

# Table of Contents

Article 1: General Provisions .....	2
1.1 Purpose of the Land Development Code (LDC) .....	2
1.2 Title .....	3
1.3 Code Authority .....	3
1.4 Code Jurisdiction .....	3
1.5 Repeal of Existing Ordinances .....	3
1.6 Relationship to Third-Party Agreements.....	3
1.8 Relationship to Comprehensive Plan .....	4
1.9 Conformance to this Land Development Code .....	4
1.10 Transitional Rules .....	4
1.11 Ordinance Severability .....	5
1.12 Use of Tables, Graphics, Illustrations, Figures and Cross-References .....	5
Article 2: Zoning Districts and Regulations .....	6
2.1 Official Zoning Map.....	6
2.2 Establishment of Zoning Districts.....	7
2.3 Base Zoning Districts .....	10
2.4 Special Based Zoning Districts .....	17
2.5 Overlay Zoning Districts .....	20
2.6 Floating Zoning Districts .....	24
2.7 Permitted Principal Uses .....	25
2.8 Use Definitions .....	30
2.9 Use-Specific Standards .....	43
2.10 Accessory Uses and Structures .....	67
2.11 Temporary Uses and Structures .....	77
2.12 Non-conformities .....	80
2.13 Pre-Existing Uses .....	84
Article 3: Development Standards .....	86
3.1 Measurements, Computations and Exceptions .....	86
3.2 Site Development Standards .....	95
3.3 General Development Standards.....	112
3.4 Architectural Standards .....	120
3.5 Neighborhood Compatibility Standards.....	124
3.6 Landscape, Screening and Buffering Standards.....	131
3.7 <a href="#">Off-Street Parking, Loading and Mobility</a> .....	161
3.8 <a href="#">Pedestrian Access and Circulation</a> .....	182
Article 4: Development Standards for the FP-O and WS-O Districts .....	147
3.7 <a href="#">Signage</a> .....	147
Article 5: <a href="#">3.8 Off Street Parking, Loading and Mobility</a> .....	161
3.9 <a href="#">Pedestrian Access and Circulation</a> .....	182
3.10 <a href="#">Basic Subdivision Requirements</a> .....	184
5.1 <a href="#">Purpose and Applicability</a> .....	184
5.2 <a href="#">Subdivision Approval Required</a> .....	184
5.3 <a href="#">Energy Conservation Design</a> .....	184
5.4 <a href="#">Development Agreement Required</a> .....	184
5.5 .....	184
3.11 <a href="#">Subdivision Design Standards</a> .....	192

<u>Article 6: Signage</u> .....	
<del>3.12</del> Development Standards for the FP O District .....	<del>211</del>
<del>3.13</del> Development Standards for the WS O District .....	<del>228</del>
Article <u>74</u> : Administration .....	<u>233</u>
<u>74.1</u> Purpose .....	<u>233</u>
<u>74.2</u> General Provisions for all Administrative Bodes and Boards .....	<u>233</u>
<u>74.3</u> City Council .....	<u>233</u>
<u>74.4</u> Planning Commission (PC) and Zoning Broad of Appeals (ZBA).....	<u>234</u>
<u>74.5</u> Heritage Preservation Commission ( HPC) .....	<u>235</u>
<u>74.6</u> City Planner and Code Enforcement Officer .....	<u>236</u>
<u>74.7</u> Development Review Committee (DRC) .....	<u>237</u>
<u>74.8</u> Enforcement and Penalties .....	<u>237</u>
Article <u>85</u> : Development Procedures.....	<u>239</u>
<u>85.1</u> Purpose .....	<u>239</u>
<u>85.2</u> Applicability .....	<u>239</u>
<u>85.3</u> Common Development Review Requirements .....	<u>239</u>
<u>85.4</u> Summary of Application and Review Procedure Types .....	<u>246</u>
<u>85.5</u> Specific Development Review Procedure Requirements.....	<u>258</u>
Article <u>96</u> : Definitions.....	<u>284</u>
<u>96.1</u> Rules of Construction and Interpretation .....	<u>284</u>
<u>96.2</u> Definitions.....	<u>285</u>
Article <u>107</u> : Appendix A .....	<u>311</u>
Article <u>118</u> : Index .....	<u>315</u>

# Article 2: Zoning Districts and Use Regulations

---

Error! No table of contents entries found.

## 2.3.8 Downtown District (C1-B)

### (A) Purpose

- (1) The C1-B district ~~applies should generally apply~~ to those areas designated as “Core,” ~~and~~ “Center” ~~and, in part, “Corridor”~~ on the ~~F~~framework map of the ~~C~~omprehensive ~~P~~lan.
- (2) The C1-B district, which includes Northfield’s historic town square, the Cannon River, Northfield’s original flour mill, and historically preserved commercial center, creates Northfield’s brand and a unique sense of place.
- (3) The purpose of the Downtown (C1-B) district is to sustain the historic central business district, make the Highway 3 corridor a more integral and attractive part of Downtown, provide design transitions to surrounding zoning districts, provide a strong relationship to the Cannon River and thus enhance the beauty, appreciation and benefits of the river, -and to augment and increase Downtown its-viability and prosperity.
- (4) The C1 District aims to provide -by providing-a compact, pedestrian friendly, active mix of land uses including :-business, eommerce, hospitality, professional-offices and services, housingresidential, arts and culture, and government, along with-public gathering places and points of interest for residents and visitors alike.
- (3)(5) The dDesign standards of this district applied here will reflect the architectural character found of -in the historic downtown and will help create augment-a strong, distinctive sense of arrival and center by locating buildings close to the sidewalk or road, providing compatible facades along the Cannon River, building intimate places for people to gather outdoors, or minimizing negative effects on residential neighborhoods. place-through-pedestrian orientation and the inclusion of open space, public plazas, gathering places, outdoor dining areas and a strong relationship with the Cannon River. Specific standards for this zoning district in Section 3.2.3, C1-B District Site Development Standards also:

### (B) Sub-Districts

The C1 District has three sub-districts, each with slightly different standards:

- (1) The Historic District Sub-District  
Properties in the National Register Historic District
- (2) The East of Highway 3 Sub-District  
Properties east of Highway 3 excluding the Historic District Sub-District
- (3) The West of Highway 3 Sub-District  
Properties located west of Highway 3

## Article 2: Zoning Districts and Use Regulations

Specific standards for the C1 District and its sub-districts are located in Section 3.2.3, C1 District Site Development Standards.

~~—Additional Regulate building façade treatments:~~

- ~~(b) Create regulations for properties having frontage on the Cannon River.~~
- ~~(c) Protect existing residential neighborhoods from potential negative effects of commercial uses that are in close proximity to the residential use.~~
- ~~(d) Allow flexibility in site design for the properties within the C1-B District located west of Highway 3. This is due to the recognition that the existing development pattern for the area west of Highway 3 creates difficulties for redevelopment, including the location of railroad right of way and the limited opportunities for on-street parking, which limits the location of parking areas.~~

~~(E)(C) Site Development Standards~~

See Section 3.2.2, C1 District Site Development Standards, for the site development standards that apply to the C1 district.

~~—See Section 3.2.3, C1-B District Site Development Standards for the site development standards that apply to the C1-B district. The site development standards in this district differ depending upon the location of a specific lot. The C1-B district has different regulations for each of the four subareas as follows:~~

- ~~(0) properties facing the Cannon River;~~
- ~~(0) properties facing residential properties;~~
- ~~(3) properties west of Highway; and~~
- ~~(4) properties south of 6th Street.~~

~~(A) Other Development Standards~~

~~(D) In addition to the standards established for the C1-B district, all development shall be subject to all other applicable standards in Article 3: Development Standards: Relationship to the Comprehensive Plan~~

Refer to Appendix A for a description of the relationship between the C1 District regulations or standards and the *Northfield Comprehensive Plan*.

### 2.3.9 Highway Commercial District (C2-B)

~~(L)(A)~~ Purpose

- ~~(1) The C2-B district should generally apply to those areas designated as “Corridor” on the framework map of the comprehensive plan.~~
- (1) Provide The purpose of the Highway Commercial (C2-B) district is to provide a locations for highway-oriented retail and service businesses that benefit from access to and visibility from the highway
- (2) Provide for a wider range of commercial building and site sizes than may be possible in other zoning districts other districts.
- (3) Provide locations for mixed-uses within buildings and sites.
- (4) Support efficient use of the limited highway commercial land supply, attract and retain sustainable businesses that which contribute to economic growth and job creation, and enhance the economic vitality of the district and of Northfield.
- (5) Provide locations for businesses that rely on easy auto access and parking plus visibility from the highway while providing safe and attractive routes to businesses for pedestrians and bicyclists from neighboring sites and the rest of the city.
- (6) Create buildings and sites that are visually attractive and that can be adapted to changing business and community needs.
- (7) Enhance the sense of gateway and arrival along Highway 3.
- ~~(a) Minimize the negative effects of commercial site development on housing in adjacent residential zoning districts. A built environment that preserves the character of Northfield, differentiates it from other Twin Cities area suburbs, and presents a high quality image of the city.~~
- ~~(b) Built structures that are designed and situated on sites to complement the existing natural and built environments.~~
- ~~(c) To provide options for site development review and decision making where:~~
  - ~~(i) Commercial development that relates site improvements from one parcel to other parcels in the commercial area creating a degree of order and familiarity in the building placement that is processed through a Fast Track.~~
  - ~~(ii) Quality built environment that relies to a larger degree on site landscaping that creates a patterned and pleasing green edge to sites in relation to the public street frontage is processed through a Flexible Track.~~
- ~~(d) Structures that can be adapted to changing business and community needs.~~
- ~~(e) Mixed-uses within structures and within sites.~~
- ~~(f) Pedestrian scale development through building placement, façades, and landscaping.~~
- (2)(8) Multi-modal transportation via site design that connects businesses in the highway corridor with neighboring sites and the rest of the city.
- ~~(3) The regulations outlined for the C2-B District will implement the following objectives (as paraphrased) from the 2008 Comprehensive Plan:~~

## Article 2: Zoning Districts and Use Regulations

- ~~Encourage a compact development pattern, and support infill, redevelopment and land intensification by increasing density and providing mixed-use opportunities for commercial, office and housing as articulated in land use objectives LU3 and LU5 in the comprehensive plan.~~
- ~~Reflect the local vernacular in commercial and office structures by creating regulations that reflect the overall community identity as articulated in the community identity objective CI in the comprehensive plan.~~
- ~~Facilitate the safe, convenient, coordinated and fiscally responsible movement of people, goods, and services by establishing a network of routes within the commercial area and between the commercial and nearby neighborhoods, providing for use of a variety of transportation modes, and incorporating “park once” site designs as articulated in land use objective LU6 and environmental resource objective ER9 in the comprehensive plan.~~
- ~~Be a good steward of the natural environment by improving buffers along the Cannon River and increasing the density of the community's urban forest with standards relating to the selection and establishment of appropriate tree species in parking lots and the public right of way as articulated in land use objective LU6 and environmental resource objective ER9 in the comprehensive plan.~~
- ~~Improve the district as a gateway into the community by defining the streetscape with human scaled buildings with fronts oriented to the street and parking to the rear, including attractive landscaping and public art, and implementing other calming and pedestrian friendly techniques as articulated in community identity objective CI5 in the comprehensive plan.~~

### (S) Two-track Development Option

~~(O) Site development standards in the C2-B district are administered in two possible development tracks hereinafter referred to as Fast Track or Flexible Track. Building placement, architectural objectives and architectural standards applicable to Fast Track development are intended to accomplish the same development and regulatory purpose as the general architectural objectives and architectural standards applicable to Flexible Track development. All projects proposed for development in the C2-B district shall adhere to these development standards and objectives in either Fast Track or Flexible Track development.~~

~~(a) Fast Track development in the C2-B district refers to those development applications as proposed by the developer that adhere to all standards and requirements found in Table 3.2.4 labeled Fast Track, as well as those architectural design requirements for Non-residential buildings in Section 3.2.4, C2-B District Site Development Standards. Development adhering to these standards will automatically meet all of the development objectives of the C2-B District. Development in the C2-B district that is proposed by the applicant using the Fast Track shall be reviewed and processed according to Type 2 review procedure found at Section 5.4.5, Type 2 Review Procedure (City Planner Decision with Development Review Committee Review).~~

~~(b) Development in the C2-B district in compliance with Flexible Track standards is intended to create the same land use, building and site design quality as provided for with Fast Track development while recognizing that due to existing patterns of development and the potential for equally creative design, the overall development objectives in the C2-B district will be accomplished. Flexible Track development standards are found in Table 3.2.4, labeled Flexible Track, as well as those~~

~~architectural and site design requirements for non-residential buildings in Section 3.2.4 C2-B District Site Development Standards—Commercial Use. Development in the C2-B district that is proposed by the applicant using the Flexible Track shall be reviewed and processed according to Type 7 review procedures found at Section 5.4.10, Type 7 Review Procedure (Planning Commission Decision).~~

~~(W)~~(B) Site Development Standards

See Section 3.2.34, C2-B District Site Development Standards and Guidelines, for the site development standards that apply to the C2-B district.

(C) Relationship to the Comprehensive Plan

Refer to Appendix A for a description of the relationship between the C2 District regulations or standards and the Northfield Comprehensive Plan.

~~(A)~~Other Development Standards

~~In addition to the standards established for the C2-B district, all development shall be subject to all other applicable standards in Article 3: Development Standards.~~

### 2.3.10 Industrial District (I1-B)

~~(X)~~(A) Purpose

(1) The I1-B district should generally apply to those areas designated as “District” on the ~~F~~framework map of the comprehensive plan.

(2) The purpose of the Industrial (I1-B) district is to provide an area to accommodate manufacturing uses, general businesses, offices, service and repair businesses, warehousing and office showroom uses in a functional, attractive manner that does not unduly affect the development or use of nearby property. ~~existence prior to the effective date of this code and any additions to or redevelopment of those uses.~~ Limited and incidental retailing shall be allowed in this district. ~~Its overall character is intended to be compatible in scale and intensity with the adjacent highway commercial district.~~ The portion of the district that abuts the Cannon River shall be developed in a manner that enhances, restores, augments and maintains the ecology and beauty of this natural corridor.

~~(3) Amendments to the Official Zoning Map to expand the I1-B district shall be limited to areas immediately adjacent to an area currently zoned I1-B. Expansion into areas not currently abutting the I1-B district shall be prohibited.~~

~~(0) Amendments to the Official Zoning Map to expand the I1-B district shall be limited to areas immediately adjacent to an area currently zoned I1-B. Expansion into areas not currently abutting the I1-B district shall be prohibited.~~

~~(Z)~~(B) Site Development Standards

See Section 3.2.45, I1-B District Site Development Standards, for the site development standards that apply to the I1-B district.

~~(AA)~~Other Development Standards

~~(C) In addition to the standards established for the I1-B district, all development shall be subject to all other applicable standards in Article 3: Development Standards.~~Relationship to the Comprehensive Plan

Refer to Appendix A for a description of the relationship between the I1 District regulations or standards and the Northfield Comprehensive Plan.

# Article 2: Zoning Districts and Use Regulations

---

2.10 Accessory Uses and Structures .....1

## 2.10 Accessory Uses and Structures

### 2.10.3 Permitted Accessory Uses

#### (J) Solar Energy Sources and Systems

##### (1) Placement and Design Standards

Northfield encourages the installation of productive solar energy systems and recognizes that a balance must be achieved between character and aesthetic considerations and the reasonable desire of building owners to harvest their renewable energy resources. Roof and ground-mounted solar energy systems that meet the provisions of Section B. below are permitted accessory uses in all districts where buildings are permitted. Active solar energy systems that do not meet the visibility standards in 4. below will require a conditional use permit.

##### (a) Height – Solar energy systems must meet the following height requirements:

- (i) Building mounted solar energy systems shall not exceed the maximum allowed height in any zoning district.
- (ii) Freestanding solar energy systems shall not exceed 20 feet in height in any zoning district when oriented at maximum tilt.

##### (b) Setback—Solar energy systems must meet the following setback requirements:

- (i) Building mounted solar energy systems – The collector surface and mounting devices for building mounted solar energy systems shall not extend beyond the required setbacks of the building on which the system is mounted.
- (ii) Freestanding solar energy systems – Freestanding solar energy systems may not extend into the side-yard or rear setback when oriented at minimum design tilt.

##### (c) Coverage – Freestanding solar energy systems are not allowed in a front yard.

- (i) They may cover no more than 35% of a rear yard, and no more than 3 freestanding accessory solar structures are allowed on lots with one-and two- family dwellings.

##### (d) Visibility

## Article 2: Zoning Districts and Use Regulations

### ~~Article 2: Zoning Districts and Use Regulations~~

(i) Building-mounted solar energy systems shall be designed to be flush-mounted with the roof when facing the public right-of-ways other than alleys. The color of the solar collector is not required to be consistent with other roofing materials.

(ii) Building-integrated Photovoltaic Systems: Building-integrated photovoltaic systems shall be allowed regardless of visibility, provided the building component in which the system is integrated meets all required setback and land use standards for the district in which the building is located.

(e) Historic Buildings - Solar energy systems on buildings within designated historic districts or on locally designated historic buildings (exclusive of State or Federal historic designation) will require a conditional use permit and the accompanied Historic Preservation Committee review.

#### (2) General Standards

(a) Feeder lines - Any electric lines accompanying a solar energy system, other than those attached to on-site structures by leads, shall be buried within the interior of the subject parcel, unless there are existing lines in the area which the lines accompanying an solar energy system can be attached.

(b) Commercial - All solar energy systems shall be limited to the purpose of on-site energy production, except that any additional energy produced above the total onsite demand may be sold to the operator's regular electrical service provider in accordance Minnesota Statute 216B.164 or successor statute.

(c) Northfield encourages solar access to be protected in all new subdivisions and allows for existing solar to be protected consistent with Minnesota Statutes. Any solar easements filed, must be consistent with Minnesota Statutes, Chapter 500, Section 30.

#### (3) Abandonment

A solar energy system that is allowed to remain in a nonfunctional or inoperative state for a period of twelve (12) consecutive months, and which is not brought in operation within the time specified by the city, shall be presumed abandoned and may be declared a public nuisance subject to removal at the expense of the land owner.

