

# City of St. Cloud: Land Development Code

## Table of Contents

---

	<u>Article # - Page #</u>
<b>ARTICLE 1. TITLE, PURPOSE AND INTENT .....</b>	<b>1-1</b>
1.1 TITLE .....	1-1
1.2 PURPOSE AND INTENT .....	1-1
1.3 APPLICABILITY .....	1-2
A. Territorial Application .....	1-2
B. General Interpretation and Application .....	1-2
C. Private Agreements .....	1-2
D. Other Laws and Regulations .....	1-2
1.4 TRANSITION RULES .....	1-2
A. Existing Unlawful Uses and Structures .....	1-2
B. Existing Permitted Uses .....	1-3
C. Uses Rendered Nonconforming .....	1-3
D. Structures and Lots Rendered Nonconforming .....	1-3
E. Previously Issued Building Permits .....	1-3
F. Previously Granted Conditional Uses and Variances .....	1-3
G. Pending Applications .....	1-4
1.5 SEVERABILITY .....	1-4
1.6 EFFECTIVE DATE .....	1-4
1.7 REPEAL OF PREVIOUS ORDINANCES .....	1-4
 <b>ARTICLE 2. CODE ADMINISTRATION .....</b>	 <b>2-1</b>
2.1 PURPOSE .....	2-1
2.2 CITY COUNCIL .....	2-1
2.3 ZONING BOARD OF APPEALS .....	2-1
A. Powers .....	2-1
B. Membership .....	2-1
2.4 PLANNING COMMISSION .....	2-2
2.5 HERITAGE PRESERVATION COMMISSION .....	2-2
A. Powers .....	2-2
B. Membership .....	2-3
C. Meetings and Procedures .....	2-4
2.6 ENVIRONMENT AND DEVELOPMENT TEAM .....	2-5
A. Powers .....	2-5
B. Membership .....	2-5
2.7 MINNESOTA COMMISSIONER OF NATURAL RESOURCES .....	2-6
2.8 ZONING ADMINISTRATOR .....	2-6
2.9 CHIEF BUILDING OFFICIAL .....	2-7
 <b>ARTICLE 3. APPLICATION PROCEDURES .....</b>	 <b>3-1</b>
3.1 PURPOSE .....	3-1
3.2 APPLICATION REQUIREMENTS .....	3-1
A. Authorization .....	3-1
B. Filing .....	3-1
C. Completeness .....	3-1
D. Fees .....	3-1
E. Withdrawal of Application .....	3-1

	<u>Article # - Page #</u>
3.3	F. Successive Applications ..... 3-2
	PUBLIC NOTICE ..... 3-2
	A. Timeframe ..... 3-2
	B. Required Notice ..... 3-2
	C. Published Notices ..... 3-3
	D. Mailed Notice ..... 3-3
	E. Posted Notice ..... 3-4
	F. Public Examination and Copying of Applications and Other Documents .... 3-4
3.4	PUBLIC HEARING ..... 3-4
	<b>ARTICLE 4. LAND USE APPLICATIONS AND ENFORCEMENT ..... 4-1</b>
4.1	TEXT AMENDMENT, REZONING, DEVELOPMENT PLAN AMENDMENTS AND MEDICAL DISTRICT AMENDMENTS ..... 4-1
	A. Purpose ..... 4-1
	B. Initiation ..... 4-1
	C. Authority ..... 4-1
	D. Procedure ..... 4-2
	E. Findings of Fact ..... 4-3
	F. Retention of Zoning Power ..... 4-3
4.2	VARIANCE ..... 4-3
	A. Purpose ..... 4-3
	B. Initiation ..... 4-4
	C. Authority ..... 4-4
	D. Procedure ..... 4-4
	E. Findings of Fact ..... 4-6
	F. Limitations on Variances ..... 4-7
	G. Term of Variance ..... 4-8
4.3	CONDITIONAL USE PERMIT ..... 4-8
	A. Purpose ..... 4-8
	B. Initiation ..... 4-8
	C. Authority ..... 4-8
	D. Procedure ..... 4-8
	E. Conditional Use Permits Within All Flood Plain Districts ..... 4-10
	F. Findings of Fact ..... 4-11
	G. Term of Conditional Use Permit ..... 4-13
4.4	ENVIRONMENTALLY SENSITIVE AREAS SITE PLAN REVIEW ..... 4-13
	A. Purpose ..... 4-13
	B. Applicability ..... 4-14
	C. Procedure ..... 4-15
4.5	HERITAGE PRESERVATION LOCAL PROPERTY DESIGNATION FORM ..... 4-21
	A. Purpose ..... 4-21
	B. Initiation ..... 4-22
	C. Authority ..... 4-22
	D. Procedure for Designation ..... 4-22
	E. Designation Criteria ..... 4-23
	F. Recording of Heritage Preservation Properties ..... 4-24
	G. Natural Register or State Application ..... 4-24
	H. Repository for Documents ..... 4-24
	I. Retention of Designating Ordinance and Heritage Preservation Ordinance Power ..... 4-24
4.6	HERITAGE PRESERVATION PROPERTY CERTIFICATE OF APPROPRIATENESS ..... 4-24

