

CHAPTER 11

LAND USE REGULATION (ZONING)

SECTION 11.01. SHORT TITLE/JURISDICTION

Subd. 1. Short Title. This Chapter shall be known and may be cited and referred to as the “Zoning Code of the City of Saint Peter”, to the same effect as if the full title were stated.

Subd. 2. Jurisdiction. This Chapter shall govern the zoning of all lands within the corporate limits of Saint Peter.

SEC. 11.02. INTERPRETATION OF REGULATIONS. In its interpretation and application, the provisions of this Chapter shall be held to be minimum requirements. Where this Chapter imposes a greater restriction than is imposed or required by other provisions of law or other rules or regulations or Chapters, the provisions of this Chapter shall govern.

SEC. 11.03. ESTABLISHMENT OF DISTRICTS

Subd. 1. Districts. In order to carry out the purpose and intent of this Chapter, the area of the City is hereby divided into fifteen (15) zoning district classifications as follows:

R-1	Single-Family Residential District
R-2	Single and Two-Family Residential District
R-3	Multi-Family Residential District
R-4	Large Lot Residential District
RP- 1	Residential/Professional Office District
R - MHP	Mobile Home Park District
CBD	Central Business District
C-3	Limited Retail Business District
C-4	Highway Commercial District
C-5	Business / Professional Office District
EID	Educational/Institutional District
I-1	Limited Industrial District
I-2	General Industrial District
GO	Gateway Overlay District
FP	Flood Plain District

Subd. 2. Official Map. The boundaries of these districts are indicated and established as shown upon maps designated as the “Official Zoning Map of Saint Peter, Minnesota”, which, with all its notations, designations, references and other matters shown thereon, shall be as much a part of this zoning Chapter as if fully described and set forth herein. The Official Zoning Map shall be identified by the City Administrator and attested by the Zoning Administrator under the following words.

“This is to certify that this is the Official Zoning Map referred to in Section _____ of the Saint Peter Zoning Code adopted this the _____ day of _____, 2007.”

Amendments, supplements or changes of the boundaries of districts as shown on the Official Zoning Map shall be made by a Chapter amending Chapter No. 20. The amending Chapter shall refer to the Official Zoning Map and shall set out the identification of the area affected by legal description and

identify the zoning district as the same exists and the new district designation applicable to said property. Said Chapter shall be recorded by the City Administrator as other Chapters and a certified copy thereof shall be maintained by the City Administrator. Such amendatory Chapter shall, however, not repeal or reenact said map, but only amend it. The Official Zoning Map, together with amending Chapters, shall be the final authority as to the current zoning status of land and water areas, buildings and other structures within the City.

Subd. 3. Interpretation Of District Boundaries. Where uncertainty exists as to district boundaries as shown on the Official Zoning Map, the following rules shall apply.

A. Boundaries indicated as approximately following the centerline of streets, highways, alleys or other public rights-of-way shall be construed to follow such centerline.

B. Boundaries indicated as approximately following platted lot lines shall be construed as following such lot lines.

C. Boundaries indicated as approximately following section, quarter section, or quarter-quarter section lines shall be construed as following such lines.

D. Boundaries indicated as approximately following City limits shall be construed as following such City limits.

E. Boundaries indicated as approximately following shorelines shall be construed as following such shorelines and in the event of changes in the shoreline, shall be construed as moving with the actual shoreline. Boundaries indicated as approximately following the centerline of rivers shall be construed as following such centerline.

F. Boundaries indicated as parallel to or extensions of features indicated in paragraph A-E above shall be so construed. Distances not specifically indicated on the Official Zoning Map shall be determined by the scale of the map.

G. Where physical features existing on the ground are at variance with those shown on the Official Zoning Map, or in other circumstances not covered by paragraphs A-F above, the Board of Appeals and Adjustments shall interpret the district boundaries.

Subd. 4. Annexation. Upon the annexation of any land into the City of Saint Peter, the City Council shall determine and designate which zoning district shall be applicable to the annexed land.

SEC. 11.04 GENERAL REGULATIONS.

Subd. 1. Conformance Required. Except as hereinafter specified, no building or structure shall be erected, converted, enlarged, moved, reconstructed or structurally altered, nor shall any building or land be used, which does not comply with all of the district regulations established by this Chapter, for the district in which the building or land is located.

Subd. 2. Required Yards. No yard or lot existing on the effective date of this Chapter shall be reduced in dimension or area below the minimum required by this Chapter. No part of a yard or other open space, or off-street parking or loading space provided about any building, structure, or use for the purpose of complying with the provisions of this Chapter shall be included as part of a required yard, open space or off-street parking or loading space required under this Chapter for another building,

structure or use.

Subd. 3. Street Frontage. Except as otherwise provided in this Chapter, no lot shall contain any structure unless such lot abuts for a minimum of twenty feet on at least one public street, or unless it has an unobstructed and recorded access easement of at least twenty feet upon a public street.