#### ~~(A)~~(K) Telecommunication Facilities and Antennas

##### ~~(1) Amateur Radio Antennas~~

The construction/erection of towers supporting amateur radio antennas shall be a permitted use in all zoning districts subject to the following requirements:

~~(a) Such towers shall be allowed only in the rear yard of residential properties, unless the property owner can show that there is~~

~~Article 2: Zoning Districts and Use Regulations~~

~~insufficient space within the rear yard to erect the tower and any related guy wires within the rear yard. In such case, the property owner may erect the tower in the side yard that has space to accommodate the tower.~~

~~(b) Such tower shall not exceed 70 feet in height, except by conditional use permit (See Section 5.5.9, Conditional Use Permit).~~

~~(c) Such tower shall conform to the accessory structure setback for the district in which it is located, except that if the property owner can show that there is not sufficient space on the property to erect the tower and any related guy wires, such tower or guy wires may be located no less than one foot from property lines.~~

~~(d) Amateur radio support structures (towers) shall be installed in accordance with the instructions furnished by the manufacturer of the tower model. An antenna mounted on a tower may be modified and changed at any time so long as the published allowable load on the tower is not exceeded and the structure of the tower remains in accordance with the manufacturer's specifications.~~

~~(2) Satellite Dishes~~

~~One ground or building mounted satellite dish antenna with a diameter of 18 inches or less is permitted for each property, provided that it is installed in the location, roof or ground, that is the least obtrusive to neighboring properties.~~

~~(3) Exemptions~~

~~The following telecommunications facilities are exempt from these LDC requirements:~~

~~(a) A single ground or building mounted receive only radio or television antenna, including any mast, for the sole use of the resident occupying a residential parcel on which the radio or television antenna is located, with an antenna height not exceeding 40 feet.~~

~~(b) A ground or building mounted citizens band radio antenna, including any mast, if the height (post and antenna) does not exceed 35 feet.~~

~~(c) Mobile services providing public information coverage of news events of a temporary nature.~~

~~(d) Handheld devices such as cell phones, business band mobile radios, walkie talkies, cordless telephones, garage door openers and similar devices as determined by the city planner.~~

~~(e) Antennas mounted on roofs, walls, existing towers and appropriate structures shall be subject to the following:~~

~~(i) The placement of commercial wireless telecommunication antennas on roofs, walls, and existing towers and other structures may be approved by the city planner subject to the following:~~

- ~~• The antenna must meet the requirements set forth in this section;~~

## Article 2: Zoning Districts and Use Regulations

### ~~Article 2: Zoning Districts and Use Regulations~~

- ~~The existing structure upon which placement of an antenna is proposed must be conforming to all applicable sections of this article;~~
- ~~A site and building plan as required by the city must be submitted; and~~
- ~~A report prepared by a qualified and licensed professional engineer approved by the city indicating the existing structure or tower's suitability to accept the antenna, and the proposed method of affixing the antenna to the structure, is submitted and approved by the city. Complete details of all fixtures and couplings and the precise point of attachment shall be indicated.~~

~~(ii) The placement of commercial wireless telecommunication antennas on roofs, walls, and existing towers and other appropriate structures that are subject to an existing conditional use permit shall be permitted subject to the following:~~

- ~~The existing structure must be in full compliance with such conditional use permit.~~
- ~~If the existing structure upon which the antenna is to be placed is subject to an existing conditional use permit, the city planner shall review the proposal for installation of the additional antenna to determine if such installation is in compliance with the existing structure's conditional use permit. If it is determined that installation of the additional antenna will not comply with the provisions of the existing conditional use permit, an amendment to the existing conditional use permit will be required, according to the provisions of Section 5.5.9, Conditional Use Permit.~~

- (1) Purpose. In order to accommodate the communication needs of residents and businesses while protecting the public health, safety, and general welfare of the community, the city council finds that this section is necessary in order to:
- (a) Facilitate the provision of telecommunication services to the residents and businesses of the city;
  - (b) Minimize adverse visual effects of towers through careful design and siting standards;
  - (c) Avoid potential damage to adjacent properties from tower failure through structural standards and setback requirements; and
  - (d) Maximize the use of existing and approved towers and buildings to accommodate new wireless telecommunication antennas.
- (2) Exemptions. The following telecommunication facilities and antennas, included but not limited to, shall be exempt from the requirements of this section.
- (a) A single ground- or building-mounted receive-only radio or television antenna, including any mast, for the sole use of the resident occupying a residential parcel on which the radio or television antenna is located, with an antenna height not

~~Article 2: Zoning Districts and Use Regulations~~

- exceeding 40 feet; antenna height is measured from the average nearby ground level to the top of the receiving apparatus;
- (b) A ground- or building-mounted citizens band radio antenna, including any mast, if the height (post and antenna) does not exceed 35 feet;
  - (c) A ground-, building-, or tower-mounted antenna operated by a federally licensed amateur radio operator as part of the Amateur Radio Service, existing on July 17, 2000 subject to the requirements of Section 2.10.4(H)(1), Amateur Radio Antennas;
  - (d) A ground- or building-mounted receive only radio or television satellite dish antenna (TVRO) subject to the requirements of Section 2.10.4(H)(2), Satellite Dishes provided the dish is not located in the front yard of the parcel on which it is located and provided the height of the dish does not exceed the height of the ridgeline of the principal structure on the parcel;
  - (e) All citizens band radio antennas or antennas operated by a federally licensed amateur radio operator as part of the Amateur Radio Service which existed on July 17, 2000.
  - (f) Mobile services providing public information coverage of news events of a temporary nature;
  - (g) Handheld devices such as cell phones, business-band mobile radios, walkie-talkies, cordless telephones, garage door openers and similar devices as determined by the city planner;
  - (h) City-government-owned and -operated towers supporting receive and/or transmit antennas, including supporting structures, for all public safety and service purposes;
    - (i) Such tower shall conform to the accessory structure setback for the zoning district in which it is located. Guy wires shall be set back no less than one foot from property lines;
    - (ii) Such tower shall be installed in accordance with the instructions furnished by the manufacturer of the tower model. Antennas mounted on a tower may be modified and changed at any time so long as the published allowable load on the tower is not exceeded and the structure of the tower remains in accordance with the manufacturer's specifications; and
    - (iii) Such towers shall be exempt from the requirements of subsections (F) to (I).
- (3) Prohibited Areas. Wireless telecommunication towers shall not be allowed in the following areas:

## Article 2: Zoning Districts and Use Regulations

### ~~Article 2: Zoning Districts and Use Regulations~~

- (a) The R1, R2, R3, R4, A-S, or CD-S districts, except for a few exceptions outlined in Sections 2 (d) and (e), above, which do not exceed 120 feet in height.
  - (b) The C1 district
  - (c) Any location where special painting or lighting will be required by Federal Aviation Administration (FAA) regulations unless technical evidence acceptable to the city is submitted showing that this is the only technically feasible location for the facility;
  - (d) An exposed ridgeline, public trail, public park or other outdoor recreation area, or on property designated as floodplain or park or open space, unless it blends with the surrounding existing natural and manmade environment in such a manner as to be effectively unnoticeable and a finding is made that no other location is technically feasible;
- (4) Permitted Areas. Towers supporting commercial antennas and conforming to all applicable sections of this section shall be allowed as a permitted use.
  - (a) In the I1 and ED-F districts
  - (b) On publicly owned property, as approved by the City Council
- (5) Conditional Uses. Towers supporting commercial antennas and conforming to all applicable sections of this article shall be allowed in the following cases as a conditional use:
  - (a) Church sites, when camouflaged as steeples or bell towers. Antennas and all other associated structures shall also be camouflaged;
  - (b) Park sites, when compatible with the nature of the park, provided that the requirements of Section 2.9.18(F)(2) are met; and
  - (c) Government, school, utility and institutional sites.
  - (d) The C2 district
- (6) Location Requirements. All commercial, wireless telecommunication facilities erected, constructed, or located within the city shall comply with the following requirements:
  - (a) Priority of Location. The following establishes the order of priority for locating new commercial, wireless telecommunication facilities. A proposal for such facilities shall not be approved on any of the following locations unless the applicant shows and the city finds that the applicant is unable to locate the facilities on any location which has a higher priority:
    - (i) Place antennas and towers on sites where other public facilities are located or planned.
    - (ii) Place antennas and towers on private institutional property and structures.

~~Article 2: Zoning Districts and Use Regulations~~

(iii) Place antennas on other appropriate existing structures such as buildings, communications towers, water towers and smoke stacks.

(iv) Place antennas on new towers on other private property.

(b) Collocation. Towers shall be collocated as follows:

A proposal for a new commercial wireless telecommunication tower shall not be approved unless the applicant submits a letter of denial for collocation for all existing or approved towers or buildings within a one-mile search radius from the point of the proposed tower for towers in excess of 100 feet in height, within a one-half-mile search radius for towers of 80 to 100 feet in height, and within a one-quarter-mile search radius for towers 80 feet and lower in height, due to one or more of the following reasons:

(i) The planned equipment would exceed the structural capacity of the existing or approved tower or building, as documented by a qualified and licensed professional engineer, and the existing or approved tower cannot be reinforced, modified, or replaced to accommodate planned or equivalent equipment at a reasonable cost.

(ii) The planned equipment would cause interference materially impacting the feasibility of other existing or planned equipment at the tower or building, as documented by a qualified and licensed professional engineer approved by the city, and the interference cannot be prevented at a reasonable cost.

(iii) 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 and licensed professional engineer approved by the city.

(iv) Other unforeseen reasons exist that make it infeasible to locate the planned telecommunication equipment upon an existing or approved tower or building.

(c) The applicant is encouraged to allow the city access to the tower for city- government-owned and -operated receive and/or transmit antennas for all public safety and service purposes to enhance communications for such purposes, provided that any attached communication equipment does not interfere with the applicant's equipment.

(d) The host is entitled to reasonable compensation from any co-locator for the use of its facility. Such compensation would include reimbursement for the cost of constructing the facility as it relates to any co-locator as well as a proportionate share of any

## Article 2: Zoning Districts and Use Regulations

### ~~Article 2: Zoning Districts and Use Regulations~~

rents paid by the host.

(e) The failure of any applicant to make a good-faith effort to allow for collocation shall constitute a breach of its agreement with the city. If such a breach occurs, the city shall provide at least 60 days prior written notice to allow a cure of such breach. If the breach is not cured within the period, the city shall be authorized to disassemble the subject tower at the applicant's cost.

(7) Tower Standards. Wireless telecommunication towers shall comply with the following standards unless the City Council grants a variance as necessary to reasonably accommodate the wireless telecommunication tower.

(a) Tower and Accessory Structure Height –In the following districts where the construction of a tower supporting commercial antennas is permitted as an allowed or conditional use, the tower shall not exceed the designated height limit:

(i) In the R1, R2, R3, R4, A-S, or CD-S Districts, the tower shall not exceed 120 feet in height.

(ii) In the C1 and C2 Districts, the tower shall not exceed 150 feet in height.

(iii) In the I1 and ED-F Districts, the tower shall not exceed 180 feet in height.

(b) Tower and Accessory Structure Setback: Towers shall be set back from all property lines no less than 25 percent of the tower height, with a minimum setback of 20 feet. Towers shall be set back from all property lines abutting property zoned or used for residential purposes or adjacent to the Cannon River no less than 50 percent of the total tower height.

(c) Tower and Accessory Structure Design. Facility structures and equipment shall be located, designed and screened to blend with the existing natural or built surroundings so as to reduce visual impacts to the extent feasible considering the technological requirements of the proposed telecommunication service and the need to be compatible with neighboring residences and the character of the community. To that end the following measures shall be implemented for all telecommunication facilities, except exempt facilities:

(i) The facility shall be designed to blend with any existing supporting structure and shall not substantially alter the character of the structure or local area;

(ii) Materials employed in the design of the tower and antenna shall not be unnecessarily bright, shiny, or reflective and shall be of a color or type which blends with the surroundings to the greatest extent possible.

~~Article 2: Zoning Districts and Use Regulations~~

- (iii) Towers shall not be illuminated by artificial means and shall not display strobe lights unless such lighting is specifically required by federal or state authorities. When incorporated into the design of the tower, light fixtures, such as streetlights, are permitted.
  - (iv) The use of any portion of a tower for signs, other than warning or equipment information signs, is prohibited.
  - (v) Sufficient anti-climbing measures must be incorporated into the facility, as needed, to reduce potential for trespass and injury.
  - (vi) All towers, masts and booms shall be made of noncombustible material, and all hardware, such as brackets, turnbuckles, clips and similar type equipment subject to rust or corrosion must be protected either by galvanizing or sheradizing after forming.
  - (vii) All towers shall be designed structurally, electrically, and in all respects to accommodate both the applicant's antennas and comparable antennas for at least two additional uses if the tower is over 100 feet in height or at least for one additional use if the tower is 60 to 100 feet in height. Towers must be designed to allow for future rearrangement of antennas upon the tower and to accept antennas mounted at varying heights.
  - (viii) As a condition of approval, the applicant shall make available unutilized space for collocation of other telecommunication facilities, including space for those entities providing similar competing services. A good-faith effort in achieving collocation shall be required of the host entity.
- (8) Landscaping and Screening. All telecommunication facilities, except exempt facilities as identified in Section 2.9.18(B), Exemptions, shall be installed in such a manner so as to maintain and enhance existing native vegetation and to install suitable landscaping to screen the facility, where necessary. To this end all of the following measures shall be implemented for all telecommunication facilities, except exempt facilities as identified in Section 2.9.18(B), Exemptions:
- (a) Existing trees and other screening vegetation in the vicinity of the facility and along the access roads and power/telecommunication line routes involved shall be protected from damage, both during the construction period and thereafter. To this end, the following measures shall be implemented:
    - (i) Grading, cutting/filling, and the storage/parking of equipment/vehicles shall be prohibited in landscaped

## Article 2: Zoning Districts and Use Regulations

### ~~Article 2: Zoning Districts and Use Regulations~~

areas; and

- (ii) All underground lines shall be routed such that a minimum amount of damage is done to the tree's essential root systems.
  - (b) All areas disturbed during project construction other than the access road and parking areas shall be replanted with vegetation compatible with the vegetation in the surrounding area (e.g., ornamental shrubs or natural brush, depending upon the circumstances) according to the approved landscape plan.
  - (c) Any existing trees or significant vegetation, on the facilities site or along the affected access area, that die shall be replaced with native trees and vegetation of a size and species subject to Table 3.6-2.
  - (d) No actions shall be taken subsequent to project completion with respect to the vegetation present that would increase the visibility of the facility itself or the access road and power/telecommunication lines serving it.
- (9) Environmental Resource Protection. All telecommunication facilities shall be sited so as to minimize the effect on environmental resources. To that end the following measures shall be implemented for all telecommunication facilities, except exempt facilities as identified in Section 2.9.18(B), Exemptions:
- (a) Potential adverse visual impacts which might result from project-related grading or road construction shall be minimized;
  - (b) Potential adverse impacts upon nearby public use areas such as parks or trails shall be minimized; and
  - (c) Drainage, erosion, and sediment controls shall be required as necessary to abate soil erosion and sedimentation of waterways. Structures and roads on slopes of ten percent or greater shall be avoided. Erosion control measures shall be incorporated for any proposed facility, which involves grading. Natural vegetation and topography shall be retained to the extent feasible.
- (10) Abandoned or Unused Towers or Portions of Towers. Abandoned or unused towers or portions of towers shall be removed as follows:
- (a) All abandoned or unused towers and associated facilities shall be removed within 12 months of the cessation of operations at the site unless a time extension is approved by the city planner. If the tower is not removed within 12 months of the cessation of operations at a site, the tower and associated facilities may be removed by the city and the cost of removal assessed against the property owner.
  - (b) Unused portions of towers above a manufactured connection shall be removed within six months of the time of antenna relocation. The replacement of portions of a

~~Article 2: Zoning Districts and Use Regulations~~

tower previously removed requires the issuance of a new application and/or request for variance if applicable.

(11) Review Procedure. Procedures for reviewing a permit are as follows:

- (a) It shall be unlawful for any person to erect, construct, place, re-erect, replace, or repair any tower without first making application for a zoning certificate prior to applying for a building permit (See Section 5.5.1, Zoning Certificate).
- (b) If a conditional use permit is required for a requested tower, the requirements of Section 5.5.9, Conditional Use Permit shall apply.
- (c) Site plan review will be required for all towers that are listed as a permitted use in the applicable zoning district (See Section 5.5.6, Site Plan Review).
- (d) The applicant shall provide, at the time of application, sufficient information to indicate the construction, installation, and maintenance of the antenna and tower will not create a safety hazard or damage to the property of other persons.
- (e) Adjustment or replacement of the elements of an antenna already affixed to a tower or antenna shall not require a permit, provided that the replacement does not reduce the safety factor. The city planner shall issue a decision related to the zoning certificate application upon review of all required materials listed in this section and shall respond to the request in an expeditious and reasonable timeframe.
- (f) In addition to the above requirements, the applicant shall submit:
  - (i) An inventory of available structures in the subject area to the city.
  - (ii) A landscape plan with the project application submittal indicating all existing vegetation, identifying landscaping that is to be retained on the site, any additional vegetation that is needed to satisfactorily screen the facility from adjacent land uses and public view areas, and the type of vegetation to be restored in all areas that will be disturbed. All significant trees, as defined by the city tree preservation policy, shall be identified in the landscape plan with indication of species type and whether it is to be retained or removed with project development.
  - (iii) A tree preservation plan, which meets the requirements of the city tree preservation policy, shall be submitted with the conditional use permit application or building permit;

~~(B) Solar Energy Systems~~

## Article 2: Zoning Districts and Use Regulations

### ~~Article 2: Zoning Districts and Use Regulations~~

~~(1) Solar energy systems that are attached to a roof but that do not project more than three feet from the roof surface shall be permitted without a zoning certificate.~~

~~(1) Solar energy systems located that project more than three feet from a roof and are visible from the public right-of-way may be permitted if approved as a conditional use permit (See Section 5.5.9, Conditional Use Permit).~~

~~(2) Stand-alone solar energy systems shall only be permitted in the rear yard.~~

#### ~~(C) Tennis and Other Recreational Courts~~

~~— Noncommercial outdoor tennis courts and courts for other sports, including basketball and racquetball, accessory to a residential use, shall comply with the following requirements:~~

~~(1) No court shall be located within a required setback, or within five feet of a lot line;~~

~~(2) Court fencing shall comply with Section 3.3.1, Fencing and Walls; and~~

~~(3) Court lighting shall require a zoning certificate approval, and shall not exceed a maximum height of 20 feet, measured from the court surface. The lighting shall be directed downward and shall only illuminate the court.~~

#### ~~(D)(L) Wind Energy Conversion Systems (WECS) Turbines (WET)~~

##### ~~(1) Established Wind Resource~~

~~All WECS shall only be installed where there is an established wind resource. An established wind resource can be documented in the following ways:~~

~~(a) The planned turbine site has a minimum 11 MPH average wind speed at the designed hub height, as documented on the Minnesota Department of Commerce statewide wind speed maps.~~

~~(b) The planned turbine has a minimum hub height of 80 feet and the blade arc is 30 feet higher, on a vertical measurement, than all structures and trees within 300 feet of the tower.~~

##### ~~(2) Height~~

~~(a) The maximum total height from grade for non-commercial and commercial WECS shall be four hundred feet (400').~~

~~(b) For micro-WECS, the maximum total height shall be seventy feet (70').~~

##### ~~(3) Setback~~

~~(a) Micro-WECS shall be located as follows:~~

~~(i) Free-standing micro-WECS shall be setback from all property lines by a minimum of the height of the tower plus 10 feet. Freestanding tower height is measured from the base of the tower to the top of the WECS mechanism.~~

~~(ii) Building mounted micro-WECS shall be setback from property lines by a distance equal to the tower height as measured from the base of the tower to the top of the WECS mechanism.~~

~~(b) Non-commercial and commercial WECS:~~



## Article 2: Zoning Districts and Use Regulations

### ~~Article 2: Zoning Districts and Use Regulations~~

emergency contact information for the operator. All other signs shall be prohibited on the units. This restriction shall not apply to manufacturer identification, unit model numbers, and similar production labels.