	<u>Article # - Page #</u>
A. Purpose .....	4-24
B. Authority .....	4-24
C. Procedure .....	4-25
D. Emergency Repairs .....	4-26
4.7 SCENIC RIVERS CERTIFICATION OF APPROVAL .....	4-26
A. Purpose .....	4-26
B. Applicability .....	4-26
C. Authority .....	4-27
D. Procedure .....	4-27
E. Appeals .....	4-27
4.8 SCENIC RIVERS CONSTRUCTION SITE PERMIT .....	4-27
A. Purpose .....	4-27
B. Applicability .....	4-27
C. Authority .....	4-28
D. Procedure .....	4-28
4.9 FLOODPLAIN PERMIT AND CERTIFICATE OF FINISHED FLOOR ELEVATION .....	4-28
A. Purpose .....	4-28
B. Applicability .....	4-28
C. Authority .....	4-29
D. Procedure .....	4-29
E. Authorization .....	4-29
F. Records .....	4-29
G. Notifications for Watercourse Alterations.....	4-30
H. Notification to FEMA.....	4-30
4.10 SHORELAND PERMIT .....	4-30
A. Purpose .....	4-30
B. Applicability .....	4-30
C. Authority .....	4-30
D. Procedure .....	4-30
E. Authorization .....	4-31
4.11 SIGN PERMIT .....	4-31
A. Applicability .....	4-31
B. Authority .....	4-31
C. Permit Issuance .....	4-31
D. Approval of Electrified Signs .....	4-31
E. License and Bond Insurance Requirements .....	4-31
F. Inspection .....	4-32
G. Revocation of Permit .....	4-32
H. Expiration .....	4-32
4.12 BUILDING PERMIT .....	4-32
4.13 TEMPORARY EXCAVATION PERMIT .....	4-33
4.14 CERTIFICATE OF OCCUPANCY .....	4-33
4.15 APPEALS .....	4-34
A. Purpose .....	4-34
B. Initiation .....	4-34
C. Authority .....	4-34
D. Procedure .....	4-34
E. Findings of Fact .....	4-35
F. Limitations on Appeals .....	4-35
4.16 ENFORCEMENT .....	4-35
4.17 SPECIAL EXCEPTIONS PERMIT .....	4-37
A. Purpose .....	4-37

	<u>Article # - Page #</u>
B. Initiation .....	4-37
C. Authority .....	4-37
D. Procedure.....	4-37
E. Findings of Fact .....	4-38
<b>ARTICLE 5. SUBDIVISION APPLICATION AND APPROVAL .....</b>	<b>5-1</b>
5.1 PURPOSE .....	5-1
5.2 APPLICABILITY .....	5-1
5.3 CONVEYANCES SUBJECT TO SUBDIVISION REGULATIONS .....	5-1
5.4 OVERVIEW OF SUBDIVISION CLASSIFICATIONS .....	5-2
A. Major Subdivision .....	5-2
B. Administrative Subdivision .....	5-2
5.5 PROCEDURE .....	5-2
A. Review of Plat Submittals .....	5-2
B. Sketch Plat .....	5-3
C. Action on Preliminary Plat .....	5-3
D. Action on Final Plat .....	5-3
E. Simultaneous Submittals .....	5-4
F. Effect on Previously Approved Subdivision .....	5-4
5.6 PRELIMINARY PLAT .....	5-4
A. Submission Requirements .....	5-4
B. Preliminary Plat Requirements .....	5-5
C. Preliminary Plat Review Standards .....	5-6
5.7 FINAL PLAT .....	5-7
A. Submission Requirements .....	5-7
B. Final Plat Requirements .....	5-7
C. Subdivision Agreements .....	5-8
5.8 ADMINISTRATIVE PLAT .....	5-9
B. Review of Administrative Plat .....	5-9
B. Action on Administrative Plat .....	5-9
5.9 DEVIATIONS .....	5-9
5.10 CIC PLATS FOR LOTS HELD IN SEPARATE OWNERSHIP .....	5-9
5.11 ADDITIONAL ENVIRONMENTAL REGULATIONS .....	5-10
A. Shoreland Overlay District .....	5-10
B. Scenic Rivers District .....	5-11
C. Floodplain Overlay District .....	5-11
<b>ARTICLE 6. ZONING DISTRICTS .....</b>	<b>6-1</b>
6.1 PURPOSE .....	6-1
6.2 DISTRICT CLASSIFICATION .....	6-1
A. Agricultural .....	6-1
B. Residential .....	6-1
C. Commercial .....	6-1
D. Industrial .....	6-1
E. Special Purpose .....	6-2
F. Overlay Districts and Designated Areas .....	6-2
6.3 ZONING MAP .....	6-2
6.4 ANNEXATIONS .....	6-2
6.5 ZONING OF STREETS, ALLEYS, PUBLIC WAYS AND RAILROAD RIGHTS-OF-WAY .....	6-2
6.6 BOUNDARY LINES .....	6-2