Subd. 4. Previous Permits. Nothing herein contained shall require any change in the overall layout, plans, construction, size or designated use of any building or part thereof, for which approvals and required permits have been granted before the effective date of this Chapter, the construction of which, in conformance with such plans, shall have been started prior to the effective date of this Chapter and completion thereof carried on in a normal manner and not discontinued for reasons other than those beyond the builder's control.

Subd. 5. Districts Dividing Property. Where one parcel of property is divided into two or more portions by reason of different zoning district classifications, each of these portions shall be used independently of the other in its respective zoning classification, and for the purpose of applying the regulations of this Chapter, each portion shall be considered as if in separate and different ownership.

SEC. 11.05. DEFINITIONS. For the purpose of interpreting this Chapter, certain words, terms and expressions are herein defined. Words used in the present tense include the future; the singular includes the plural and the plural singular; the word "may" is discretionary and the word "shall" is mandatory.

1. "Accessory Use or Structure" - A use or structure on the same lot with, and of a nature customarily incidental and subordinate to, the principal use or structure.

2. "Addition" - Any construction which increases the site coverage, height, length, width, mass or floor area of a structure.

3. "Alley" - A public or private passage or way which (1) is less than the usual width of a street, (2) may be open to but is not designed primarily for general vehicular traffic, (3) intersects or opens to a street, and (4) is primarily used for the ingress and egress or other convenience of two or more owners of abutting real properties.

4. "Alteration" - Any change in the supporting members of a building, such as bearing walls, partitions, columns, beams or girders.

5. "Attached" - Having one or more walls in common with a principal building, or joined to a principal building by a covered porch or passageway.

6. "Attic" - A space under a gable, hip or gambrel or other roof, the finished floor of which is or would be at or entirely above the level of the wall plates of at least two (2) exterior walls, and the height of which, from floor level to the highest point of the roof, does not exceed ten feet (10').

7. "Basement" - A story partly underground but having at least one-half ($\frac{1}{2}$) of its height above the curb level, and also one-half ($\frac{1}{2}$) of its height above the highest level of the adjoining ground, with a floor to ceiling dimension of at least six and one-half feet ($6\frac{1}{2}'$). A basement shall be counted as a story under the provisions of this Chapter.

8. "Boarding or Lodging House" - A building, other than a hotel, where meals are regularly served or lodging furnished for compensation to no more than three (3) persons not related by blood or

legal relationship of the family residing therein.

9. "Building" - A structure having a roof supported by columns or walls for shelter, support or enclosure of persons, animals or chattels. When separated by division walls from the ground up without openings, each portion of such a structure shall be deemed a separate building.

10. "Building, Accessory" - A building which is subordinate to the main building on the lot, not attached thereto and used for purposes customarily incidental to those of the main building. Private garages are accessory buildings.

11. "Building, Height of" - The perpendicular distance measured in a straight line from the curb level to the highest point of the roof. Where a building is situated on ground above the curb level or where no curb grade is established, such level shall be measured from the level of the adjoining ground at the middle of the front wall.

12. "Building Line" - The setback distance from the front property line, rear lot line, and side lot lines as measured from the building wall.

13. "Building Wall" - The wall of a building forming part of the main structure. The foundation walls of open porches, steps, walks and retaining wall or similar structures, shall not be considered as building walls.

14. "Bush" - See "Shrub".

15. "Cellar" - A story having more than one-half ($\frac{1}{2}$) of its height below the curb level, or below the highest level of the adjoining ground with a floor to ceiling dimension of at least six and one-half feet ($6\frac{1}{2}'$). A cellar shall not be considered as a story for the purposes of this Chapter.

16. "Conditional Use" - A specific type of structure or land use listed in the official control that may be allowed but only after an in-depth review procedure and with appropriate conditions or restrictions as provided in the official zoning controls or building codes and upon a finding that 1) certain conditions as detailed in the Zoning Chapter exist, and 2) the structure and/or land use conform(s) to the comprehensive land use plan if one exists and are compatible with the existing neighborhood.

17. "Curb Level" - The elevation of the front of a lot as established by the top of the installed street curb at the center point of the front lot line.

18. "Detached" - Fully separated from any other structure; not attached.

19. "Drive-in Service" - A feature or characteristic of a use involving sale of products or provision of services to occupants in vehicles, including drive-in or drive-up windows and drive-through services such as mechanical automobile washing.

20. "Driveway" - Every way or place in private ownership and used for vehicular travel by the owner and those having express or implied permission from the owner, but not by other persons.

21. "Dwelling" - Any building or portion thereof which is designed or used primarily for residential purposes but not including a tent or trailer.

22. "Dwelling, Multi-Family" - A dwelling used or intended to be used or occupied as the

residence of three (3) or more families or housekeeping units living independently of each other.