- (e) All WECS shall be equipped with both a manual and automatic braking device capable of stopping the WECS operation in high winds (40 mph or greater)
  - (f) The WECS shall be white or light gray in color. Other neutral colors may be allowed at the discretion of the city council. The surface shall be non-reflective.
  - (g) Batteries or other energy storage devices shall be designed consistent with the Minnesota Electric Code and Fire Code.
  - (h) All electrical lines associated with the WECS shall be located underground.
  - (i) All WECS shall comply with Minnesota Rules 7030 governing noise, or shall not exceed fifty (50) dB(A) when measured from the outside of the nearest residence, business, school, hospital, religious institution, or other inhabited structure.
  - (j) Historic Buildings - WECS within designated historic districts or on locally designated historic buildings (exclusive of State or Federal historic designation) will require a conditional use permit and the accompanied Historic Preservation Committee review.
- (5) Avoidance and Mitigation of Damages to Public Infrastructure by Commercial WECS
- (a) Roads –Applicants for commercial WECS shall identify all county, city or township roads to be used for the purpose of transporting WECS substation parts, cement, and/or equipment for construction, operation or maintenance of the WECS and or substation and obtain applicable weight and size permits from impacted road authority(ies) prior to construction.
  - (b) At the request of the road authority, the applicant shall post bonds or other financial assurance, subject to approval of the city council, sufficient to restore the road(s) to pre-construction conditions.
  - (c) (Drainage System – The applicant shall be responsible for immediate repair of damage to public drainage systems stemming from construction, operation or maintenance of the WECS.
  - (d) Green Infrastructure – The applicant shall meet the most recent version of the Minnesota Department of Natural Resources Guidance for Wind Projects for siting wind energy facilities and mitigation of risk to natural resources.
- (6) Abandonment
- A WECS shall be considered abandoned after one year without energy production, unless a plan is developed and submitted to the Zoning Administrator outlining the steps and schedule for returning the WECS to service. All WECS and accessory facilities shall be removed to ground level within 80 days of abandonment.

~~Article 2: Zoning Districts and Use Regulations~~

(7) Review Procedure

- (a) Approval or denial of an application for a conditional use permit to allow construction of a WECS shall be made by the city council as outlined in Section 5.5.9 Conditional Use Permit of this section.
- (b) An application for a WECS shall be made on the forms provided by the city planner and shall be accompanied by the following:
  - (i) A site plan, showing the following
    - a. Location of proposed tower and setback from property lines;
    - b. Location and full dimensions of all buildings existing on the property including exterior dimensions, height of buildings and all uses on property;
    - c. Location and dimensions of any other natural or manmade features within 350' of the property such as trees, above ground utility lines, water bodies, buildings, roadways, or bridges.
  - (ii) Drawings, to scale, of the structure, including the tower, base, and footings. The drawings shall show the proposed height of the structure.
  - (iii) Engineering certification that turbine, foundation, and tower design are within accepted professional standards, given local soil and climate conditions. For non-commercial and micro-WECS, certification can be demonstrated by the manufacturer's engineer or another qualified engineer.
  - (iv) Evidence from the manufacturer or dealer that the WECS has been successfully operated in atmospheric conditions and is warranted against any system failures under reasonably expected severe weather operating conditions.
  - (v) If the WECS is proposed to be interconnected to a public utility, provide a letter of intent to interconnect, which has been signed by the utility company.
  - (vi) Evidence that the proposed WECS will comply with applicable FAA regulations.
  - (vii) The application for commercial WECS shall also include a shadow flicker model that demonstrates that shadow flicker shall not fall on, or in, any existing residential structure. Shadow flicker expected to fall on a roadway or a portion of a residentially zoned property may be acceptable if the flicker does not exceed 30 hours per year; and the flicker will fall more than 100' from an existing residence; or the traffic volumes are less than 500 vehicles (ADT). The shadow flicker model shall:
    - a. Map and describe within a 1,000 foot radius of the proposed

## Article 2: Zoning Districts and Use Regulations

### ~~Article 2: Zoning Districts and Use Regulations~~

- dispersed wind energy system the topography existing residences and location of their windows, location of other structures, wind speeds and directions, existing vegetation and roadways. The model shall represent the most probable scenarios of wind constancy, sunshine constancy, and wind directions and speed;
- b. Calculate the locations of shadow flicker caused by the proposed project and the expected durations of the flicker at these locations, calculate the total number of hours per year of flicker at all locations.
  - c. Identify problem areas where shadow flicker will interfere with existing or future residences and roadways and describe proposed mitigation measures, including, but not limited to, a change in siting WECS, a change in the operation of the WECS, or grading or landscaping mitigation measures.
- (viii) A site specific written statement from a qualified telecommunications/broadcast engineer describing the extent of expected interference from the WECS with respect to existing services within the electromagnetic spectrum, the methods that will be used to avoid or minimize the potential interference before and during construction, and the methods that will be used to mitigate signal degradation or interference after construction
- (ix) An analysis conducted by a certified wind energy installer or site assessor (North American Board of Certified Energy Professional, NABCEP, or equivalent) that includes estimates of wind speed at turbine height based on measured data, estimated annual production, and compliance with the turbine manufacturer's design wind speed.

~~Wind energy turbines shall be permitted and subject to applicable regulations as provided for in this code.~~

e.

# Article 3: Site Development Standards

Error! No table of contents entries found.

## 3.2.13.2.3 C1-B District Site Development Standards

-Table 3.2-4: Dimensional Standards for the C1 District (in feet from property line)

	<u>Historic District Sub-District</u>	<u>East of Highway 3 Sub-District</u>	<u>West of Highway 3 Sub-District</u>
<b><u>Setbacks – Principal Building</u></b>			
<del>Building Setback – Principal</del>			
<del>– Front – Minimum</del>	<del>None</del>	<del>0</del> <del>5</del>	<del>0</del>
<del>– Interior Side – Minimum [2]</del>	<del>0</del>	<del>@</del>	<del>40</del>
<del>– Rear – Adjacent to Housing</del>	<del>15</del>		
<del>– Rear – Adjacent to other Use</del>	<del>40</del>		
<u>Front Setback [1] [2] [3]</u>			
<u>– Minimum</u>	<u>0</u>	<u>0</u>	<u>0</u>
<u>– Maximum</u>	<u>0</u>	<u>10</u>	<u>20</u>
<u>From Highway 3 right-of-way</u>			
<u>– Minimum</u>	<u>Not</u>	<u>0</u>	<u>0</u>
<u>– Maximum</u>	<u>Applicable</u>	<u>20</u>	<u>20</u>
<u>Interior Side</u>			
<u>– Minimum</u>	<u>0</u>	<u>0</u>	<u>0</u>
<u>Corner Side</u>			
<u>– Minimum</u>	<u>0</u>	<u>0</u>	<u>0</u>
<u>– Maximum</u>	<u>0</u>	<u>10</u>	<u>15</u>
<u>Rear</u>			
<u>– Adjacent to R District – Minimum</u>	<u>15</u>	<u>20</u>	<u>25</u>
<u>– Adjacent to Non-Residential – Min.</u>	<u>10</u>	<u>15</u>	<u>25</u>

### **Setbacks – Accessory Building**

<u>Front</u>	<u>To Rear of Building</u>	<u>To Rear of Building</u>	<u>To Rear of Building</u>
<u>Interior side</u>	<u>0</u>	<u>5</u>	<u>5</u>
<u>Rear</u>	<u>0</u>	<u>5</u>	<u>5</u>

### **Setbacks – Parking or Internal Driveway**

<u>Minimum front, side or rear</u>	<u>3</u>	<u>5</u>	<u>7</u>
------------------------------------	----------	----------	----------

### **Building Height**

<u>Minimum</u>	<u>2 stories</u>	<u>1 story</u>	<u>1 story</u>
<u>Maximum [3]</u>	<u>50 feet</u>	<u>50 feet</u>	<u>50 feet</u>

[1] When a building abuts more than one public road right-of-way, the priority for determining which right-of-way is considered the front of the parcel shall be: (1) the City public street that runs north-south including all of Division Street, (2) Second or Bridge Square Streets, if applicable, (3) Highway 3, then (4) other streets.

[2] In the Historic Sub-District, buildings located on a corner lot shall be constructed to meet the minimum and maximum setback line at the corner and extend at least 40 feet in each direction from the corner, depending on the width of the building. At least 80 percent of the front building wall and 30 percent of the corner side wall shall be constructed at the minimum-maximum setback line. Buildings shall be parallel to the street that they front unless an alternate orientation is compatible with existing adjacent buildings.

**Article 3: Site Development Standards**

[3] In the Historic District Sub-District, any lot edge along a front or corner side setback line that does not have a building wall shall be demarcated by a low masonry wall, decorative metal fence, dense hedge, decorative plaza open to the public or elevated deck

[4] A commercial or mixed-use building that faces across a public street to housing in an R1 District shall have a maximum height of 3 stories. The maximum height may be exceeded only under the provisions of Section 5.5.9, Conditional Use Permit.

**Table 3.2-5: Site Development Standards for the C-1 District**

	<b>Historic District Sub-District</b>	<b>East of Highway 3 Sub-District</b>	<b>West of Highway 3 Sub-District</b>
<b>Building Appearances</b>	<ol style="list-style-type: none"> <li>Buildings must be consistent with the design guidance of the <i>City of Northfield Downtown Historic Preservation Design Guidelines</i> and the <i>Secretary of Interior's Standards for Rehabilitation</i>, and receive a Certificate of Appropriateness from the HPC.</li> <li></li> </ol>	<ol style="list-style-type: none"> <li>Each visible side of a building shall have a similar appearance in terms of materials and general design.</li> <li>Principal buildings shall have an entrance that faces the public street</li> <li>Buildings shall have a base and a top to their architecture.</li> <li>Building tops and elevations shall be articulated to reduce their apparent size and to undulate their facades.</li> <li>Blank, unadorned exterior walls visible to the street are prohibited. Exterior walls should be visually divided into smaller sections of 20 to 40 feet through changes in color, material, depth or fenestration.</li> <li>Clear, non-reflective windows shall comprise a significant proportion of the front and side walls.</li> <li>Buildings on sites that abut Highway 3 shall include windows on the wall that faces the highway.</li> <li>Architectural elevations for all new or modified buildings shall include design, massing, materials, shape and scale that are compatible with nearby buildings.</li> <li>Buildings shall be architecturally individual and shall not be of corporate architecture, including roof patterns, corporate colors, architectural elements or similar treatments.</li> <li></li> <li>The HPC may comment on applications but does not have authority outside of the Historic District.</li> </ol>	
<b>Exterior Building Materials Building Materials</b>	<ol style="list-style-type: none"> <li>Building exteriors shall be constructed of high-quality materials such as brick, stone, textured cast stone or tinted masonry units. Materials must be consistent with the design guidance of the <i>City of Northfield Downtown Historic Preservation Design Guidelines</i> and the <i>Secretary of Interior's Standards for Rehabilitation</i>, and receive a Certificate of Appropriateness from the HPC.</li> <li>These materials are not acceptable: plain concrete block, plain-faced tilt-up concrete panels, pre-fabricated steel or sheet metal panels, and aluminum, vinyl, fiberglass, asphalt or fiberboard siding.</li> </ol>	<p><b>Allowable Primary Materials:</b></p> <ol style="list-style-type: none"> <li>Easily-maintained materials that are durable and have a pattern, texture and detailing that are compatible with those in the Historic District Sub-District.</li> <li>Brick, stone, stucco or colored and textured pre-cast concrete.</li> <li>Metals with matte finish and with neutral or earth tone colors; metals that are used for exterior walls should have visible corner moldings and trim. Metal wall finishes should be secondary to masonry and pre-cast finishes.</li> <li>Transparent glass.</li> <li>Canvas awnings.</li> <li>Wood as an accent material or in elements that are integrated with other desirable materials.</li> </ol> <p><b>Prohibited Primary Materials:</b></p> <ol style="list-style-type: none"> <li>Non-durable siding materials such as plywood, corrugated metal, fiberglass, asphalt or fiberboard siding, or other materials that decay rapidly when exposed to the elements.</li> <li>Materials that have no pattern or relief, especially when those materials are applied to large wall surfaces.</li> <li>Vinyl.</li> <li>Mirrored glass.</li> <li>Materials that represent corporate colors, patterns or trademarks (except for signs).</li> <li>Brightly colored metal roofing or canopies.</li> <li>Concrete that is not enhanced as indicated under "Allowable Materials," especially pre-cast, tilt-up walls.</li> <li></li> </ol>	

**Article 3: Site Development Standards**

	<u>Historic District Sub-District</u>	<u>East of Highway 3 Sub-District</u>	<u>West of Highway 3 Sub-District</u>
<u>Walking</u>	<ol style="list-style-type: none"> <li><u>All sidewalks are in the public right-of-way.</u></li> <li><u>A pedestrian walkway is allowed along an interior side setback area.</u></li> </ol>	<ol style="list-style-type: none"> <li><u>There shall be a public sidewalk along the street; the responsibility for sidewalk installation and maintenance will be as determined by City policy existing at the time.</u></li> <li><u>If the property abuts a public sidewalk, an obvious walkway shall be provided from the public sidewalk to the main entrance of the principal structure.</u></li> </ol>	
<u>Buildings along the Cannon River</u>	<ol style="list-style-type: none"> <li><u>Buildings with frontage on a public street or the Cannon River shall have primary façade features on both sides.</u></li> </ol>		<ol style="list-style-type: none"> <li><u>Buildings shall make active use of the Cannon River frontage through entrances, patios, balconies, terraces or decks.</u></li> </ol>
<u>Commercial Buildings that Face across a Street to Housing in the R1 District</u>	<ol style="list-style-type: none"> <li><u>Section 5.5.6, Site Plan Review, applies.</u></li> <li><u>Maximum height: 2 stories</u></li> <li><u>Parking location priority:</u> <ol style="list-style-type: none"> <li><u>behind the building</u></li> <li><u>adjacent to lot lines abutting a non-residential building</u></li> <li><u>on the corner side of a lot.</u></li> </ol> </li> <li><u>Off-street parking may be located adjacent to lot lines that abut housing only if there is no alternative and the parking will be screened from view.</u></li> <li><u>Outdoor lighting shall have a maximum height of 15 feet, be directed away from housing and conform to Section 3.3.3.</u></li> </ol>		
<u>Parking</u>	<ol style="list-style-type: none"> <li><u>No parking shall be located between the front of the principal structure and the front lot line.</u></li> <li><u>No parking shall be located on corner lots at the point of street intersections.</u></li> <li><u>Off-street parking is allowed only by Conditional Use Permit in this sub-district.</u></li> </ol>	<ol style="list-style-type: none"> <li><u>No parking shall be located between the front of the principal structure and the front lot line.</u></li> <li><u>No more than half 50 percent of the parking shall be located to the side of the building; the rest must be to the rear of the building. between the front setback line and the rear line of the building.</u></li> <li><u>Parking should not be No parking shall be located on corner lots at the point of streetsstreet intersections. If so, other techniques shall be used to make a positive visual statement at the corner and visually buffer the parking.</u></li> <li><u>On-site parking is not required in the East of Highway 3 Sub-District.</u></li> <li><u>Parking may be reduced by 10 percent if it is shared with an adjacent property.</u></li> <li><u>Required off-street parking may be reduced by one space for each on-street space along the building's public street frontage.</u></li> </ol>	
<u>Loading</u>	<ol style="list-style-type: none"> <li><u>Loading areas and truck docks shall be located only on the rear side of the principal building</u></li> </ol>		
<u>Trash Handling</u>	<ol style="list-style-type: none"> <li><u>Trash and recycling storage shall be screened with a sturdy, four-sided enclosure.</u></li> </ol>		
<u>Private Open Space</u>	<ol style="list-style-type: none"> <li><u>Shall consist of a decorative plaza, walkways, turf grass or other plantings.</u></li> </ol>		
<u>Walking</u>	<ol style="list-style-type: none"> <li><u>Each property shall be responsible for installing and maintaining a sidewalk pursuant to City standards at all lot line abutting streets except Highway 3.</u></li> </ol>		
<u>Landscaping, Fences and Buffering Plantings</u>	<ol style="list-style-type: none"> <li><u>As needed to buffer parking along a public street.</u></li> <li><u>Any lot edge along a front or corner side setback line that does not have a building wall shall be demarcated by a low masonry wall, decorative metal fence, dense hedge, decorative plaza open to the public or elevated deck.</u></li> <li><u>Berms are not allowed.</u></li> </ol>	<ol style="list-style-type: none"> <li><u>A consistent landscaped edge, using plants and/or decorative hardscape, shall be constructed between parking and streets.</u></li> <li><u>The edges of sidewalks and paths shall be reinforced with street trees, plantings, pedestrian-scaled street lights or similar amenities.</u></li> <li><u>Any lot edge that is not occupied by a building shall have a landscaped setback, low masonry wall, decorative metal fence, decorative plaza or elevated deck.</u></li> <li><u>Plantings along pedestrian corridors shall have a consistent character throughout the sub-district.</u></li> <li><u>The periphery of all parking lots shall be landscaped and screened in compliance with Section 3.6.8.</u></li> </ol>	

### Article 3: Site Development Standards

	<u>Historic District Sub-District</u>	<u>East of Highway 3 Sub-District</u>	<u>West of Highway 3 Sub-District</u>
		6. <u>Shade trees shall be planted in all parking islands. At least one tree shall be planted in each island and one tree shall be planted for each 100 square feet of island.</u>	
		7. <u>The dominant tree species shall be landscaped in a park-like character.</u>	
		8. <u>Existing major trees shall be maintained to the extent practical.</u>	
		<u>Article 4:9. Berms are allowed only for surface water management.</u>	
<u>Private Open Space</u>	<u>1. All portions of a site not covered by buildings, parking, driveways, walkways, plazas, decks or seating shall be landscaped.</u>		
<u>Loading</u>	<u>1. Loading areas and truck docks shall be located only on the rear side of the principal building</u> <u>2. Plantings or building design shall be used to minimize the visual effect of loading docks and areas.</u>		
<u>Trash Handling</u>	<u>1. Trash and recycling storage shall be screened with a sturdy, four-sided enclosure.</u>		
<u>Lighting</u>	<u>1. As regulated under Section 3.3.3</u>		
<u>Signs</u>	<u>1. Off-premise advertising signs ("billboards") are not allowed</u>		

Table 3.2-3 identifies the site development standards for the C1-B district. Section 3.2.3(C) contains standards for buildings on the Cannon River; Section 3.2.3(D) contains standards for commercial buildings facing residential, Section 3.2.3(E) contains standards for properties west of Highway 3, and Section 3.2.3(F) contains standards for properties south of 6<sup>th</sup> Street.