**ARTICLE 7. AGRICULTURAL DISTRICTS ..... 7-1**

7.1 PURPOSE OF THE AGRICULTURAL DISTRICT ..... 7-1

7.2 PERMITTED AND CONDITIONAL USES ..... 7-1

7.3 BULK AND SETBACK REGULATIONS ..... 7-2

7.4 GENERAL STANDARDS OF APPLICABILITY ..... 7-3

    A. Accessory Structures and Uses ..... 7-3

    B. Temporary Uses ..... 7-3

    C. On-Site Development Standards ..... 7-3

    D. Off-Street Parking and Loading ..... 7-3

    E. Landscaping and Screening ..... 7-3

    F. Signs ..... 7-3

**ARTICLE 8. RESIDENTIAL DISTRICTS ..... 8-1**

8.1 PURPOSE ..... 8-1

    A. Purpose of RR Rural Residential District ..... 8-1

    B. Purpose of R-1 Single-Family Residential District ..... 8-1

    C. Purpose of R-1A Single-Family Residential District ..... 8-1

    D. Purpose of R-2 Single-Family and Two-Family Residential District ..... 8-1

    E. Purpose of R-3 Lodging House, Fraternity and Sorority House Residential District ..... 8-1

    F. R-3A General Residential and Lodging House District ..... 8-2

    G. Purpose of R-4 Townhouse Residential District ..... 8-2

    H. Purpose of R-5 General Multi-Family Residential District ..... 8-2

    I. Purpose of R-6 Multi-Family Residential District ..... 8-2

    J. Purpose of R-7 High Rise Multi-Family Residential District ..... 8-2

8.2 PERMITTED AND CONDITIONAL USES ..... 8-2

8.3 BULK AND SETBACK REGULATIONS ..... 8-5

8.4 ADDITIONAL SETBACK REQUIREMENTS ..... 8-12

    A. Front Setback ..... 8-12

    B. Street Side Setback ..... 8-13

    C. Interior Side Setback ..... 8-14

    D. Rear Setback ..... 8-15

    E. Pipeline Setback ..... 8-15

8.5 GENERAL STANDARDS OF APPLICABILITY ..... 8-15

    A. Accessory Structures and Uses ..... 8-15

    B. Temporary Uses ..... 8-15

    C. On-Site Development Standards ..... 8-15

    D. Off-Street Parking and Loading ..... 8-16

    E. Landscaping and Screening ..... 8-16

    F. Signs ..... 8-16

**ARTICLE 9. COMMERCIAL DISTRICTS ..... 9-1**

9.1 PURPOSE ..... 9-1

    A. Purpose of C-1 Business Office District ..... 9-1

    B. Purpose of C-2 Neighborhood Commercial District ..... 9-1

    C. Purpose of C-3 Central Business District ..... 9-1

    D. Purpose of C-4 Fringe Central Business District ..... 9-1

    E. Purpose of C-5 Highway Commercial District ..... 9-1

9.2 PERMITTED AND CONDITIONAL USES ..... 9-1

9.3 BULK AND SETBACK REGULATIONS ..... 9-3

9.4 GENERAL STANDARDS OF APPLICABILITY ..... 9-4

    A. Accessory Structures and Uses ..... 9-4

	<u>Article # - Page #</u>
B. Temporary Uses .....	9-4
C. On-Site Development Standards .....	9-4
D. Off-Street Parking and Loading .....	9-4
E. Landscaping and Screening .....	9-5
F. Signs .....	9-5
<b>ARTICLE 10. INDUSTRIAL DISTRICTS .....</b>	<b>10-1</b>
10.1 PURPOSE .....	10-1
A. Purpose of I-1 Light Industrial District .....	10-1
B. Purpose of I-2 General Industrial District .....	10-1
C. Purpose of I-3 Planned Industrial District .....	10-1
10.2 PERMITTED AND CONDITIONAL USES .....	10-1
10.3 BULK AND SETBACK REGULATIONS .....	10-3
10.4 GENERAL STANDARDS OF APPLICABILITY .....	10-4
A. Accessory Structures and Uses .....	10-4
B. Temporary Uses .....	10-4
C. On-Site Development Standards .....	10-4
D. Off-Street Parking and Loading .....	10-4
E. Landscaping and Screening .....	10-4
F. Signs .....	10-4
