way or public utility. Screeners, crushers, other processing equipment or manufacturing equipment may not be located closer than five hundred (500) feet without berming or two hundred fifty (250) feet with approved berming from any adjacent property residence.
 5. The maximum height of stockpiles shall not exceed the maximum height allowed for principal structures in the zoning district in which the property is located.
 6. Maximum noise levels associated with Mmineral Extraction activities shall be consistent with the standards established by the Minnesota Pollution Control Agency.
 7. Mineral Extraction operations shall be consistent with air quality and water quality standards and permit requirements established by the Minnesota Pollution Control Agency.

8. Mineral ~~E~~extraction operators shall use all practical means to eliminate adverse impacts on adjacent properties from vibration of equipment.
9. Mineral ~~E~~extraction operations must comply with all other federal, state, regional, county and local laws and regulations.
10. The use of explosives is prohibited.
11. Unless otherwise specifically permitted in the ~~M~~ineral ~~E~~extraction Interim Use Permit, the net loss of upland buildable acres is prohibited.
12. Weeds shall be controlled at all times on the ~~M~~ineral ~~E~~extraction property.
13. Site reclamation shall include a restoration of topsoil and subgrade materials comparable with types, depths, and compaction of materials in pre-existing conditions. Maximum grades after site reclamation shall not exceed a 5:1 grade (20% slope).
14. Backhauling of materials is prohibited, unless said materials are approved as part of the site reclamation plans.
15. The City shall require a performance bond, cash escrow or a letter of credit, in a form acceptable to the City, to guarantee compliance with this Ordinance and the terms and conditions of the ~~M~~ineral ~~E~~extraction Interim Use Permit. The amount of financial guarantee shall be equal to Six Thousand Dollars (\$6,000.00) for every acre subject to disturbance. The financial guarantee shall be in full force and effect for at least six (6) months beyond the termination date of the ~~M~~ineral ~~E~~extraction Interim Use Permit.

SECTION 7A-823. PERFORMANCE STANDARDS FOR ASPHALT/CONCRETE PRODUCTION FCILITIES. All Asphalt/Concrete Production Facilities shall meet the following minimum performance standards, in addition to any conditions of approval that may be established pursuant to a conditional use permit.

- A. **Spacing Requirements.** No facility shall be located less than two (2) miles from another Asphalt/Concrete Production Facility.
- B. **Setbacks.** Stockpiles, storage, equipment, parking, and buildings shall be located at least 50 feet from any public road or property line.
- C. **Minimum Lot Area. 8 acres.**
- D. **Stockpiling and storage. Stockpiles maintained at a facility must comply with the following:**
 1. Stockpiles shall not exceed thirty-five (35) feet in height.
 2. Stockpiles shall only be located in approved locations, pursuant to an approved site plan.
 3. Storage of contaminated soils shall be prohibited.
 4. Stockpiles of backhauled concrete and asphalt rubble shall not exceed one and one-half (1.5) times the amount required for annual asphalt or concrete production.
 5. Stockpiles of backhauled concrete and asphalt rubble shall be crushed and recycled at least once a year. Crushing activity shall not exceed five (5) continuous weeks of crushing
- E. **Dust/Particulate Management Plan.** The owner/operator of an Asphalt/Concrete Production Facility must submit and comply with a dust management plan that includes, at a minimum, the following:
 1. Stockpiles and non-paved surfaces shall be sprayed or coated as necessary to reduce airborne particulates;
 2. Public roads to and from the property shall be swept and cleaned as necessary to eliminate migration of dust or dirt off the property;

3. All trucks hauling materials to/from the facility shall be covered to reduce airborne particulates.
- F. **Screening.** The facility must be screened from adjacent residential dwellings by a combination of berms, landscaping, or fencing of a combined height of at least eight (8) feet in height. Required screening shall be a minimum of 80% opacity year round.
- G. **Traffic Management Plan.** The owner/operator of an Asphalt/Concrete Production Facility must submit and comply with a traffic management plan and planned haul route detailing anticipated traffic demands and proposed haul routes. Except for local deliveries, any such plan shall direct all truck traffic to/from the facility on a Principal Arterial or an "A Minor Reliever Arterial" roadway as identified in the City's Comprehensive Plan.
- H. **Other Regulations.** No Asphalt/Concrete Production Facility shall operate in violation of any permit, rules, or regulations of the Minnesota Pollution Control Agency, or in violation of any law or ordinance.
- I. **Hours of Operations.** Any Asphalt/Concrete Production Facility, including all ancillary activities, shall only operate between the hours of 6:00 a.m. and 7:00 p.m., Monday through Saturday, except that a facility may operate outside of those hours for a maximum of thirty days in a calendar year where such operations are necessary in order for the owner/operator of the facility to perform work under a contract related to a public road project that specifies work to be performed outside the hours of 6:00 a.m. to 7:00 p.m. Monday through Saturday and/or on Sunday. The operator shall provide the zoning administrator written notice of such exception to normal hours of operation at least forty-eight (48) hours in advance of the exception. No facility operations shall be permitted on New Year's Day, Easter, Memorial Day, Independence Day, Labor Day, Thanksgiving Day or Christmas Day.
- J. **Incorporated as Conditions of Approval.** All management plans, haul routes, site plans, and elevations required herein and submitted by applicant in conjunction with facility approvals shall be incorporated as required conditions of approval whether or not referenced as such.

SECTIONS 7A-824 through 7A-899. [Reserved for future use]

SECTION II. Effective Date. Ordinance Number 21-__ was adopted this ____ day of _____, _____ and shall become effective after its publication.

Jesse H. Preiner, Mayor

ATTEST:

Elizabeth Mursko, City Administrator

Published in the Forest Lake Times on _____, 202_.