<b>Table 3.2-3: C1-B District Site Development Standards</b>	
<b>Build-to-Line</b>	
Front Street [1]	0
Side, Corner [1]	0
<b>Building Setbacks</b>	
Side, Interior [2]	0
Rear — Adjacent to Residential	45
Rear — Adjacent to any other use	40
<b>Maximum Lot Depth</b>	
Any Use	200
<b>Maximum Lot Width</b>	
Any Use	75
<b>Building Height</b>	
Min. Building Height [3]	2 Stories
Max. Building Height [4]	50 Maximum
<b>Finished Ground Floor Level</b>	
Any Use	12 Inches Maximum Above Sidewalk
<b>Parking Setbacks</b>	
Any Use	8 along property lines and 10 along ROW
<b>NOTES:</b>	
[1] Buildings located on a corner lot shall be constructed to meet the build-to-line at the corner and extend for a minimum of 40 feet in each direction from the corner.	
[2] The construction of a pedestrian walkway is allowed along an interior side setback area.	
[3] The minimum height established for the C1-B district may be reduced as allowed in subsections (E) and (F).	
[4] The maximum height established for the C1-B district may be exceeded only when approved as part of a conditional use permit pursuant to Section 5.5.9, Conditional Use Permit.	

**Table 3.2-6: Site Development Standards for Special Treatment Locations the C-1 District**

	<u>Historic District Sub-District</u>	<u>East of Highway 3 Sub-District</u>	<u>West of Highway 3 Sub-District</u>
<u>Buildings along the Cannon River</u>	<ol style="list-style-type: none"> <li>1. <u>Buildings with frontage on a public street and the Cannon River shall have primary façade features on both sides.</u></li> <li>2. <u>Buildings shall make active use of the Cannon River frontage through windows, entrances, patios, balconies, terraces or decks.</u></li> </ol>		<u>Not applicable</u>
<u>Commercial Buildings that Face across a Street to Housing in an R1 District</u>	<ol style="list-style-type: none"> <li>1. <u>Maximum height: 3 stories</u></li> <li>2. <u>Parking location priority: 1: behind the building, 2: adjacent to lot lines abutting a non-residential building, 3: on the corner side of a lot.</u></li> <li>3. <u>Off-street parking may be located adjacent to lot lines that abut housing only if there is no alternative and the parking will be screened from view.</u></li> </ol>		
Setbacks from Highway 3		<u>Buildings along Highway 3 shall not have parking areas between themselves and the highway. If this is judged to be impractical, a variance application may be submitted and other means should be used to create a visual edge along the highway such as plantings and/or a low masonry wall or decorative metal fence. The intention is to create a visual edge to the corridor through a combination of private and public improvements.</u>	

(A) — Façade Requirements

(1) — Except for buildings constructed at the property line along Highway 3, and the exceptions listed in subsections (E) and (F), all buildings shall have a primary ground floor entrance on the front building façade.

(2) To maintain the façade rhythm in the C1-B district, building façades that have a front and corner street side building façade shall incorporate façade variations a minimum of every 25 feet for each side (See Figure 3-10).



### Article 3: Site Development Standards

~~Figure 3-10: This building uses pilasters to divide a single façade into distinct vertically-oriented storefronts that maintain the building rhythm along the street.~~

~~(3) At least 80 percent of the front building façade shall be constructed at the build-to-line.~~

~~(4) At least 30 percent of the corner side building façade shall be constructed at the build-to-line.~~

~~(5) Buildings shall be parallel to the street they front unless an alternate orientation is consistent with existing adjacent development.~~

~~(6) Blank building walls facing streets or the Cannon River are prohibited. This requirement shall not apply to those walls that are not visible from a street or the Cannon River, and only visible from an alley, the rear yard of another nonresidential or mixed-use site, or completely hidden due to topography or natural features preserved as open space.~~

~~(7) Window openings shall comprise at least 50 percent of the front and corner ground floor building façade in the area of the façade between three and eight feet in height above the sidewalk, and at least 25 percent of the upper floor front and corner building façades. Windows on the ground floor building façade shall not contain reflective or non-transparent glass.~~

~~(B) — Buildings on the Cannon River~~

~~(8) Buildings on lots that have frontage on a street and on the Cannon River shall incorporate primary façade features on both the street façade and Cannon River façade.~~

~~(9) Buildings shall make active use of the Cannon River frontage using entrances, patios, balconies, terraces, or decks overlooking the river.~~

~~(C) — Commercial facing residential~~

~~(1) Applicability~~

~~(2) The standards in this section are applicable to property in the C1-B district in those instances when a building used for commercial purposes faces across a street property in the R1-B district that is used for one, two, or three-unit residential purposes.~~

~~(3) In addition to any relevant developments standards of Article 3 of the LDC, commercial buildings shall be subject to the following requirements:~~

~~(a) Site Plan Review~~

~~The standards of this section shall be reviewed through the site plan review process established in Section 5.5.6, Site Plan Review.~~

~~(b) Building Height~~

~~Commercial buildings shall be two stories in height buildings~~

~~(c) Off-Street Parking~~

~~(i) The total amount of off-street parking shall be as specified in Section 3.8, Off-Street Parking, Loading, and Mobility.~~

~~(ii) Off-street parking shall be established in one of the following locations (listed in priority order):~~

~~Behind the building;~~

~~Adjacent to lot lines abutting nonresidential development;~~

~~On a lot's corner side.~~

~~(iii) Off-street parking may be established adjacent to lot lines abutting residential uses only if the applicant can demonstrate that there is no other alternative location for the parking, and can demonstrate that the parking area will be screened from view.~~

~~(d) Outdoor Lighting~~

~~Outdoor lighting shall:~~

~~(i) Have a maximum height of 15 feet;~~

~~(ii) Be directed down and away from adjacent residential lots.~~

~~(iii) The requirements of Section 3.3.3, Outdoor Lighting Standards, shall also apply.~~

~~(e) Signs~~

~~Sign regulations for the C1-B district shall be as provided in Section 3.7, Signage.~~

~~(D) Properties West of Highway 3~~

~~(1) Applicability~~

~~The standards in this subsection are applicable to property in the C1-B district located west of Highway 3.~~

~~(2) Exceptions to C1-B District Site Development Standards~~

~~The following exceptions may be allowed for the properties west of Highway 3 in the C1-B District:~~

~~(a) Building Height~~

~~An exception to the minimum building height requirement in Table 3.2-3 to allow a one-story building may be approved by the city council through the conditional use permit process in Section 5.5.9, Conditional Use Permit. The following criteria shall be considered in making the decision to approve a conditional use permit:~~

~~(i) Due to the greater building square footage of a second-story building, the applicant is not able to meet the minimum number of parking spaces in Table 3.8-1 and Table 3.8-2.~~

~~(ii) The allowable uses of the first and second floors are incompatible with one another.~~

~~(b) Building Location~~

~~An exception to the required front build-to-line in Table 3.2-3 may be approved through the Site Plan Review process in Section 5.5.6, Site Plan Review if a plaza, outdoor seating area, outdoor dining, or similar feature is constructed in front of the building. In this instance, the front building façade may be located to a maximum distance of 15 feet from the front property line, and shall have a primary ground floor entrance on the primary front building façade.~~

~~(E) Properties south of Sixth Street~~

~~(1) Applicability~~

~~The standards in this subsection are applicable to property in the C1-B district located south of 6<sup>th</sup> Street.~~

~~(2) Building Location~~

~~An exception to the required front build-to-line in Table 3.2-3 may be approved through the Site Plan Review process in Section 5.5.6, Site Plan Review if a plaza, outdoor seating area, outdoor dining, or similar feature is constructed in front of the building. In this instance, the front building façade may be located to a maximum distance of 15 feet from the front property line, and shall have a primary ground floor entrance on the primary front building façade.~~

~~(F) Other Requirements~~

~~(1) Any section along the build-to-line that is not defined by a building wall shall maintain a sense of the existing street wall and create a space that enhances the pedestrian's experience through the use of~~

**Article 3: Site Development Standards**

garden walls, landscaping, street furniture, public art, or fountains. Urban open space shall provide accessibility, including the disabled, and encourage social interaction. If the building is located in the Historic Overlay District (H-O), these site elements shall be approved by the heritage preservation commission as part of the certificate of appropriateness review (See Section 2.5.3, Historic Overlay District (H-O)).

(2) Architectural elevations for all new or modified buildings shall include design, massing, materials, shape, and scale that are compatible with the surrounding buildings.

(3) Buildings shall be constructed of high-quality materials such as brick, stone, textured cast stone, or tinted masonry units. The following exterior principal building materials are not acceptable:

- (a) Plain concrete block;
- (b) Plain faced tilt-up concrete panels;
- (c) Pre-fabricated steel or sheet metal panels; or
- (d) Aluminum, vinyl, fiberglass, asphalt, or fiberboard siding.

**3.2.63.2.4 C2-B District Site Development Standards and Guidelines**

Table 3.2-6 presents the site development dimensional standards for buildings in the C2 district.

(A) **Dimensional Standards**

**Table 3.2-7: Dimensional Standards for the C2 District (in feet)**

<b>Feature</b>	<b>Dimension</b>
<u>Building Setback - Principal</u>	
<u>Public Street [1]</u>	<u>10</u>
<u>Interior Side</u>	
<u>Building less than 25' in height</u>	<u>5</u>
<u>Building 25' or greater in height</u>	<u>10</u>
<u>Rear</u>	<u>15</u>
<u>Building Setback – Accessory</u>	
<u>Front</u>	<u>Same as principal building</u>
<u>Interior Side</u>	<u>5</u>
<u>Rear</u>	<u>5</u>
<u>Setback from Highway 3 – Maximum</u>	<u>100</u>
<u>Parking Setback</u>	
<u>Public Street</u>	<u>10</u>
<u>Interior Side [2]</u>	<u>5</u>
<u>Building Height</u>	<u>50</u>
<u>Building Footprint – Maximum [3]</u>	<u>75,000</u>

[1] For a development site with a property line abutting a Local or Collector public street, the principal building on the site should have a wall located within 25 feet of that property line. The length of that wall should be equal to or greater than 25 percent of the length of that property line.

[2] May be reduced for shared parking lots and similar public benefits.

Site development standards in the C2-B district are administered in two possible development tracks hereinafter referred to as Fast Track or Flexible Track (See Section 2.3.8(B), Two Track Development Option). Building placement, architectural objectives and architectural standards applicable to Fast Track development are intended to accomplish the same development and regulatory purpose as the general architectural objectives and architectural standards applicable to Flexible Track development. All projects proposed for development in the C2-B district shall adhere to these development standards and objectives in either Fast Track or Flexible Track development.

[3] Additional square footage may be allowed by Conditional Use Permit.

C2-B District Site Development Standards—Commercial Uses

Table 3.2-4 identifies the site development standards for commercial buildings in the C2-B district.

<u>Table 3.2-4: C2-B District Site Development Standards—Commercial Uses</u>		
<u>—</u>	<u>—Fast Track</u>	<u>—Flexible Track</u>
<u>—Building Placement</u>		
<u>—</u>	<u>—Build to line</u>	<u>—Setback</u>
<u>—Front Street</u>	<ul style="list-style-type: none"> <li><u>• No greater than 20' except that where vehicle parking is proposed between the building and the front and corner side lot line, there shall be sufficient area devoted to the installation of a landscaped greenbelt/buffer area in compliance with buffer area "A" as provided for in Table 3.6-4.</u></li> </ul>	<ul style="list-style-type: none"> <li><u>• 0' to 15'—no parking between front and/or corner side lot line and the principal building;</u></li> <li><u>• 15' to 55'—one row of parking between front and/or corner side lot line and the principal building;</u></li> <li><u>• 55' to 72'—two rows of parking between the front and/or corner side lot line and the principal building;</u></li> <li><u>• Exceptions to the these building placement standards may be approved for the C2-B District regulations as part of a conditional use permit pursuant to Section 5.5.9(D)(4), Conditional Uses in the WS-O district are also subject to the conditional use regulations of Section 3.13.9, Conditional Use Permits.</u></li> </ul>
<u>—Fast and Flexible Tracks: Other Setback Requirements</u>		
<u>—Side, Interior (Minimum)</u>	<ul style="list-style-type: none"> <li><u>—5 Feet—Buildings under 25 Feet in height</u></li> <li><u>—10 Feet—Buildings Over 25 Feet in height</u></li> </ul>	

**Article 3: Site Development Standards**

<del>Table 3.2-4: C2-B District Site Development Standards—Commercial Uses</del>	
<del>Rear (Minimum)</del>	<del>15 feet—adjacent to residential zone</del> <del>10 feet—adjacent to other non-residential uses and zones.</del>
<del>Fast and Flexible Tracks: Lot Area</del>	
<del>Minimum</del>	<del>10,000 Square Feet</del>
<del>Fast and Flexible Tracks: Lot Width</del>	
<del>Minimum</del>	<del>60 Feet</del>
<del>Fast and Flexible Tracks: Building Footprint</del>	
<del>Maximum</del>	<del>50,000 Square Feet</del>
<del>Fast and Flexible Tracks: Building Height</del>	
<del>Maximum</del> <del>(Height may exceed with approval of a Conditional Use Permit)</del>	<del>50 Feet</del>
<del>Street Type</del>	<del>Not applicable</del>

~~C2-B Commercial Uses—Fast Track~~

~~Fast Track—General Architectural Objectives~~

~~All structures using the Fast Track shall be constructed in compliance with the following objectives:~~

~~The physical design of buildings, including color and use of material shall be compatible with the visual and physical characteristics of adjacent buildings and the overall community character.~~

~~Where more than one building design for a principal building may already exist or has been constructed elsewhere, the building design that most directly adheres to the purpose statement (See Section 2.3.8(A)) of the C2-B district shall be proposed by the applicant and approved by the city as long as all other development requirements are complied with.~~

~~Fast Track—Specific Architectural Design Standards~~

~~Building Orientation~~

~~Buildings shall be parallel to the street that they front unless an alternate orientation is consistent with existing adjacent development.~~

~~Fast Track – Primary Entrance Orientation~~

~~The primary entrance of buildings shall be oriented:~~

~~Towards the primary street the building fronts if the building is located within 15 feet from the front property line; or~~

~~Towards streets or driveways in the interior of the development if the building is located less than 15 feet from the front property line or if none of the buildings façades has frontage on a public street.~~

~~Fast Track – Building Façades~~

~~Building façades shall comply with the following standards:~~

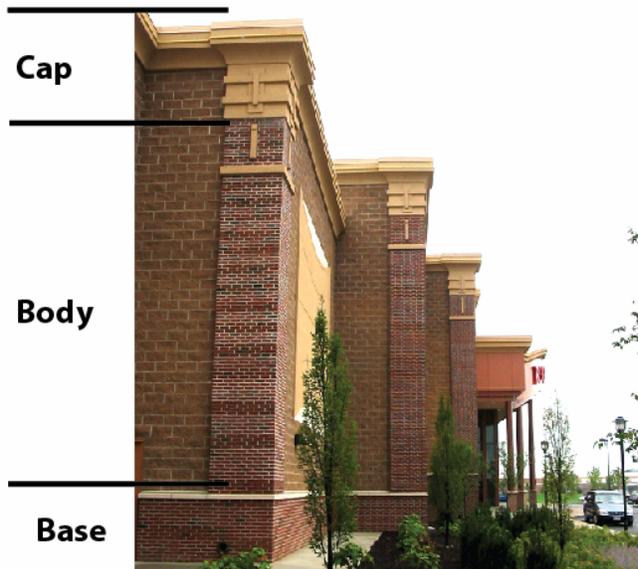
~~Blank building walls facing streets are prohibited except for those walls that are not visible from a street and only visible from an alley, the rear yard of another nonresidential site, or completely hidden due to topography or natural features preserved as open space~~

~~Although the front façade of a building is expected to be the focal point in terms of the level of architectural character and features, all sides of buildings that are visible from a public roadway, an adjacent building, or that have frontage on the Cannon River, shall incorporate architectural detailing on all façades that is consistent with the front façade.~~

~~Fast Track – Building Massing~~

~~Buildings shall at a minimum incorporate the requirements of either Section 3.2.4(D)(1) or Section 3.2.4(D)(2) of this subsection.~~

~~Architectural elevations of buildings may consist of a base, a body, and a cap (See Figure 3-11).~~