<b>ARTICLE 11. SPECIAL PURPOSE DISTRICTS .....</b>	<b>11-1</b>
11.1 MEDICAL SERVICE DISTRICT .....	11-1
A. Purpose .....	11-1
B. Permitted Uses .....	11-1
C. Bulk and Setback Regulations .....	11-1
D. Medical Service District General Development Plan .....	11-2
11.2 PLANNED UNIT DEVELOPMENT DISTRICT .....	11-3
A. Purpose .....	11-3
B. General Standards .....	11-4
C. Exceptions From District Regulations .....	11-5
D. Procedure .....	11-7
E. Post-Approval .....	11-8
F. Additional Procedures and Standards .....	11-9
<b>ARTICLE 12. OVERLAY DISTRICTS AND DESIGNATED AREAS .....</b>	<b>12-1</b>
12.1 FLOODPLAIN OVERLAY DISTRICT .....	12-1
A. Purpose .....	12-1
B. Designation .....	12-1
C. Warning and Disclaimer of Liability .....	12-2
D. Regulatory Flood Protection Elevation .....	12-2
E. Certification .....	12-2
F. Floodplain Overlay District Sub-Districts .....	12-2
12.2 SHORELAND OVERLAY DISTRICT .....	12-14
A. Purpose .....	12-14
B. Applicability .....	12-14
C. Designation .....	12-14
D. Permitted and Conditional Uses .....	12-14
E. Bulk and Setback Regulations .....	12-17
F. Land Development Restrictions .....	12-18
G. Shoreland Alterations .....	12-20
H. Placement and Design of Roads, Driveways and Parking Areas .....	12-22

	<u>Article # - Page #</u>
I. Stormwater Management .....	12-23
12.3 SCENIC RIVERS OVERLAY DISTRICT .....	12-23
A. Purpose .....	12-23
B. Designation .....	12-24
C. Permitted and Conditional Uses .....	12-24
D. Bulk and Setback Regulations .....	12-25
E. Land Development Restrictions .....	12-26
12.4 ENVIRONMENTALLY SENSITIVE AREAS .....	12-27
A. Purpose .....	12-27
B. Rationale for Protecting Environmentally Sensitive Areas .....	12-27
C. Use and Bulk and Setback Regulations .....	12-28
D. Identification of Environmentally Sensitive Areas .....	12-28
E. Criteria for Designating ESA .....	12-29
F. Determination of Location of ESA .....	12-29
G. Annexations .....	12-30
H. Criteria for Prioritization of ESA .....	12-30
12.5 HISTORIC DISTRICT OVERLAY DISTRICT .....	12-31
A. Purpose .....	12-31
B. Permitted and Conditional Uses .....	12-31
C. Bulk and Setback Regulations .....	12-31
D. Design Guidelines .....	12-31
E. Approval Processes .....	12-31
<b>ARTICLE 13. DESIGN STANDARDS .....</b>	<b>13-1</b>
13.1 RESIDENTIAL AND COMMERCIAL DISTRICT GENERAL BUILDING DESIGN .....	13-1
A. Applicability .....	13-1
B. Design Standards .....	13-1
13.2 INDUSTRIAL DISTRICTS GENERAL BUILDING DESIGN .....	13-1
A. Applicability .....	13-1
B. Design Standards .....	13-2
13.3 RESIDENTIAL HISTORIC DISTRICT PRESERVATION DESIGN GUIDELINES .....	13-2
A. Applicability .....	13-2
B. Design Guidelines for Restoration and Rehabilitation .....	13-2
C. Design Guidelines for New Construction .....	13-7
13.4 COMMERCIAL HISTORIC DISTRICT DESIGN GUIDELINES .....	13-9
A. Applicability .....	13-9
B. Design Guidelines .....	13-10
<b>ARTICLE 14. USE STANDARDS .....</b>	<b>14-1</b>
14.1 PURPOSE .....	14-1
14.2 USE OF LAND AND STRUCTURES .....	14-1
14.3 USE STANDARDS .....	14-1
A. Adult Use .....	14-1
B. Amusement Center .....	14-2
C. Bed and Breakfast Facility .....	14-2
D. Car Wash .....	14-3
E. Cemetery .....	14-3
F. Commercial Kennel .....	14-3
G. Drive-In Establishment .....	14-3
H. Dwelling Unit .....	14-3
I. Essential Services and Essential Service Structures .....	14-4
J. Homeless Day Center .....	14-4