**Article 3: Site Development Standards**

~~Figure 3-11: Image of a building with a clear, base, body, and cap.~~

~~The cap shall consist of at least one of the following architectural features: a cornice, parapet, awning, canopy, or eaves.~~

~~The base and cap shall be clearly distinguishable from the body through changes in color, material, pattern, profile, or texture. A cap and base shall incorporate at least two of these design elements.~~

~~Buildings should be designed to incorporate architectural elements creating variety, façade rhythm, and wall surface relief a minimum of every 50' by incorporating one or more of the following elements:~~

- ~~Carved-out recesses~~
- ~~Arches~~
- ~~Courtyards~~
- ~~Vertical or horizontal offsets (See Figure 3-11).~~
- ~~Alternatives to using façade variations and reliefs may include:~~

~~Façade color changes following the same dimensional standards as the wall offset requirements; or~~

~~Pilasters having a minimum depth of one foot, a minimum width of one foot, and a minimum height of 80 percent of the façade's height; or~~

~~Roofline changes when coupled with correspondingly aligned façade material changes.~~

~~Fast Track – Building Materials~~

~~Building shall be constructed of high quality materials:~~

<del>Table 3.2-5: Building Materials – Fast Track</del>	
<del>Permitted Materials Shall Include but are not Limited to:</del>	<del>Prohibited Materials</del>
<del>Stone</del>	<del>Plain concrete block</del>
<del>Brick</del>	<del>Plain faced concrete Panels</del>
<del>Textured Stone</del>	<del>Prefabricated steel or sheet metal</del>
<del>Tinted Masonry Units</del>	<del>Aluminum, Vinyl, Fiberglass, Asphalt, or Fiberboard Siding</del>
<del>Decorative/Textured Concrete Panel</del>	<del>—</del>

<del>Table 3.2-5: Building Materials – Fast Track</del>	
<del>Permitted Materials Shall Include but are not Limited to:</del>	<del>Prohibited Materials</del>
<del>Cement Fiber Board</del>	<del>—</del>

~~Fast Track – Window Openings~~

~~Window openings shall comprise at least 35 percent of the front building façade in the area of the façade between three and eight feet in height above grade, and shall not contain reflective or non-transparent glass.~~

~~A building façade that is 15 feet or more in width and faces a corner street side property line and is 15 feet or less from the side property line shall have at least one window opening that is at least 25 square feet in size and is within ten feet of the primary façade of the building.~~

~~Fast Track – Customer Entrance Design~~

~~Buildings shall have clearly defined, highly visible customer entrances that include no less than three of the following design features:~~

- ~~Canopies/porticos above the entrance;~~
- ~~Roof overhangs above the entrance;~~
- ~~Entry recesses/projections;~~
- ~~Arcades that are physically integrated with the entrance;~~
- ~~Raised corniced parapets above the entrance;~~
- ~~Gabled roof forms or arches above the entrance;~~
- ~~Outdoor plaza adjacent to the entrance having seating and a minimum depth of 15 feet;~~
- ~~Display windows that are directly adjacent to the entrance;~~
- ~~Architectural details, such as tile work and moldings, that are integrated into the building structure and design and are above and/or directly adjacent to the entrance; or~~
- ~~Integral planters or wing walls that incorporate landscaped areas or seating areas. A wing wall is a wall secondary in scale projecting from a primary wall and not having a roof.~~

~~Fast Track – Screening of Properties near the Cannon River~~

### Article 3: Site Development Standards

~~————— If property is adjacent to a city-owned park or trail land along the Cannon River, landscaping shall be incorporated along the perimeter of the property in accordance with Table 3.6-3 of this LDC, if it does not already exist, to screen parking lots, outdoor storage, and loading spaces from view of park or trail users.~~

~~————— C2-B Commercial Uses Flexible Track~~

~~————— Flexible Track General Architectural Design Objectives~~

~~————— All structures constructed using the flexible track shall adhere to the following general design objectives:~~

~~————— The physical design of buildings, including color and use of material shall be compatible with the visual and physical characteristics of adjacent buildings and the overall community character.~~

~~————— Where more than one building design for a principal building may already exist or has been constructed elsewhere, the building design that most directly adheres to the purpose statement of the C2-B district shall be proposed by the applicant and approved by the city as long as all other development requirements are complied with.~~

~~————— Buildings should be designed and situated on sites to complement the existing natural and built environment, as well as to provide compatibility and connectivity with neighboring sites.~~

~~————— Buildings shall be placed or landscaping improvements shall be located on the site to occupy the street edge to the greatest degree possible, creating a continuous pedestrian-oriented façade along the street.~~

~~————— Building corners at primary intersections shall be treated as prominent features, taking advantage of the opportunity to create a unique district identity by incorporating attractive entrances and architectural features.~~

#### (B) Site and Flexible Track Specific Building Architectural Design Guidelines

**Table 3.2-8: Site and Building Design Guidelines for the C2 District**

<p><u>Development Intensity</u></p>	<p>1. <u>Development should be compact; each site should be used efficiently. This means that the size of the each building should be maximized while the amount of off-street parking should be the minimum practical. Vertical or horizontal mixtures of differing types of development such as business and housing may be used to make full use of sites.</u></p>
<p><u>Land Uses</u></p>	<p>1. <u>Retail and service businesses should be the primary uses of land in the C2 District, as listed in Table 2.7-1. Multiple-family housing may be included as part of a mixed use development or may be appropriate as a stand-alone use in certain locations.</u></p>
<p><u>Relationship of Buildings to Streets</u></p>	<p>1. <u>Whenever practical, at least one side of each building should be located in close proximity (without intervening parking) to one or more of the adjacent local or collector public streets such as Jefferson Road, Jefferson Parkway, Heritage Drive or Honeylocust Drive. On corner sites, the building should be located near the corner. The intention of this guideline is to add a sense of enclosure to the street and to help pedestrians walk from the street sidewalk to the building entrance. The rear or service side of the building should not be used for this purpose.</u></p> <p>2. <u>The primary entrance of buildings shall be oriented toward a public street or, if in the interior of a development and none of the facades has frontage on a public street, toward a driveway.</u></p> <p>3. <u>Site entrances should be located along the local or collector public streets and separated from other driveways or public street intersections according to the access management guidelines of the Transportation Plan chapter of the <i>Northfield Comprehensive Plan</i>.</u></p>
<p><u>Pedestrian and Bicyclist Access</u></p>	<p>1. <u>Site and building design shall include site improvements that create a system of pedestrian and bicycle circulation on site from parking areas to plazas, open space, other pedestrian pathways and to adjoining building. Existing and proposed pedestrian and/or bicycle circulation systems and easements shall be integrated into site design.</u></p> <p>2. <u>There should be a concrete sidewalk at least 5 feet wide in the street right-of-way along each public street abutting the site except for the Highway 3 frontage.</u></p> <p>3. <u>There shall be an obvious, designated walkway from the public sidewalk along the street to the front door of the building.</u></p> <p>4. <u>Bicycle parking is encouraged for every building. Bicycle parking facilities shall be provided according to Section 3.7.7.</u></p>
<p><u>Building Primary Materials</u></p>	<p><u>Allowable Primary Materials:</u></p> <p>1. <u>Easily-maintained materials that are durable and have a pattern, texture and detailing that are compatible with those in the Historic District Sub-District.</u></p> <p>2. <u>Brick, stone, stucco or colored and textured pre-cast concrete.</u></p> <p>3. <u>Metals with matte finish and with neutral or earth tone colors; metals that are used for exterior walls should have visible corner moldings and trim. Metal wall finishes should be secondary to masonry and pre-cast finishes.</u></p> <p>4. <u>Transparent glass.</u></p> <p>5. <u>Canvas awnings.</u></p> <p>6. <u>Wood as an accent material or in elements that are integrated with other desirable materials.</u></p> <p><u>Prohibited Primary Materials:</u></p> <p>1. <u>Non-durable siding materials such as plywood, corrugated metal, fiberglass, asphalt or fiberboard siding, or other materials that decay rapidly when exposed to the elements.</u></p> <p>2. <u>Materials that have no pattern or relief, especially when those materials are applied to large wall surfaces.</u></p> <p>3. <u>Vinyl.</u></p> <p>4. <u>Mirrored glass.</u></p> <p>5. <u>Materials that represent corporate colors, patterns or trademarks (except for signs).</u></p> <p>6. <u>Brightly colored metal roofing or canopies.</u></p> <p>7. <u>Concrete that is not enhanced as indicated under "Allowable Materials," especially pre-cast, tilt-up walls.</u></p>
<p><u>Building Facades and Massing</u></p>	<p>1. <u>Although the front façade of a building is expected to be the focal point in terms of the level of architectural character and features, all sides of buildings that are visible from a public roadway should have a similar appearance in terms of materials and general design.</u></p> <p>2. <u>Building design should help create an environment conducive to walking and viewing by using generously-sized first-floor windows, doors, materials, articulation, canopies,</u></p>

**Article 3: Site Development Standards**

	<p><u>awnings or other architectural elements.</u></p> <p><u>3. Buildings shall be divided into increments by articulating the façade. This can be achieved through a combination of the following techniques and others that may meet the objective:</u></p> <p><u>(a) Stepping back or extending forward a portion of the façade.</u></p> <p><u>(b) Vertical divisions using different textures or materials</u></p> <p><u>(c) Division into storefronts with separate display windows and entrances</u></p> <p><u>(d) Variation in roof lines by alternating dormers, stepped roofs, gables or other roof elements to reinforce the modulation or articulation interval</u></p> <p><u>(e) Variations in color</u></p> <p><u>(e) Arcades, awnings, window bays, arched windows and balconies at intervals equal to the articulation interval</u></p> <p><u>(f) Providing a lighting fixture, trellis or similar landscape feature with each articulation interval.</u></p> <p><u>4. Walls that face a public street shall have one or more windows or glass doors. The primary façade of each building should consist of a base, a body and a cap. The cap should consist of at least one of the following architectural features: a cornice, parapet, awning, canopy, or eaves. The base and cap should be clearly distinguishable from the body through changes in color, material, pattern, profile, or texture. Building facades visible from a public street should use materials and design features similar to those of the front façade.</u></p> <p><u>5. Buildings over 100 feet in length should be at least 1-1/2 stories in height for at least 30 percent of their length.</u></p> <p><u>6. When flat roofs are used, parapet walls with three-dimensional cornice treatments should conceal them.</u></p>
<u>Windows</u>	<p><u>1. Windows areas shall comprise at least 25 percent of the primary façade area that includes the main entrance and should span from three to eight feet above grade, and shall be transparent.</u></p>
<u>Customer Entrance Design</u>	<p><u>1. Buildings should have clearly-defined, easily visible customer entrances that include at least three of the following features:</u></p> <p><u>(a) Canopies or porticos above the entrance;</u></p> <p><u>(b) Roof overhangs above the entrance;</u></p> <p><u>(c) Entry recesses or projections;</u></p> <p><u>(d) Arcades that are physically integrated with the entrance;</u></p> <p><u>(e) Raised corniced parapets above the entrance;</u></p> <p><u>(f) Gabled roof forms or arches above the entrance;</u></p> <p><u>(g) Outdoor plaza adjacent to the entrance having seating and a minimum depth of 15 feet;</u></p> <p><u>(h) Display windows that are directly adjacent to the entrance;</u></p> <p><u>(i) Architectural details, such as tile work and moldings, that are integrated into the building structure and design and are above and/or directly adjacent to the entrance; or</u></p> <p><u>(j) Integral planters or wing walls that incorporate landscaped areas or seating areas. A wing wall is a wall secondary in scale projecting from a primary wall and not having a roof.</u></p>
<u>Landscaping</u>	<p><u>1. Areas not used for buildings or parking should be generously and intensively landscaped consistent with the standards of Section 3.6 of this Code</u></p>
<u>Properties near the Cannon River</u>	<p><u>1. If property is adjacent to a city-owned park or trail land along the Cannon River, landscaping shall be incorporated along the perimeter of the property in accordance with Table 3.6-3 of this LDC, if it does not already exist, to screen parking lots, outdoor storage, and loading spaces from view of park or trail users.</u></p>

Standards

~~(1) Flexible Track – Building Materials~~

Buildings shall be constructed of quality materials such as:

<b>Table 3.2-6: Building Materials – Flexible Track</b>	
<b>Permitted Materials Shall Include but are not Limited to:</b>	<b>Prohibited Materials</b>
Stone	Plain concrete block
Brick	Plain concrete Panels
Textured Stone	Prefabricated steel or sheet metal
Tinted Masonry Units	Aluminum, vinyl, fiber board, asphalt siding
Decorative/Textured Concrete Panel	
Cement Fiber Board	

~~(2) Flexible Track – Building Façades and Massing~~

### Article 3: Site Development Standards

- i. Building design shall emphasize a human scale at ground level, at entryways, and along street frontages through the creative use of windows, doors, columns, canopies, and awnings or other architectural elements.
- 1. Building façades should be designed to have a rhythm and pattern measured according to human movement and scale.
- i. A single, large, dominant building mass should be avoided.
- Flexible Track – Pedestrian Circulation
- (-) Site and building design shall include site improvements that create a system of pedestrian circulation onsite from parking areas to plazas, open space, other pedestrian pathways, and to adjoining buildings. Existing and proposed pedestrian and or bicycle circulation systems and easements shall be integrated into site design.
- (-) C2-B Non-commercial Uses
- (-) Table 3.2.7 identifies the site development standards for non-commercial buildings in the C2-B district.

Table 3.2.7: Site Development Standards – Non-Commercial Uses				
Building Placement				
Front				
Build to Line				
25 Feet	15-25 Feet	5-15 Feet on local streets; 25 Feet on collect or streets	5-15 feet	5-15 feet
Interior Side Yard				
Setback				
10 Feet	15-25 Feet	Not Applicable	10 feet	15 Feet
Corner Side Yard				
Build to Line				
20 Feet	20 Feet	20 Feet	5-15 feet	30 Feet
Minimum Lot Area				
Not Applicable	Not Applicable	Not Applicable	Not applicable	Not Applicable
Minimum Lot Width				
60	60	60	60	60
Maximum Building Footprint				
Not Applicable	Not Applicable	Not Applicable	Not Applicable	Not Applicable
Maximum Building Height				

Table 3.2-7: Site Development Standards – Non-Commercial Uses				
50 Feet	50 feet	50 feet	50 feet	50 Feet
Street Type				
Local streets	Local streets	Local streets	Local or collect or street	Local or collect or street

~~(B) C2-B Parking Options and Landscape Requirement Options~~

~~b. General requirements for parking lot greenbelt/landscaping buffer:~~

- ~~i. Each landscaped tree area within a parking lot cannot be less than 100 square feet.~~
- ~~ii. Each of the options below has its own greenbelt/buffer strip tree requirements.~~
- ~~iii. The greenbelt is required on any side of the building that contains parking and faces a street, arterial or residential neighborhood.~~
- ~~iv. List of Approved Landscape Trees and Plant Materials as approved by the city shall be followed in the selection of the species of trees.~~

~~c. Greenbelt/Landscape buffer requirements by parking options:~~

~~i. Option #1: No parking in front of the building~~

- ~~1. A front greenbelt/buffer strip is not required; no requirement for berm.~~
- ~~2. One tree for every 15 parking spaces on the side of the building.~~
- ~~3. Location of the trees/landscaping to be determined by the business.~~
- ~~4. Option #2: Parking in front of the building—No required berm.~~
- ~~5. A greenbelt/buffer shall be required at a width of 15 feet at the front of the building and shall be located between the parking area and a street, arterial, frontage road or residential neighborhood.~~
- ~~6. The greenbelt/buffer shall include one tree and seven bushes for every 40 feet of frontage.~~
- ~~7. One tree for every 15 parking spaces is required for side parking.~~

~~ii. Option #3: Parking in front of the building—maximum of 50 percent of total parking spaces for the building:~~

- ~~1. A greenbelt/buffer as defined in Option #2 is required.~~
- ~~2. In addition, the buffer shall include a berm that is three feet in height.~~
- ~~3. In addition, one tree for every 15 parking spaces to be placed within the parking spaces in the front and side of the building.~~
- ~~4. Location of trees within the parking lot to be approved with the site development plan.~~

~~2. Specific Architectural Design Standards for Residential Buildings shall adhere to the requirements found in Section 3.4.3, Architectural Design Requirements for Nonresidential Principal Buildings in C2-B.~~

3.2.73.2.5 **II-B District Site Development Standards**

(A) Dimensional Standards – Minimum

**Table 3.2-9: Minimum Dimensional Standards for the I1 District**

<u>Feature</u>	<u>Dimension (feet)</u>
<u>Lot area</u>	<u>40,000 square feet</u>
<u>Lot width</u>	<u>150</u>
<u>Front yard setback</u>	<u>20</u>
<u>Side yard setback [1]</u>	<u>20</u>
<u>Height (maximum) [2]</u>	<u>50</u>
<u>Parking lot</u>	
<u>From a property line</u>	<u>10</u>
<u>From a street right-of-way</u>	<u>10</u>

1. Or 20 feet from a street unless a greater setback distance is required by the state building code or other regulation.
2. Unless a greater height is authorized by a conditional use permit.