	<u>Article # - Page #</u>
K. Grading and Filling Activity .....	14-4
L. Hotel/Motel .....	14-5
M. Industrial Farm .....	14-5
N. Lodging House .....	14-5
O. Manufactured Home and Manufactured Housing Park .....	14-5
P. Micro-Brewery .....	14-7
Q. Office .....	14-7
R. On-Site Rental Office .....	14-7
S. Place of Worship .....	14-8
T. Residential Facility .....	14-8
U. Service Station .....	14-8
V. Temporary Shelter Facility .....	14-9
W. Transmission Services .....	14-10
X. Utilities .....	14-10
Y. Wind Energy Conversion Systems (WECS).....	14-11
14.4 TEMPORARY USES.....	14-15
A. Temporary Uses in the C-3, C-4 and C-5 Districts .....	14-15
B. Temporary Real Estate Offices in the R-1, R-1A and R-2 Districts .....	14-15
C. Temporary Contractor Trailers .....	14-15
D. Temporary Storage Trailers .....	14-15
<b>ARTICLE 15. ON-SITE DEVELOPMENT STANDARDS .....</b>	<b>15-1</b>
15.1 PURPOSE .....	15-1
15.2 USE OF LAND AND BUILDINGS .....	15-1
A. Number of Buildings on a Lot .....	15-1
B. Applicability of Bulk Requirements .....	15-1
C. Required Yards .....	15-1
D. Open Space Requirements .....	15-1
E. Building Height Appurtenances .....	15-1
F. View Obstruction .....	15-2
G. Applicability of Use Restrictions .....	15-2
H. Different Uses .....	15-2
I. All Activities within an Enclosed Building .....	15-2
J. Street Closure .....	15-3
K. Areas Underwater .....	15-3
15.3 LOT CONFIGURATION .....	15-3
A. Frontage on a Public or Private Street .....	15-3
B. Lot Size and Dimensions .....	15-3
15.4 EXTERIOR LIGHTING .....	15-4
A. Light Trespass .....	15-4
B. Unshielded Lighting .....	15-4
C. Light Pole Heights .....	15-4
15.5 ACCESSORY STRUCTURES AND USES .....	15-5
A. Accessory Structure .....	15-5
B. Fences and Hedges .....	15-7
C. Home Occupations .....	15-8
D. Gazebo .....	15-8
E. Outdoor Storage .....	15-9
F. Satellite Dish Antennas .....	15-9
G. Swimming Pools and Spas .....	15-10
H. Water Features and Man-Made Ponds .....	15-11
I. Wireless Telecommunications .....	15-11