(B) Transitions and Appearances

**Table 3.2-10: Transition and Appearance Standards for the I1 District**

<u>Buffering and Screening</u>	<u>Buffering and screening requirements must be followed when bordering other zones, as described in Table 3.6-3, Buffer Areas, and Table 3.6-4, Planting Requirements.</u>
<u>Adjacent to other Districts</u>	<u>Construction of any building that is within 150 feet of the property line adjacent to Highway 3, Highway 19, or any non-Industrial zoning district shall comply with the C2 Site Development Standards found in Section 3.2.3, not the I1 Site Development Standards found in Section 3.2.4.</u>
<u>Exterior Materials</u>	<u>The exterior walls of principal buildings shall consist primarily of face brick, stone, glass, stucco, synthetic stucco, architectural metal, approved architectural concrete, cast in place or pre-cast panels, or decorative block. The exterior walls of accessory buildings shall be complementary to those of the principal buildings in terms of materials and colors.</u>

1. The minimum lot size shall be 10,000 square feet.
3. The minimum lot width shall be 100 feet.
- (A) The minimum front yard setback shall be 10 feet.
- (B) The minimum side yard setback shall be 10 feet from a lot line or 10 feet from a street unless a greater setback distance is required by the state building code or other regulation.
- (C) The maximum height shall be 50 feet unless authorized by a conditional use permit.
- (D) Parking lot setbacks are five feet along property lines and ten feet along rights of way.
- (E) Buffering and screening requirements must be adhered to when bordering other zones, as described in Table 3.6-3 and Table 3.6-4.
- (F) Any building or portion of a building within 150 feet of the property line adjacent to Highway 3 or Highway 19 shall comply with the C2-B Site Development Standards found in Section 3.2.4, not the I1-B Site Development Standards found in Section 3.2.5.
- (G) At least 75 percent of all walls shall consist of face brick, stone, glass, stucco, synthetic stucco, architectural metal panel system, approved architectural concrete, cast in place or

~~pre-cast panels, or decorative block. Wood, metal, and vinyl siding may be used as accent materials provided they do not constitute more than 25 percent of the exterior wall surface.~~

**4.2.5 Architectural Design Requirements for Nonresidential Principal Buildings in C2-B**

**(A) Building Orientation**

~~Buildings shall be parallel to the street they front unless an alternate orientation is consistent with existing adjacent development.~~

**(B) Primary Entrance Orientation**

~~The primary entrance of buildings shall be oriented:~~

- ~~(1) Towards a street the building fronts if the building is located at least 15 feet from the front property line; or~~
- ~~(2) Towards streets or driveways in the interior of the development if the building is located less than 15 feet from the front property line or if none of the building's façades has frontage on a public street.~~

**(C) Building Façades**

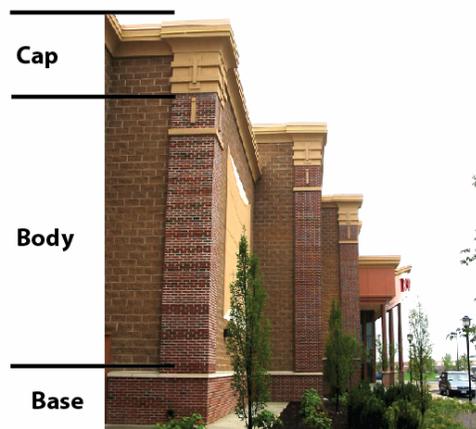
~~Building façades shall comply with the following standards:~~

- ~~(1) Blank building walls facing streets are prohibited except for those walls that are not visible from a street and only visible from an alley, the rear yard of another nonresidential site, or completely hidden due to topography or natural features preserved as open space.~~
- ~~(2) Although the front façade of a building is expected to be the focal point in terms of the level of architectural character and features, all sides of buildings that are visible from a public roadway, an adjacent building, or that have frontage on the Cannon River, shall incorporate architectural detailing on all façades that is consistent with the front façade.~~

**(D) Building Massing**

- ~~(1) Buildings shall at a minimum incorporate the requirements of either Section 3.4.3(D)(2) or Section 3.4.3(D)(3).~~
- ~~(2) Architectural elevations of buildings may consist of a base, a body, and a cap (See Figure 3-15).~~

(a)



*Figure 3-15: Image of a building with a clear, base, body, and cap.*

## Article 3: Site Development Standards

- iii. The cap shall consist of at least one of the following architectural features: a cornice, parapet, awning, canopy, or eaves.
- iv. The base and cap shall be clearly distinguishable from the body through changes in color, material, pattern, profile, or texture. A cap and base shall incorporate at least two of these design elements noted in (a) above.
  - (3) Buildings should be designed to incorporate architectural elements that will create variety and wall surface relief on wall elevations. To accomplish this, building wall elevations should reflect spaces that are carved out of a building mass using architectural elements such as recesses, arches, courtyards, vertical or horizontal wall offsets, or similar architectural features. Therefore, to create façade rhythm, building elevations that front a street shall incorporate horizontal façade variations a minimum of every 50 feet (See Figure 3-15). Alternatives to using façade variations and reliefs may include:
    - v. Façade color changes following the same dimensional standards as the wall offset requirements; or
    - vi. Pilasters having a minimum depth of one foot, a minimum width of one foot, and a minimum height of 80 percent of the façade's height; or
    - vii. Roofline changes when coupled with correspondingly aligned façade material changes.

### **(E) Building Architectural Design**

Buildings that are stylized in an attempt to use the building or portion of the building to identify a particular user are not allowed, especially where the proposed architectural design is the result of a corporate or franchise prototype design. Building colors shall consist of subtle, neutral, or muted colors, with low reflectance. Bright, white, or primary colors may be only used as accents, occupying ten percent or less of the building façades.

### **(F) Building Materials**

Buildings shall be constructed of high-quality materials such as brick, stone, textured cast stone, or tinted masonry units. The following exterior principal building materials are not acceptable:

- (1) Plain concrete block;
- (2) Plain faced tilt up concrete panels;
- (3) Pre-fabricated steel or sheet metal panels;
- (4) Aluminum, vinyl, fiberglass, asphalt, or fiberboard siding

### **(G) Flat Roofs**

- (1) When flat roofs are used, parapet walls with three-dimensional cornice treatments shall conceal them. The cornice shall include a perpendicular projection a minimum of eight inches from the parapet façade plane.
- (2) Thin parapets that extend more than five feet above the roof are prohibited.

### **(H) Window Openings**

- (1) Window openings shall comprise at least 35 percent of the front building façade in the area of the façade between three and eight feet in height above grade, and shall not contain reflective or non-transparent glass.
- (2) A building façade that is 15 feet or less and faces a corner street side property line shall have at least one window opening that is at least 25 square feet in size and is within ten feet of the primary façade of the building.

### **(I) Customer Entrance Design**

Buildings shall have clearly defined, highly visible customer entrances that include no less than three of the following design features:

- ~~(1) Canopies/porticos above the entrance;~~
- ~~(2) Roof overhangs above the entrance;~~
- ~~(3) Entry recesses/projections;~~
- ~~(4) Arcades that are physically integrated with the entrance;~~
- ~~(5) Raised corniced parapets above the entrance;~~
- ~~(6) Gabled roof forms or arches above the entrance;~~
- ~~(7) Outdoor plaza adjacent to the entrance having seating and a minimum depth of 15 feet;~~
- ~~(8) Display windows that are directly adjacent to the entrance;~~
- ~~(9) Architectural details, such as tile work and moldings, that are integrated into the building structure and design and are above and/or directly adjacent to the entrance;  
or~~
- ~~(10) Integral planters or wing walls that incorporate landscaped areas or seating areas. A wing wall is a wall secondary in scale projecting from a primary wall and not having a roof.~~

**~~(J) Screening of Properties Near the Cannon River~~**

~~If property is adjacent to a city-owned park or trail land along the Cannon River, landscaping shall be incorporated along the perimeter of the property in accordance with Table 3.6-3 of this LDC, if it does not already exist, to screen parking lots, outdoor storage, and loading spaces from view of park or trail users.~~

## 3.7 Signage

### 3.7.1 Purpose and Intent

Regulating the location, size, placement, and physical characteristics of signs is necessary to enable the public to locate goods, services, and facilities and to receive a wide variety of other messages, commercial and noncommercial, without difficulty and confusion, to encourage the general attractiveness of the community, to enhance public safety, and to protect property values. Accordingly, this section establishes regulations governing the display of signs that will:

- (A) Promote and protect the public health, safety, comfort, morals, and convenience;
- (B) Enhance the economy and the business and industry of the city by promoting the reasonable, orderly, and effective display of signs and, thereby, encourage increased communication with the public;
- (C) Restrict signs and lights that will increase the probability of traffic congestion and accidents by distracting attention or obstructing vision;
- (D) Reduce conflict among signs and light and between public and private information systems; and
- (E) Promote signs that are compatible with their surroundings.

### 3.7.2 Scope

- (A) This section shall regulate the height, area, location, graphics, color, materials, content and other visual aspects of signs and sign structures. It does not regulate public informational and safety signs, or signs required by law.
- (B) The owner of any sign which is ~~otherwise~~ allowed by this sign ordinance may substitute non-commercial copy in lieu of any other commercial or non-commercial copy. This substitution of copy may be made without any additional approval or permitting. The purpose of this provision is to prevent any inadvertent favoring of commercial speech over non-commercial speech, or favoring of any particular non-commercial message over any other non-commercial message. This section prevails over any more specific section to the contrary.

### 3.7.3 Zoning Certificate and Compliance Required

- (A) Unless otherwise provided by this section, all signs shall require a zoning certificate and a payment of fees. Exceptions to the certificate requirement are as follows:
  - (1) If any sign is removed and replaced on the same supports, provided the size or type of sign is not changed.
  - (2) No zoning certificate is required for the maintenance of a sign or for a change of copy on changeable copy signs.
  - (3) Signs identified in Section 3.7.5, Exemptions.
  - (4) General maintenance, painting, repainting, cleaning and other normal maintenance and repair of a sign or any sign structure unless a structural change or copy change, on a non-changeable copy sign, is made that results in anything more than a minor modification.
- (B) The relocation of a sign from one area of a lot to another location on the same lot shall require a zoning certificate (See Section 5.5.1, Zoning Certificate).
- (C) The alteration or enlargement of any sign shall require a zoning certificate.

### Article 3: Site Development

- (D) All wiring, fittings, and materials used in the construction, connection and operation of electrically illuminated signs shall be in accordance with the provisions of the State Electrical Code in effect.
- (E) No sign of any classification shall be installed, erected, or attached to a structure in any form, shape, or manner that is in violation of Northfield's or the state's building or fire codes.

#### 3.7.4 Computations

The following principles shall control the computation of sign area and sign height:

- (A) The area of a sign face, which is also the sign area of a wall sign or other sign with only one face, shall be computed by means of the smallest square, circle, rectangle, triangle, or combination thereof that shall encompass the extreme limits of the writing, representation, emblem, or other display. This does not include any supporting framework, bracing, or decorative fence or wall when such fence or wall otherwise meets the regulations of this LDC and is clearly incidental to the display itself (See Figure 3-26).
- (B) The sign area for a sign with more than one face (multi-faced signs) shall be computed by adding together the sign area of all sign faces. Even in cases where two identical sign faces are placed back-to-back, the sign area shall be computed by adding together the sign area of each sign face.
- (C) The height of a sign shall be computed as the distance from the base of the sign at normal grade to the top of the highest attached component of the sign.
- (D) Unless otherwise specifically stated, when a calculation is based on street frontage, the longest single street frontage shall be used and not the total of all street frontages.



*Figure 3-1: Illustration of how sign area is calculated.*

#### 3.7.5 Exemptions

The following types of signs are exempted from all the requirements of this section, except for construction and safety regulations and the requirements set forth:

- (A) Public Signs  
Public signs with a noncommercial message, erected by or on the order of a public officer in the performance of his/her public duty, such as traffic signs, trespassing signs, memorial plaques, signs of historic interest and the like.
- (B) Integral Information  
Integral names of buildings, dates of erection, monumental citations, commemorative tablets and the like when carved into stone, concrete, or similar material or made of bronze, aluminum, or other permanent-type construction and made an integral part of the structure.

(C) Private Traffic Direction

(1) Signs directing traffic movement onto premises or ~~within a premises~~within premises, not exceeding four square feet (per side) in area and six square feet (per side) for industrial uses for each sign. Illumination of these signs shall be permitted in accordance with Section 3.7.13, Illumination. Horizontal directional signs on and flush with paved areas are exempt from these standards.

(2) Private traffic direction signs that contain a commercial message shall not be exempt.

(D) Vehicle Signs

Signs on vehicles of any kind, provided the sign is painted or attached permanently or magnetically to the body of the original vehicle and does not project or extend beyond the original manufactured body proper of the vehicle, except as specifically prohibited in Section 3.7.8, Prohibited Signs.

(E) Flags

Flags identifying the emblem of government, school, or religious organization shall be exempt from this section with the exception that Section 3.7.10(B)(1) and Section 3.7.13, Illumination shall apply in all zoning districts.

(F) Window Signs

Signs that are painted or attached to the ~~interior~~inside of a windows that do not cover more than 50 percent of the window shall be exempt.

(G) Temporary Signs

Temporary signs as allowed in Section 3.7.11, Temporary Signs.

~~3.7.6~~

**3.7.6 Multiple-Use Buildings**

Any building that is designed to contain multiple principal uses and/or multiple tenants shall be considered a multiple-use building for the purposes of these sign regulations.

- (A) Any property owner who owns a multiple-use building shall be required to submit a signage plan for each such building.
- (B) The signage plan shall state the total allowable signage for the building and shall identify the allowable signage that will be allocated to each business space.
- (C) Such plan shall be filed with the city planner prior to any sign permit review.
- (D) Only one pylon sign is allowed for each multiple-use building.

**3.7.7 Liability for Damages**

This section shall not be construed to relieve or to limit in any way the responsibility or liability of any person who erects or owns any sign, for personal injury or property damage caused by the sign, nor shall this section be construed to impose upon the city, its officers, or its employees any responsibility or liability because of the approval of any sign under this section.

**3.7.8 Prohibited Signs**

All signs are prohibited which are described as follows:

- (A) Signs that contain or are an imitation of an official traffic sign or signal or contain the terms "stop," "go slow," "caution," "danger," "warning," or similar words.

### Article 3: Site Development

- (B) Signs that may be confused with or construed as a traffic control device; that may hide any traffic sign, street sign or signal from view; or that may cause danger to traffic because of their size, location, movement, content, coloring, or manner of illumination.
- (C) Signs, that are not temporary, that move in any manner or have a major moving part.
- (D) Billboard signs or structures which are designed and erected for the purpose of selling advertising space or identifying a business not located on the property on which the sign is located.
- (E) Signs that are temporarily placed or attached on any part of a relatively stationary vehicle.
- (F) Portable changeable-copy signs, unless used as a temporary promotional sign, as allowed under Section 3.7.11, Temporary Signs.
- (G) Signs that are placed upon trees, public property, or utility poles.
- (H) Signs that display obscene language or actions.
- (I) Searchlights.
- (J) Inflatable signs.
- (K) Snipe signs.
- (L) Any sign attached to a roof that does not meet the definition of a “roof sign-” in Article 6: Definitions.
- (M) Vehicles whose primary purpose is advertising.

#### 3.7.9 Design Guidelines

The following standards are intended to direct the design elements of signage outside the downtown historic district. Each guideline shall be applied for each sign application based upon review by the city planner:

- (A) Neon lights are permitted for messages and symbols, but shall not flash.
- (B) Signs on multiple-use buildings must be coordinated in the use of colors, materials, and shapes.
- (C) Landscaping Area Required
  - (1) Ground and pylon signs shall have plantings at and around the base that serve to:
    - (a) Screen the sign base and/or any lighting installed at ground level; and
    - (b) Tie such signage to the principal use by using plantings that are similar to those used on the rest of the site.
  - (2) Such plantings shall be of the type and size specified in Section 3.6.4, General Landscaping Material Standards.
  - (3) A landscape plan indicating the location and type of plantings to be used in screening the base of the sign must be submitted prior to the issuance of a sign permit by the city.
  - (4) A certified check or irrevocable letter of credit in favor of the city and in a form satisfactory to the city in the amount of 110 percent of the cost of the proposed plantings, as determined by a certified landscape professional, shall be held in escrow by the city until the plantings as indicated on the landscape plan approved in conjunction with the sign permit request are complete as determined by the city planner.
  - (5) If the cost of plantings is not determined by a certified landscape professional, the city planner shall determine the appropriate amount. The escrow or letter of credit shall be

## Article 3: Site Development

released to the applicant when all landscaping approved in conjunction with the sign permit application is installed to the satisfaction of the city planner.

- (6) If required plantings are not installed by the applicant within one year of issuance of a sign permit, the city shall have the right to install such plantings and to use the escrowed funds or to draw on the letter of credit to pay for such installation of plantings.

### ~~(D) Changeable Copy Signs~~

### (D) Changeable-Copy Signs

#### (1) Generally

- (a) All Changeable-copy signs shall be subordinate to the main signage permitted on the property. The sign area of changeable-copy signs shall be counted as part of the total sign area permitted for the property. All permanent changeable-copy signs are strictly prohibited except for uses described in Subsections (B), (C) and (D) below.
- (b) Changeable-copy signs may include signs that are manually changed by a person or electronic/digital changeable-copy signs. Electronic/digital changeable-copy signs, where permitted, shall be static and shall not flash or move. Such copy may be changed as often as every 30 minutes.

#### (2) Public and Institutional Uses

- (a) Only one changeable-copy sign is permitted for each use or parcel of land unless such signs are separated by a distance of 500 feet or more.
- (b) The sign face, which shall be limited to two faces, shall not exceed 20 square feet per face and a maximum letter height of four inches.
- (c) Electronic/digital changeable-copy signs shall ~~only~~not be permitted in ~~nonresidential zoning districts~~immediately adjacent to residential uses..

#### (3) Theaters

- (a) A maximum of two manual or electronic/digital changeable-copy signs are permitted.
- (b) The total changeable-copy signage shall not exceed 50 percent of the total signage allowed.

#### (4) Signs Associated with Gasoline Stations

- ~~(1) One price information sign is permitted per building frontage.~~
- ~~(2) Each sign shall not exceed 12 square feet per face and shall have no more than two faces.~~
- (a)
- ~~(3) Each sign must be permanently installed.~~
- (b)

### (E) Illumination

- (1) Illumination for signs, if used, shall not blink or fluctuate. Light rays shall shine only upon the sign or upon the property within the premises and shall not spill over the property lines, in any direction, except by indirect reflection.

### Article 3: Site Development

- (2) Section 3.7.13(A)(1) above shall not apply to the following:
- (a) Lighting systems owned or controlled by any public agency for the purpose of directing of traffic or for highway or street illumination;
  - (b) Aircraft warning lights; or
  - (c) Temporary lighting used for repair or construction as required by governmental agencies.