	<u>Article # - Page #</u>
15.6	PERMITTED OBSTRUCTIONS ..... 15-15
15.7	PERFORMANCE STANDARDS ..... 15-17
	A. Landscaping ..... 15-18
	B. Noise ..... 15-18
	C. Vibration ..... 15-18
	D. Wastes ..... 15-18
	E. Air Pollution ..... 15-18
<b>16</b>	<b>ARTICLE 16. OFF-STREET PARKING AND LOADING ..... 16-1</b>
16.1	PURPOSE ..... 16-1
16.2	GENERAL PROVISIONS ..... 16-1
	A. Existing Facilities ..... 16-1
	B. Damage or Destruction ..... 16-1
	C. Change in Land Use ..... 16-2
	D. Change in Intensity of Use ..... 16-2
	E. Provision of Additional Spaces ..... 16-2
	F. Limitations on Use ..... 16-2
	G. Site Plan ..... 16-2
16.3	COMPUTATION ..... 16-2
16.4	COLLECTIVE PROVISIONS ..... 16-3
16.5	LAND BANKED FUTURE PARKING ..... 16-4
16.6	EXEMPTION FROM OFF-STREET PARKING REQUIREMENTS ..... 16-4
16.7	LOCATION OF OFF-STREET PARKING SPACES ..... 16-4
16.8	DESIGN STANDARDS ..... 16-6
	A. Dimensions ..... 16-6
	B. Construction of Parking Area ..... 16-6
	C. Striping ..... 16-6
	D. Landscaping and Screening ..... 16-6
	E. Bumper/Tire Barriers ..... 16-6
16.9	OFF-STREET PARKING ACCESS ..... 16-6
16.10	ACCESSIBLE PARKING ..... 16-8
	A. Required Number of Spaces ..... 16-8
	B. Dimensions and Design ..... 16-9
16.11	STACKING SPACES FOR DRIVE-THROUGH FACILITIES ..... 16-9
	A. Design ..... 16-9
	B. Required Spaces ..... 16-10
	C. Reduction of Required Stacking Spaces ..... 16-10
16.12	PARKING AND STORAGE OF RECREATIONAL VEHICLES AND OVERSIZED VEHICLES..... 16-10
	A. Storage in all Zoning Districts ..... 16-10
	B. Storage in Residential Zoning Districts ..... 16-11
	C. Prohibited Vehicles in Residential Districts ..... 16-12
	D. Oversized Vehicles Allowed in Residential Districts ..... 16-12
16.13	REQUIRED OFF-STREET PARKING SPACES ..... 16-13
16.14	DESIGN OF OFF-STREET LOADING ..... 16-15
	A. Location ..... 16-15
	B. Access ..... 16-15
	C. Surfacing ..... 16-15
	D. Design ..... 16-15
16.15	REQUIRED OFF-STREET LOADING SPACES ..... 16-15

**ARTICLE 17. LANDSCAPING, SCREENING AND BUFFERING ..... 17-1**

17.1 PURPOSE ..... 17-1

17.2 ENFORCEMENT ..... 17-1

17.3 LANDSCAPING ..... 17-1

    A. Landscaping Requirements for Yards..... 17-1

17.4 SCREENING..... 17-2

    A. Commercial and Industrial Screening..... 17-2

    B. Refuse Screening..... 17-2

    C. Residential Parking Screening..... 17-2

    D. I1 District Storage Screening Requirements..... 17-2

    E. I2 District Storage Screening Requirements..... 17-2

    F. I3 District Storage Screening Requirements..... 17-3

**ARTICLE 18. SIGNS ..... 18-1**

18.1 PURPOSE ..... 18-1

18.2 GENERAL PROVISIONS ..... 18-1

18.3 SIGNS IN AGRICULTURAL AND RESIDENTIAL DISTRICTS ..... 18-4

18.4 SIGNS IN C-1 AND C-2 COMMERCIAL DISTRICTS AND MD MEDICAL DISTRICT ..... 18-6

18.5 SIGNS IN THE C-3 AND C-4 COMMERCIAL DISTRICTS ..... 18-7

18.6 SIGNS IN THE C-5 COMMERCIAL DISTRICT, I-1, I-2, AND I-3 INDUSTRIAL DISTRICTS..... 18-7

18.7 LICENSES AND PERMIT FEES ..... 18-8

**ARTICLE 19. OFF-SITE DEVELOPMENT STANDARDS ..... 19-1**

19.1 PURPOSE ..... 19-1

19.2 STREETS ..... 19-1

19.3 STREET IMPROVEMENTS ..... 19-3

19.4 SIDEWALK IMPROVEMENTS ..... 19-3

19.5 GRADING ..... 19-4

    A. Street Grades ..... 19-4

    B. Lot Grading Plan ..... 19-4

    C. Slope of Driveways ..... 19-4

19.6 EASEMENTS ..... 19-5

19.7 BLOCK STANDARDS ..... 19-5

19.8 LOT STANDARDS ..... 19-5

19.9 PUBLIC SITES AND OPEN SPACES ..... 19-5

19.10 SANITARY SEWER ..... 19-6

19.11 WATER SUPPLY ..... 19-7

19.12 DRAINAGE IMPROVEMENTS ..... 19-7

19.13 EROSION AND SEDIMENT CONTROL ..... 19-12

19.14 PUBLIC UTILITIES ..... 19-12

19.15 STREET TREES ..... 19-13

**ARTICLE 20. NONCONFORMITIES ..... 20-1**

20.1 PURPOSE ..... 20-1

20.2 GENERAL STANDARDS OF APPLICABILITY ..... 20-1

    A. Authority to Continue ..... 20-1

    B. Burden on Property Owner to Establish Legality ..... 20-1

    C. Safety Regulations ..... 20-1

    D. Exceptions to Nonconformity Regulations ..... 20-1

20.3 NONCONFORMING USE ..... 20-2

    A. Definition of Nonconforming Use ..... 20-2

	<u>Article # - Page #</u>
B. Ordinary Repairs and Maintenance .....	20-2
C. Structural Alterations .....	20-2
D. Expansion of Use .....	20-2
E. Change of Use .....	20-3
F. Discontinuation or Abandonment .....	20-4
G. Damage or Destruction .....	20-4
20.4 NONCONFORMING STRUCTURES .....	20-4
A. Definition of Nonconforming Structure .....	20-4
B. Ordinary Repairs and Maintenance .....	20-4
C. Structural Alterations .....	20-5
D. Additions and Enlargements .....	20-5
E. Relocation .....	20-5
F. Damage or Destruction .....	20-5
G. Nonconforming Structures Within the Floodplain and/or Floodway.....	20-5
20.5 NONCONFORMING LOTS OF RECORD .....	20-6
20.6 NONCONFORMING SIGNS .....	20-7
<b>ARTICLE 21. DEFINITIONS .....</b>	<b>21-1</b>
21.1 PURPOSE .....	21-1
21.2 INTERPRETATION .....	21-1
21.3 USE DEFINITION RULES OF INTERPRETATION .....	21-1
21.4 USE DEFINITIONS .....	21-1
21.5 GENERAL TERMS DEFINITIONS .....	21-14
<b>APPENDIX A-1 – ESA INFORMATION .....</b>	<b>A-1-1</b>
Section 1: Description of Environmentally Sensitive Resources and Rationale for Protection .....	A-1-2
Section 2: Best Management Practices .....	A-1-5
Section 3: Tools for Protection .....	A-1-10
Section 4: Qualifications of Scientific Members .....	A-1-14
Section 5: References .....	A-1-15
Section 6: Resources .....	A-1-16
Section 7: Development Process - Flowchart .....	A-1-17
<b>APPENDIX A-2 – ENVIRONMENTALLY SENSITIVE AREAS MAP .....</b>	<b>A-2-1</b>
<b>APPENDIX A-3 – ENVIRONMENTALLY SENSITIVE AREAS INVENTORY TABLE.....</b>	<b>A-3-1</b>
<b>APPENDIX B – SUBMISSION REQUIREMENTS .....</b>	<b>B-1</b>
Rezoning Application .....	B-1
PUD General Development Plan Application.....	B-2
Create or Amend a Medical Service District Zoning District Application .....	B-3
Temporary Excavation Permit Application .....	B-4
Variance Application.....	B-5
Conditional Use Permit Application.....	B-6
Special Exceptions Permit Application .....	B-8
Land Use Change Permit Application .....	B-9
Sign Permit Application.....	B-10
Floodway and Flood Fringe District Determinations within the General Floodplain District .....	B-11
<b>APPENDIX C – HISTORIC DISTRICTS .....</b>	<b>C-1</b>