#### 3.7.10 Standards for Permanent Signs by Zoning District

(A) Signs in the R1-B, R2-B, R3-B, R4-B, N1-B, and N2-B and A-S Districts

- (1) Two permanent ground-mounted signs may be allowed for each major subdivision with 50 or more lots, or multi-family development in the N1-B and N2-B districts provided that the signs meet the following requirements:
- (a) Signs may be permitted, at each development entrance along a city, county or state road;
  - (b) The signs shall be setback 15 feet from the public right-of-way and five feet from any adjacent property lines;
  - (c) Each sign may have a maximum sign area of 32 square feet not including any fence or wall on which the sign is located;
  - (d) The base of all signs shall be constructed of the same building materials used for any multi-family building or other material approved by the city planner;
  - (e) No such sign or any portion of the structure shall exceed five feet in height; and
  - (f) Only concealed external light illumination may be permitted.
- (2) Signage for permitted uses on residential lots may not exceed six square feet and may not exceed two sides. Signage shall be setback 15 feet from the public right-of-way and five feet from adjacent property lines.
- (3) Public and institutional uses may have one wall sign and one ground-mounted sign totaling a maximum of 60 square feet in area.
- (a) The signs shall be setback 15 feet from the public right-of-way and five feet from any adjacent property lines;
  - (b) The sign may include a changeable copy sign provided that it does not comprise more than 20 percent of the total sign area of the sign;
  - (c) No such sign or any portion of the structure shall exceed five feet in height; and
  - (d) Only concealed external light illumination may be permitted.
- (4) Larger signs for public and institutional uses may be considered as part of a conditional use permit.
- ~~(4) Agricultural uses may have one sign that meets the same requirements as those signs allowed for public and institutional uses; however, changeable copy signage shall be prohibited on signs for agricultural uses.~~

## Article 3: Site Development

- (5) Commercial or office uses that are permitted in the N1-B district shall comply with the sign standards established for the NC-F district in Section 3.7.10(C), Standards for the C1-B, C2-B and NCF District, below.

### (B) General Requirements for Signs in the C1-B, C2-B, I1-B, NC-F, and ED-F Districts

- (1) No pylon sign shall exceed 20 feet in height above the average grade at the centerline of the street in front of the property. All ground-mounted flag poles, banners and pennants are also restricted by this height limitation. Non-commercial flags are exempt from this height limit.
- (2) Illumination of signs is permitted, but in accordance with the restrictions stated under Section 3.7.13, Illumination.
- (3) Sidewalk Signs
- (a) Sidewalk signs are permitted in the C1-B and C2-B districts only.
  - (b) All sidewalk signs shall be limited to two feet in width and three and one-half feet in height, including the support members.
  - (c) No sign shall have more than two faces.
  - (d) The sign shall be placed only in front of the business without significantly limiting the normal pedestrian use of the sidewalk.
  - (e) One sign is permitted for each business, and it shall be removed from the sidewalk at the end of each business day.
  - (f) No sidewalk sign shall be illuminated.
  - (g) No zoning certificate shall be required.

### (C) Standards for the C1-B, C2-B, and NC-F Districts

#### (1) Size

- (a) A total of one and one-half square feet of signage for each lineal foot of building frontage shall be permitted. One additional square foot of signage shall be permitted for each lineal foot of land frontage. as the total allotted sign area.
- (b) If a building has multiple frontages, is situated on a corner with a second street frontage, one additional square foot of signage (for the total allotted sign area) shall be permitted for each lineal foot of building frontage, not to exceed 100 square feet except as limited by paragraphs (c) and (d) below.
- (c) Not more than ten percent of each facade~~facade the building elevation area~~ in the C1-B, C2-B, or NC-F districts may be used for wall signage. The building elevation~~elevation facade~~ area shall be determined by multiplying the total building width by the height of the wall or surface area (See Figure 3-27).

### Article 3: Site Development

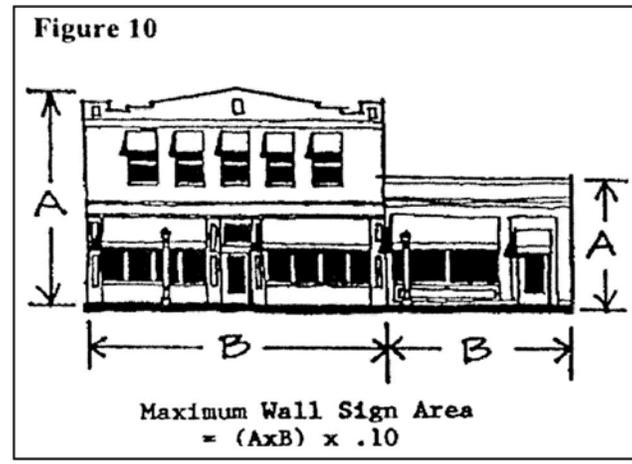


Figure 3-2: Calculation of maximum wall sign area.

- (d) Either one pylon or one ground sign may be permitted for each building frontage and shall not exceed 100 square feet per face and shall not have more than two faces.
- (e) The total area of all signs shall not exceed allotted sign area.
- (f) Freestanding signs in the NC-F district shall be limited to one ground sign with a maximum height of three feet and a maximum square footage of 12 square feet.

#### (2) Location

- (a) Signs may be wall signs and located anywhere on the wall surface of the building. Signs may be projecting signs and may project not more than 36 inches beyond the face of the building and must have a minimum clearance of eight feet above a sidewalk and 15 feet above driveways or alleys.
- (b) A pylon or ground sign may be located anywhere back of the street right-of-way lines, subject to other restrictions in this section.
- (c) Signs may be on the vertical faces of awnings and may project below the lower edge of the awning not more than 12 inches. The bottom of awning signs shall be no less than eight feet above the sidewalk or grade at any point. No point of the sign shall project above the vertical awning face.**

(c)

#### Multiple Use Buildings:

Any property owner who owns a multiple use building shall be required to submit a signange plan for each building. The signange plan shall state the total allowable signange for the building and shall identify the allowable signange that will be allocated to each business space. Only one pylon sign per multiple use building is permitted. Such plan shall be filed with the City Planner prior to any sign permit review.

#### (3) Pylon and Ground Mounted Signs Adjacent to Residential Uses

- (a) Internally lit pylon and ground mounted signs shall be permitted provided that the background of the sign display area shall be of a dark color that prohibits light

## Article 3: Site Development

from being emitted to adjacent property. Only the letters and business image may be of a lighter color.

- (b) Externally lit pylon or ground mounted signs shall be of a lighting design where external lighting is downcast and does not extend to adjacent property.

### (D) Signs in the I1-B and ED-F Districts

#### (1) Size

- (a) For each industrial property, a maximum of one square foot for each lineal foot of building frontage or one-half square foot for each lineal foot of land frontage is permitted, whichever is greater, as a total allotted sign area.
- (b) No wall sign shall exceed 200 square feet per wall.
- (c) One ground or pylon sign may be permitted for each building frontage, the sign shall not exceed 100 square feet per face and shall not have more than two faces.
- (d) The total area of all signs shall not exceed the allotted sign area.

#### (2) Location

- (a) Signs may be wall signs and located anywhere on the surface of the building. Signs may be pylon or ground signs. Signs may be projecting signs and may project no more than 36 inches beyond the face of the building and must have a minimum clearance of eight feet above a sidewalk and 25 feet above driveways or alleys.

#### ~~(3) Multiple Use Buildings~~

~~(E) Any property owner who owns a multiple use building shall be required to submit a signage plan for each such building. The signage plan shall state the total allowable signage for the building and shall identify the allowable signage that will be allocated to each business space. Such plan shall be filed with the City Planner prior to any sign permit review.~~

### (E) Signs in the CD-S and PI-S Districts

#### (1) Height

- (a) Ground and kiosk signs may not exceed eight feet in height above the center line of the street in front of the property.
- (b) Pylon signs are prohibited.

#### (2) Size

- (a) Square footage for ground and kiosk signs shall be approved pursuant to an approved signage plan. A ground sign shall not exceed 100 square feet per face and shall not have more than two faces. A kiosk sign shall not exceed 20 square feet per face and shall not have more than four faces. Not more than ten percent of the building elevation area may be used for wall signage.

#### (3) Signage Plan for the CD-S District

- (a) For colleges wishing to install additional on-campus signage, except for wall signage identifying the name of the building, a signage plan shall be submitted to the city planner for review and approval. The signage plan shall include locations, sizes, dimensions, materials, height, and color of all existing and proposed ground and kiosk signs of the college. Except as otherwise provided for in this section, all new wall, ground and kiosk signs shall be subject to the zoning certificate approval process (See Section 5.4.4, Type 1 Review Procedure (City Planner Decision

### Article 3: Site Development

without Development Review Committee Review) and all other applicable provisions of this section.

#### (4) Location

- (a) Signs may be wall signs located anywhere on the surface of the building.
- (b) Signs may be projecting signs and may project not more than 36 inches beyond the face of the building, and must have a minimum clearance of eight feet above a sidewalk and 15 feet above a driveway or alley.
- (c) Signs may be ground or kiosk signs.
- (d) With written permission from staff, signs may be placed within the boulevard or on other public property provided they do not present a public safety hazard and are not placed adjacent to a residential use.
- (e) Signs shall be subject to sight distance triangle setbacks (See Section 3.1.6(E), Height Limit at Street Corners (Traffic Safety Visibility Triangle), as defined in this LDC).

#### (F) Signs in the H-O District and on Heritage Preservation Sites

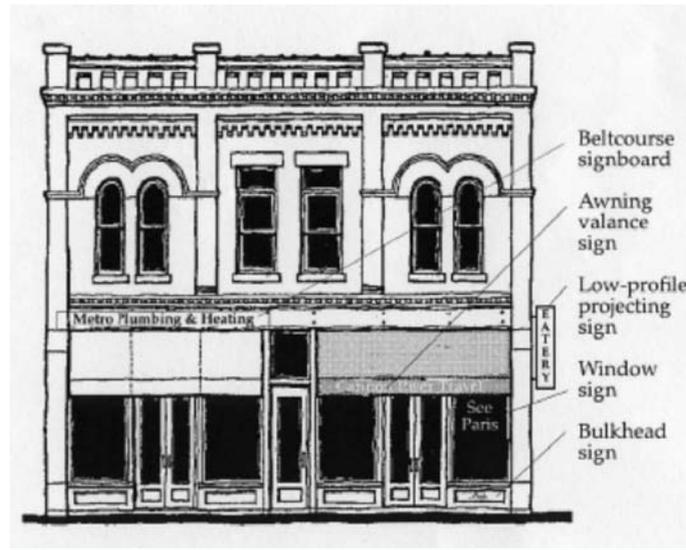
- (1) This subsection applies to the H-O district and other sites that have been designated as heritage preservation sites.
- (2) Sign ~~allowance~~ computations shall follow the guidelines for the base zoning district.
- (3) Signage shall be designed to enhance and complement the historic character of buildings within the downtown historic district.
- (4) Prior to issuance of a zoning certificate, the applicant shall be required to apply for, and receive, a Certificate of Appropriateness for the sign.
- (5) Heritage Preservation Commission shall review the sign permit application in accordance with the following guidelines:
  - (a) All sign permits for property within the H-O shall comply with both the requirements of this section.
  - (b) Whenever possible, sign review shall be guided by the use of historic photographs or visual records of the building or site.
  - (c) Temporary signs meeting the requirements of this section do not require review by the Heritage Preservation Commission and can be approved by the City Planner.
  - (d) Pylon signs are prohibited.

#### (6) Placement

Signs shall be positioned so they are an integral design feature of the building, i.e., signs shall help complement and enhance the architectural features of the building. They shall be placed so that they do not destroy architectural details such as stone arches, glass transom panels, or decorative brickwork. Unless other placement is specifically approved by the Heritage Preservation Commission for reasons stated in the Certificate of Appropriateness issued by the Heritage Preservation Commission, signs may be placed only as follows:

### Article 3: Site Development

- (a) At or above the horizontal lintel, cornice, or beltcourse, or above the storefront windows;
- (b) Projecting from the building;
- (c) Applied to or painted on canvas awnings; or
- (d) In areas where signs were historically attached (See Figure 3-28).



*Illustration of where signs are historically attached to buildings in the downtown historic district.*

#### (7) Sign Shape

Signs shall be designed to match the historic time period elements and regional locations of the city, which primarily exclude such features as cut corners and nonrectangular shapes. In most cases, the edges of signs shall include a raised border that sets the sign apart from the building surface or hanging space. Individual raised letters set onto the sign area surface are also preferred.

#### (8) Colors

Sign colors shall coordinate with the building façade to which the sign is attached and shall be compatible with the property's use. A combination of soft/neutral shades and dark/rich shades are encouraged in order to reflect the historical time period. No more than two colors shall be used for the sign letters.

#### (9) Material

Signs and sign letters should be made of wood or metal that is in keeping with the corresponding historic period of the building. Brackets for projecting signs shall be made of iron or other painted metal, and shall be secured at the top of the sign, and anchored into the mortar, not the masonry.

#### (10) Message

The sign message shall be legible and shall relate to the nature of the business. These requirements may be accomplished through the use of words, pictures, names, symbols, and logos.

### Article 3: Site Development

#### (11) Lettering

Lettering styles shall be legible and shall relate to the character of the property's use and the era of the building. Lettering shall preferably include serif rather than strictly block-type styles. Each sign shall contain no more than two lettering styles, and the lettering shall occupy no more than approximately 60 percent of the total sign area.

#### (12) Illumination

External illumination of signs is permitted by incandescent or fluorescent light, but shall emit a continuous white light that prevents direct shining onto the ground or adjacent buildings. Exposed neon signs shall be permitted when installed inside windows or the interior of the building. The use of internally lit signs, such as but not limited to backlit plastic, is not permitted. Exceptions to this guideline shall be allowed for public service, time/temperature and theater signs.

#### (13) Historic Building Names

Permanent historic names on buildings shall be reviewed by the heritage preservation commission when changed or painted. These signs are not subject to the standard sign area requirement.

#### (G) Signs in the PD-O District

Signs approved as part of a previously approved PUD shall be allowed to continue under the PD-O district. Any changes to a sign, other than copy changes and general maintenance, in the PD-O district shall be subject to the applicable standards of the underlying base zoning district.

### 3.7.11 Temporary Signs

The following signs shall be permitted anywhere within the city provided they meet the established standards:

#### ~~(A) Temporary Signs Require a Zoning Certificate~~

#### ~~(B) The installation of a temporary sign shall require a zoning certificate unless the sign is less than four square feet in sign area or contains only noncommercial speech.~~

#### (A) Temporary Signs on Properties for Rent or Sale

Temporary signs with a commercial message may be located on properties for sale, lease, or rent in all zoning districts, without a zoning certificate, as follows:

- (1) Signs in commercial and industrial districts shall have a maximum sign area of 64 square feet (equivalent to one double sided 4 ft. by 8 ft. sign) and a maximum height of 8 feet.
- (2) Signs in all other zoning districts shall have a maximum sign area of 12 square feet and a maximum height of five feet.
- (3) Such signs shall be removed within seven days of the sale, rental, or lease or within two years, whichever occurs first.

#### (B) Temporary Signs with Noncommercial Speech

Temporary signs that have no commercial message are permitted in all districts as follows:

- (1) Zoning certificates and fees shall not be required; and
- (2) Signs shall be setback a minimum of 12 feet from the edge of pavement on any street to provide for visibility.

#### (C) Project Signs

### Article 3: Site Development

- (1) Project signs are allowed up to a total of one-half square foot for every lineal foot of land frontage along a public right-of-way up to a maximum of 250 square feet. One-sided signs only are allowed. Location shall be generally parallel to the public right-of-way and shall be on the tract they identify. Project signs must be removed when 75 percent of the tract is sold or leased or after ten years has elapsed from erection of the sign, whichever shall come first.
  - (2) Temporary signs may be permitted during the construction of a development under the following provisions:
    - (a) The owner of the property where the sign will be located applies for and receives a zoning certificate for the sign;
    - (b) There shall be a limit of one sign per premises and such sign shall not exceed 32 square feet per side with a maximum of two sides; and
    - (c) The temporary sign may be posted during construction and/or development of the subject property without a specific time limit. The sign shall be removed within 14 days of completion of construction or development.
- (D) Promotional Signs
- (1) Signage for ~~promotional~~ promoting events shall be permitted for a period not to exceed ~~fourteen~~ seven days prior to the event and shall be removed within 24 hours after the event. The sign may be allowed for a maximum of ~~28~~ 4 days within any single 12-month period.
  - (2) Promotional signs shall require a Z zoning Certificate (See Section 5.5.1, Zoning Certificate).
- (E) Garage/Yard Sale Signs
- (1) On-site garage or yard sale signs shall not exceed six square feet and be located at least five feet from the sidewalk or street in the absence of a sidewalk.
  - (2) Such signs may be erected up to three days before and up to one day after the dates of the garage or yard sale.
- (F) Other Temporary Signs
- (1) Other temporary signs intended to be used until a permanent sign may be obtained and erected can be approved by the city planner for a period not to exceed 30 days.
  - (2) Such sign shall not exceed the sign area permitted within the appropriate zone.
  - ~~(3) Such sign shall require a zoning certificate (See Section 5.5.1, Zoning Certificate).~~
  - ~~(4) Generally~~
  - ~~(5) All Changeable-copy signs shall be subordinate to the main signage permitted on the property. The sign area of changeable-copy signs shall be counted as part of the total sign area permitted for the property. All permanent changeable-copy signs are strictly prohibited except for uses described in Subsections (B), (C) and (D) below.~~
  - ~~(6) Changeable-copy signs may include signs that are manually changed by a person or electronic/digital changeable-copy signs. Electronic/digital changeable-copy signs,~~

### Article 3: Site Development

~~where permitted, shall be static and shall not flash or move. Such copy may be changed as often as every 30 minutes.~~

~~(7) Public and Institutional Uses~~

~~(8) Only one changeable copy sign is permitted for each use or parcel of land unless such signs are separated by a distance of 500 feet or more.~~

~~(9) The sign face, which shall be limited to two faces, shall not exceed 20 square feet per face and a maximum letter height of four inches.~~

~~(10) Electronic/digital changeable copy signs shall only be permitted in nonresidential zoning districts.~~

~~(11) Theaters~~

~~(12) A maximum of two manual or electronic/digital changeable copy signs are permitted.~~

~~(13) The total changeable copy signage shall not exceed 50 percent of the total signage allowed.~~

~~(14) Signs Associated with Gasoline Stations~~

~~(15) One price information sign is permitted per building frontage.~~

~~(16) Each sign shall not exceed 12 square feet per face and shall have no more than two faces.~~

~~(17) Each sign must be permanently installed.~~

~~(18) Illumination~~

~~(19) Illumination for signs, if used, shall not blink or fluctuate. Light rays shall shine only upon the sign or upon the property within the premises and shall not spill over the property lines, in any direction, except by indirect reflection.~~

~~(20) Section 3.7.13(A) above shall not apply to the following:~~

~~(21) Lighting systems owned or controlled by any public agency for the purpose of directing of traffic or for highway or street illumination;~~

~~(22) Aircraft warning lights; or~~

~~(3) Temporary lighting used for repair or construction as required by governmental agencies.~~

#### 3.7.12 Nonconforming Signs

Standards for nonconforming signs are as follows:

- (A) A legal nonconforming sign shall immediately lose that status if the sign is altered in any way in structure or copy, except for changeable-copy signs and normal maintenance, which makes the sign comply less with the requirements of this section than it did before the alteration.
- (B) If a sign loses its legal nonconforming status pursuant to paragraph (A) above, a new zoning certificate shall be required or the sign shall be removed.
- (C) Nonconforming sign areas shall be governed by the area requirements of the zoning district into which they would normally be placed.