**APPENDIX D – SIGN AREA CALCULATIONS ..... D-1**

**APPENDIX E – PLANT LIST ..... E-1**

**APPENDIX F – PERMANENT STORMWATER DESIGN CHECKLIST ..... F-1**

**APPENDIX G – ALTERNATIVE STORMWATER TREATMENT OPTIONS.....G-1**

**APPENDIX H – STORMWATER EASEMENT & MAINTENANCE AGREEMENT DOCUMENTS.....H-1**

**TABLES**

Table 3-1: Application and Approval Notice ..... 3-2

Table 7-1: Agricultural Districts Permitted and Conditional Uses ..... 7-1

Table 7-2: Agricultural Districts Bulk and Setback Regulations ..... 7-2

Table 8-1: Residential Districts Permitted and Conditional Uses ..... 8-2

Table 8-2: Residential Districts Bulk and Setback Regulations ..... 8-5

Table 9-1: Commercial Districts Permitted and Conditional Uses ..... 9-2

Table 9-2: Commercial Districts Bulk and Setback Regulations ..... 9-3

Table 10-1: Industrial Districts Permitted and Conditional Uses ..... 10-1

Table 10-2: Industrial Districts Bulk and Setback Regulations ..... 10-3

Table 11-1: Medical Service District Permitted Uses ..... 11-1

Table 11-2: Medical Service District Bulk and Setback Regulations ..... 11-2

Table 11-3: Commercial Planned Unit Development Floor Area Ratios ..... 11-12

Table 11-4: Allowable Dwelling Unit or Dwelling Site Density Increases ..... 11-13

Table 12-1: Shoreland Overlay District Bulk and Setback Regulations ..... 12-18

Table 12-2: Scenic Rivers Overlay District Permitted and Conditional Uses ..... 12-24

Table 12-3: Scenic River District Bulk and Setback Regulations ..... 12-25

Table 14-1: Standards for Building Mounted WECS ..... 14-12

Table 14-2: Specific Standards for Freestanding WECS ..... 14-12

Table 15-1: Maximum Accessory Structure Size ..... 15-5

Table 15-2: Detached Accessory Structure Setback ..... 15-6

Table 15-3: Fence Height in Residential Districts..... 15-7

Table 15-4: Siting Requirements for Wireless Telecommunications Towers ..... 15-11

Table 15-5: Permitted Obstructions ..... 15-15

Table 16-1: Driveway and Curb Cut Size ..... 16-6

Table 16-2: Ratio of Accessible Spaces ..... 16-9

Table 16-3: Required Off-Street Parking ..... 16-13

Table 16-4: Off-Street Loading Requirements ..... 16-16

Table 19-1: Right-of-Way Widths ..... 19-2

Table 19-2: Limiting Factors ..... 19-7

Table 19-3: Volume Control Requirements..... 19-8

Table 20-1: Single-Family Lot Coverage on Nonconforming Lots of Record ..... 20-7

**FIGURES**

Figure 8-1: Front Setback Averaging ..... 8-13

Figure 8-2: Established Front Setback ..... 8-13

Figure 8-3: Street Side Setback – Reverse Corner Lot ..... 8-14

Figure 8-4: Street Side Setback – Side Street Garage Access ..... 8-14

Figure 15-1: View Obstruction ..... 15-2

Figure 16-1: Residential Driveway Setback ..... 16-5

Figure 16-2: Off-Street Parking Dimensions ..... 16-7

	<u>Article # - Page #</u>
Figure 16-3: Channelizing Island .....	16-8
Figure 16-4: Measurement of Drive-Through .....	16-9
Figure 16-5: Stacking Spaces .....	16-10
Figure 21-1: Townhouse Dwelling .....	21-6
Figure 21-2: Accessory Structure .....	21-13
Figure 21-3: Awning .....	21-14
Figure 21-4: Basement .....	21-14
Figure 21-5: Bay Window .....	21-15
Figure 21-6: Blockface .....	21-15
Figure 21-7: Building Height .....	21-17
Figure 21-8: Height Measured from Grade .....	21-17
Figure 21-9: Canopy .....	21-18
Figure 21-10: Cellar .....	21-19
Figure 21-11: Corner and Interior Lots .....	21-24
Figure 21-12: Lot Coverage .....	21-25
Figure 21-13: Lot Depth and Width .....	21-25
Figure 21-14: Through Lot .....	21-26
Figure 21-15: Parapet Wall .....	21-28
Figure 21-16: Setback .....	21-33
Figure 21-17: A-Frame Sign .....	21-34
Figure 21-18: Cabinet Sign .....	21-34
Figure 21-19: Cabinet Box Sign .....	21-35
Figure 21-20: Electronic Display Screen .....	21-35
Figure 21-21: Electronic Message Sign .....	21-36
Figure 21-22: Ground Monument Sign .....	21-36
Figure 21-23: Ground Pole Sign .....	21-37
Figure 21-24: Projecting Sign .....	21-38
Figure 21-25: Wall Sign .....	21-38
Figure 21-26: Permanent Window Sign .....	21-39
Figure 21-27: Temporary Window Sign .....	21-39
Figure 21-28: Stoop .....	21-40
Figure 21-29: Tower Hierarchy .....	21-42
Figure 21-30: Yards .....	21-44