- (D) Nothing in this subsection shall relieve the owner or user of the property on which a nonconforming sign is located from the sections regarding safety, maintenance, and repair of signs. If, however, any repainting, cleaning, and other normal maintenance or repair of the sign or sign structure modifies the sign structure or copy in any way which increases its nonconformity, the sign shall lose its legal nonconforming status.

### **3.7.13 Abandoned Signs**

- (A) Except as otherwise provided in this section, any sign that is located on property which becomes vacant and unoccupied for a period of three months or more or any sign which pertains to a time, event, or purpose that no longer applies shall be deemed to have been abandoned.
- (B) Permanent signs applicable to a business temporarily suspended because of a change of ownership or management of such business shall not be deemed abandoned unless the property remains vacant for a period of six months.
- (C) An abandoned sign is prohibited and shall be removed by the owner of the sign or owner of the property.

### **3.7.14 Maintenance and Repair**

- (A) Every sign shall be maintained in a safe, presentable and good structural condition at all times, including the replacement of defective parts, painting, repainting, cleaning and other acts required for the maintenance of the sign. If the sign is not made to comply with adequate safety standards, the city planner shall require its removal in accordance with this section.
- (B) No person shall maintain or permit to be maintained on any premises owned or controlled by them any sign which is in a dangerous or defective condition. Any such sign shall be removed or repaired by the owner of the sign or the owner of the premises.

### **3.7.15 Repair or Removal by City Planner**

- (A) The city planner shall cause to be repaired or removed any sign that does not conform to the standards of this section or that endangers the public safety such as an abandoned sign, a dangerous sign, an electrical sign or a structurally defective sign or a sign for which no permit has been issued. The city planner shall prepare a notice that shall describe the sign and shall specify the violation involved and shall state that, if the sign is not repaired or removed or the violation is not otherwise corrected within 30 days, the sign shall be repaired or removed in accordance with this section.
- (B) All notices mailed by the city planner shall be sent by certified mail to the property owner. Any time periods provided in this section shall be deemed to commence on the date of the receipt of the certified mail.
- (C) Notwithstanding subsections (A) and (B) above, in an emergency the city planner may cause the immediate repair or removal of a dangerous or defective sign that poses a hazard to public safety, without notice.
- (D) The notice given by the city planner shall state the remedial action required to be taken and that, if such action is not taken within the time limits set forth in this section, the city may do the work and assess the cost thereof against the property on which the sign is located, together with an additional five percent of the cost of the remedial action for inspection and incidental costs, and an additional ten-percent penalty for the cost of collection, which shall be collected in the same manner as real estate taxes against the property.

### Article 3: Site Development

- (E) If the owner of the property shall fail, neglect, or refuse to comply with the notice to repair, rehabilitate or remove the sign declared to be unlawful, they may be prosecuted for violation of this section.
- (F) Upon receipt of such certification, the city planner shall mail a notice to the owner of the premises as shown by the tax rolls, at the address shown upon the tax rolls, by certified mail, postage prepaid, notifying such owner that the work has been performed pursuant to this section. Such notice shall state the date of performance of the work, the nature of the work, and shall demand payment of the cost thereof, as certified by the city planner, together with five percent for inspection and other incidental costs in connection therewith. Such notice shall also state that if the amount is not paid within 30 days of mailing of the notice, it shall become an assessment upon and a lien against the property of the owner, describing the property, and shall be certified as an assessment against the property, together with a ten percent penalty, for collection in the same manner as the real estate taxes upon the property.
- (G) If the city planner shall not receive payment within a period of 30 days following the mailing of such notice, the city planner shall inform the city council of such fact. A hearing to confirm the costs shall be held before the city council. At such hearing the owner of the property or other interested persons may appear and object to the proposed assessment. Notice of the hearing shall be given at least ten days prior to the date of the hearing to the property owner by mailing a notice of the hearing to the address of the property owner as shown on the last equalized assessment roll. The council may thereupon enact a resolution assessing the whole cost of such work, including the five percent for inspection and other incidental costs in connection therewith, upon the lots and tracts of land upon which the sign is or was located, together with a ten percent penalty for the cost of collection.
- (H) Following passage of such resolution the Ceity Pplanner shall certify the resolution to the county auditor, who shall collect the assessment, including the ten percent penalty, in the same manner as other taxes are collected. Each such assessment shall be a lien against each lot or tract of land assessed, until paid, and shall have priority over all other liens except general taxes and prior special assessments.

#### 3.7.16 Interpretation

When there is any ambiguity or dispute concerning the interpretation of this division, the decision of staff shall prevail, subject to appeal as provided in Section 5.5.17.

#### 3.7.17 Board of Appeals

The Board of Appeals for this Section shall be the Zoning Board of Appeals, and as directed in 5.5.17 Appeals.

# Article 7: Administration

---

7.1	Purpose .....	7-1
7.2	General Provisions for all Administrative Bodies and Boards .....	7-1
7.3	City Council .....	7-1
7.4	Planning Commission (PC) and Zoning Board of Appeals (ZBA) .....	7-2
7.5	Heritage Preservation Commission (HPC).....	7-3
7.6	City Planner and Code Enforcement Officer.....	7-4
7.7	Development Review Committee (DRC).....	7-5
7.8	Enforcement and Penalties .....	7-6

## 7.1 Purpose

The purpose of this article is to identify the authority of the review and decision-making bodies in the development review procedures established within this LDC. It also describes how the provisions of this LDC are to be enforced.

## 7.2 General Provisions for all Administrative Bodies and Boards

### 7.2.1 Meetings

All meetings and hearings of the city council, planning commission, zoning board of appeals, and heritage preservation commission shall be scheduled and conducted in compliance with bylaws as established by the individual board or commission, and with other applicable laws.

### 7.2.2 Bylaws

Each board, at its own discretion, may adopt bylaws governing its procedures on such matters as officers, agendas, voting, order of business, and related matters as it may consider necessary or advisable, provided such bylaws are consistent with the provisions of this LDC.

## 7.3 City Council

### 7.3.1 Powers and Duties

In addition to any other authority granted to the city council by charter, ordinance, or state law, city council shall have the following powers and duties related to this LDC:

- (A) To adopt, monitor, and insure implementation of the principles, goals, and strategies of the official comprehensive plan for Northfield;
- (B) To determine the number, qualifications, and terms of the members of the planning commission, the zoning board of appeals, and heritage preservation commission based on the City Charter, Section 3.2;
- (C) To initiate or act upon proposed amendments, supplements and enactments to this LDC and changes to the zoning map, or changes to the Land Development Code text;

## Article 7: Administration

- (D) To review and make decisions regarding heritage preservation site designations;
- (E) To review and make decisions on preliminary plat, final plats, and accept related improvements;
- (F) To review and make decisions on annexation requests;
- (G) To decline to follow a recommendation of the planning commission provided that such action is passed or approved by a majority vote of the full membership of the city council, and the planning commission is provided with a written response from the city council to the planning commission detailing the reason for the city council decision as provided in City Charter, Section 3.2; and
- (H) To modify or waive the payment of park dedication requirements as established in Section 3.11.6(C), Waiver of Requirements, upon application by the property owner, or designated representative as provided for in this LDC.

### 7.4 Planning Commission and Zoning Board of Appeals

#### 7.4.1 Created

There is hereby established a planning commission, a single board that serves as both the planning commission and zoning board of appeals for the city in accordance with Minn. Stat. §462.354.

#### 7.4.2 Title and Citations

This board shall be referenced and cited in this LDC as the planning commission unless the specific citation relates to the board's role as the zoning board of appeals, in which case, the board shall be referenced and cited as the zoning board of appeals.

#### 7.4.3 Length of Members' Terms

Members of the planning commission and zoning board of appeals shall be appointed for terms of three years, except that any person appointed to fill a vacancy occurring prior to the expiration of the term for which his/her predecessor was appointed shall be appointed only for the remainder of such term. Upon the expiration of the member's term of office, a member shall continue to serve until his/her successor is appointed. Members who serve three consecutive terms, not including a partial term due to appointment to fill a vacancy, shall be ineligible for reappointment for one year following the completion of their third term.

#### 7.4.4 Powers and Duties as Planning Commission

In addition to any other authority granted to the planning commission by charter, ordinance, or state law, the planning commission shall have the following powers and duties related to this LDC:

- (A) To make recommendations to the city council regarding the adoption of the official comprehensive plan for Northfield or any amendments thereto;
- (B) To review and make recommendations to city council on preliminary plats and conditional use permits;
- (C) To initiate and make recommendations to city council regarding proposed amendments, supplements and enactments to this LDC and changes to the zoning map, or changes to the Land Development Code text; and
- (D) To review and make recommendations to city council regarding annexation requests.

#### 7.4.5 Powers and Duties as the Zoning Board of Appeals

In addition to any other authority granted to the zoning board of appeals by charter, ordinance, or state law, the planning commission, acting as the zoning board of appeals, shall have the following powers and duties related to this LDC:

- (A) To review and make decisions on appeals from administrative decisions.
- (B) To review and make decisions on appeals from decisions by the heritage preservation commission on certificates of appropriateness;
- (C) To review and make decisions on variance requests; and
- (D) To interpret the Zoning District boundaries as provided for in Section 2.1.4, Interpretation of Zoning District Boundaries.

### 7.5 Heritage Preservation Commission (HPC)

#### 7.5.1 Created

There is hereby established a heritage preservation commission in accordance with Minn. Stat. §471.193, subd. 2.

#### 7.5.2 Members

The membership of the heritage preservation commission shall be as outlined in the heritage preservation commission bylaws, subject to the requirements of the Minn. Stat. §471.193, subd. 5 and the city council's authority as outlined in Section 4.3.1(B).

Members of the heritage preservation commission shall be appointed for terms of three years, except that any person appointed to fill a vacancy occurring prior to the expiration of the term for which his/her predecessor was appointed shall be appointed only for the remainder of such term. Upon the expiration of the member's term of office, a member shall continue to serve until his/her successor is appointed. Members who serve three consecutive terms, not including a partial term due to appointment to fill a vacancy, shall be ineligible for reappointment for one year following the completion of their third term.

#### 7.5.3 Annual Report

The heritage preservation commission shall make an annual report, containing a statement of its activities and plans, to the state historic preservation office and the city council.

#### 7.5.4 Powers and Duties

In addition to any other authority granted to the heritage preservation commission by charter, ordinance, or state law, the heritage preservation commission shall have the following powers and duties related to this LDC:

- (A) To review and make decisions on certificates of appropriateness;
- (B) Following designation of a heritage preservation commission site by city council, the heritage preservation commission shall act as a resource and in an advisory capacity to the owner of the property regarding preservation, restoration, and rehabilitation activities. Heritage preservation commission activity in this regard shall include participation in the planning and implementation of activities within the downtown historic district and other sites that have been designated as heritage preservation sites.

## **Article 7: Administration**

- (C) The heritage preservation commission shall work for the continuing education of the citizens of the city with respect to the city's civic and architectural heritage. This continuing education may include public meetings or publications. It shall keep current and public a register of designated heritage preservation sites along with the plans and programs that pertain to them.
- (D) The heritage preservation commission may recommend to the city the acceptance of gifts and contributions to be made to the city and to assist the city staff in the preparation of applications for grant funds to be made through the city for the purpose of heritage preservation. Any contributions or gifts will be expended in the manner provided through the city's fiscal policy.
- (E) The heritage preservation commission shall establish and monitor an archive policy that would encourage the collection of all city planning and development records, documents, studies, models, maps, plans and drawings. This may be entered into the public library historical archives as a permanent record of city history and development.
- (F) At the discretion of the heritage preservation commission, public hearings may be initiated to solicit public input regarding proposed activities on a heritage preservation site.
- (G) To recommend to the city council heritage preservation site designation as provided for in Section 5.5.7, Heritage Preservation Site Designation.

## **7.6 City Planner and Code Enforcement Officer**

### **7.6.1 Appointment**

The city administrator shall appoint a city planner to administer and enforce this LDC. Nothing in this LDC shall prevent the city administrator from appointing a single person as both the city planner and code enforcement officer.

### **7.6.2 Administration Powers and Duties**

In addition to any other authority granted to the city planner by charter, ordinance, or state law, the city planner shall have the following powers and duties:

- (A) Interpret the meaning and application of this LDC as allowed in Section 5.5.18, Code Interpretation;
- (B) Issue zoning certificates, temporary use permits, flood plain permits, and other administrative permits or certificates;
- (C) Review and make decisions on Type 1 Development Review Procedures as provided for in Table 5.4-1;
- (D) Review and make recommendations on Types 2, 3, 4, 5, 6 and 7 Development Review Procedures as provided for in Table 5.4-1;
- (E) Serve as administrative staff to the planning commission, zoning board of appeals, and heritage preservation commission;
- (F) Accept and certify all submitted applications as to completeness;
- (G) Publicize the agenda for all meetings;
- (H) Respond to inquiries;
- (I) Maintain permanent and current records in conformance with the city's records retention/disposition policy;

- (J) Serve as chairperson of the development review committee;
- (K) Undertake notice requirements as established in this LDC;
- (L) Provide minutes of all planning commission, zoning board of appeals, and heritage preservation commission meetings; and
- (M) Advise applicants of the appeals process for those who have received a denial for a land use application or other decision.

### 7.6.3 Enforcement Powers and Duties

In addition to any other authority granted to the city planner and code enforcement officer by charter, ordinance, or state law, the city planner and code enforcement officer shall have the following powers and duties related to this LDC:

- (A) Conduct inspection of sites, buildings and uses of land to determine compliance with this LDC; and
- (B) Determine the existence of any violations of this LDC, issue notifications, or initiate other administrative or legal action as needed.

## 7.7 Development Review Committee (DRC)

### 7.7.1 Role

The development review committee ([DRC](#)) is the technical review body composed of city staff and others who shall be responsible for the initial review of applications submitted to the city under this LDC.

### 7.7.2 Powers and Duties

The members of the development review committee shall review all applications forwarded to it by the city planner and respond to other issues to be considered by the city council and planning commission that are relevant to the purpose, intent, and implementation of this LDC.

### 7.7.3 Membership

- (A) The development review committee shall be comprised of the community development director, city engineer, city planner, building official, and fire chief. Additional city staff, or outside agencies and professionals, possessing specific expertise in a matter relating to a given application or issue may be consulted at the discretion of the city planner including, but not limited to, the economic development manager, police department, city attorney, the Department of Natural Resources, Department of Transportation and the applicable Soil and Water Conservation District.
- (B) The city council may retain a town architect to serve as a member of the development review committee to enforce the architectural standards of this LDC pursuant to paragraph (A) above.

### 7.7.4 Meetings

- (A) The city planner will serve as the chairperson to the development review committee, schedule meetings, and prepare follow-up reports as appropriate. The city planner shall inform the applicant of the date, time, and location of the development review committee meeting. The applicant may attend the development review committee meeting but such attendance is not mandatory.

## Article 7: Administration

- (B) The City Planner shall notify the chairman of the Historic Preservation Commission (HPC) of applications in the “adjacent commercial” areas (as defined in the Northfield Downtown Guidelines) outside of the Historic District in the East of Highway 3 Sub-District of the C1 District that trigger review by the DRC. The HPC may provide comments to the City Planner and the City Planning Commission on such applications during the normal course of such application reviews.
- (C) The development review committee meeting related to a specific application subject to review by a board shall occur prior to the preparation of any staff report for the planning commission, zoning board of appeals, heritage preservation commission, or city council meeting or hearing.
- (D) A summary of the preliminary meeting with the planning commission or heritage preservation commission, if held, will be provided to the development review committee (See Section 5.3.4, Effect of Preapplication Meetings and Preliminary Review).

## 7.8 Enforcement and Penalties

### 7.8.1 Enforcement by City Planner and Code Enforcement Officer

- (A) It shall be the duty of the city planner to enforce this LDC in accordance with these administrative provisions.
- (B) All departments, officials, and employees of the city shall comply with the provisions of this LDC, and shall issue no permit, license, or registration for any use, building, or purpose in conflict with the provisions of this LDC.
- (C) The duties imposed on the city planner shall not constitute a limitation on the power of other enforcement officers of this city to make arrests or to institute prosecutions for violations of this LDC.

### 7.8.2 Violations and Penalties

It shall be unlawful to locate, erect, construct, reconstruct, enlarge, change, maintain, or use any building or land in violation of any of the provisions of this LDC, or any amendment or supplement thereto adopted by the city council. Any person, firm, corporation, or other legal entity violating any of the provisions of this LDC, or any amendment or supplement, shall be guilty of a misdemeanor (Minn. Stat. §462.362). Upon conviction, the person, firm, corporation, or other legal entity shall be fined not more than maximum permitted by law. Each and every day during which such illegal location, erection, construction, reconstruction, enlargement, change, maintenance or use continues, shall be deemed to be a separate offense.

### 7.8.3 Exemptions

- (A) The city and other government entities carrying out a governmental function, activity, or implementation of essential services may be exempt in whole or in part from this LDC to the extent permitted in state and federal law.
- (B) The city and other governmental agencies that are exempt from the regulations of this LDC, in whole or in part, are encouraged to meet the requirements of this LDC to the maximum extent possible.

### 7.8.4 Remedies

- (A) In case any building is or is proposed to be used in violation of this LDC, or any amendment or supplement, the city council, city administrator, city attorney, city planner, or any person who would be specifically damaged by such violation may institute appropriate action or proceedings to prevent such unlawful location, erection, construction, reconstruction, alteration, conversion, maintenance or use. The action could be to restrain, correct or abate such violation; to prevent the occupancy of said building structure or land; or to prevent any illegal act, conduct, business or use in or about such premises.
- (B) Nothing herein contained shall prevent the city from taking such other lawful action as is necessary to prevent or remedy any violation.