23. "Dwelling, Single-Family" - A detached building that is arranged, designed or intended to be occupied as the residence of a Single-Family or housekeeping unit and having no party wall in common with an adjacent building.

24. "Dwelling, Two-Family" - A detached building that is arranged, designed or intended to be occupied as the residence of two (2) families or housekeeping units living independently of each other.

25. "Equal Degree of Encroachment" - A method of determining the location of floodway boundaries so that flood plain lands on both sides of a stream are capable of conveying a proportionate share of flood flows.

26. "Family" - A group of individuals living and cooking together on the premises as one housekeeping unit, but a family shall not include more than four (4) individuals not related by blood or legal relationship.

27. "Fence" - An artificially constructed barrier of any material or combination of materials erected to enclose or screen areas of land.

28. "Flood" - A temporary increase in the flow or stage of a stream or in the stage of a wetland or lake that results in the inundation of normally dry areas.

29. "Flood Frequency" - The frequency for which it is expected that a specific flood stage or discharge may be equaled or exceeded.

30. "Flood Fringe" - That portion of the flood plain outside of the floodway. Flood fringe is synonymous with the term "floodway fringe" used in the Flood Insurance Study for Saint Peter.

31. "Flood Plain" - The beds proper and the areas adjoining a wetland, lake or watercourse which have been or hereafter may be covered by the regional flood.

32. "Flood-Proofing" - A combination of structural provisions, changes, or adjustments to properties and structures subject to flooding, primarily for the reduction or elimination of flood damages.

33. "Floodway" - The bed of a wetland or lake and the channel of a watercourse and those portions of the adjoining flood plain which are reasonably required to carry or store the regional flood discharge.

34. "Garage, Private" - An accessory building or portion of a building in which one or more motor vehicles are housed, but in which no business services or industry connected with the motor vehicles is carried on other than leasing of space.

35. "Hedge" - A linear growth of woody plant(s) planted to form a barrier to enclose or screen areas of land.

36. "Home Occupation" - A business or occupation use conducted in a residential zoning district, which use is incidental and secondary to the residential use and which complies with the provisions of Section 11.25 of this Chapter.

37. "Loading Space" - An area used for loading or unloading of goods from a vehicle in connection with the use of the site on which such space is located.
38. "Lot" - A parcel of land under common ownership having its frontage upon one or more streets.
39. "Lot Area" - The net horizontal area within bounding lot lines, but excluding any portion of a flag (panhandle) lot providing access to a street and excluding any public or private easement or right of way providing access to another lot.
40. "Lot, Corner" - A lot fronting on two (2) intersecting streets.
41. "Lot Coverage or Building Coverage" - The area of a lot covered by buildings or impervious ground level paving, but excluding incidental projecting eaves, balconies, and similar features and excluding landscaping and open recreational facilities.
42. "Lot Depth" - The distance from the front lot line to the rear lot line. In the case of a lot of irregular shape, the mean depth shall be the lot depth.
43. "Lot, Interior" - A lot other than a corner lot.
44. "Lot, Through" - An interior lot having frontage on two parallel, or approximately parallel streets and also known as a double frontage lot.
45. "Lot Line, Front" - In the case of an interior lot abutting on only one street, the front lot line is the street line of such street. In the case of a through lot it may be such street line as is selected by the owner as the front lot line for the purposes of this Chapter. In the case of a corner lot with frontage on two (2) or more public streets, the front lot line shall be the lot line so designated by the owner.
46. "Lot Line, Rear" - That boundary line which is opposite and most distant from the front lot line.
47. "Lot Line, Side" - A boundary line not a front lot line or a rear lot line.
48. "Lot, Width" - The distance between the side lot lines. In the case of a lot of irregular shape, the mean width shall be the Lot Width
49. "Mobile Home" - Any vehicle without motive power used or so manufactured or constructed as to permit its being used as a conveyance upon the public streets and highways and so designed, constructed, or reconstructed as will permit the vehicle to be used as a place for human habitation by one or more persons; but shall also include any such vehicle with motive power not registered as a motor vehicle.
50. "Mobile Home Community" - Any site, lot, field or tract of land upon which two (2) or more occupied mobile homes are situated, either free of charge or for revenue purposes, and shall include any building, structure, tent, vehicle or enclosure used or intended for use as part of the equipment of such mobile home park.
51. "Mobile Home Space" - An area within a mobile home community which is designed for and designated as the location for a single mobile home and the exclusive use of its occupants.

52. "Nonconforming Use" - A lawful use of any land, building or structure that does not conform to currently applicable use regulations, but which complied with use regulations in effect at the time the use was established.

53. "Obstruction" - Any dam, wall, wharf, embankment, levee, dike, pile, abutment, projection, excavation, channel modification, culvert, building, wire, fence, stockpile, refuse, fill, structure, or matter in, along, across, or projecting into any channel, watercourse, or regulatory flood plain which may impede, retard, or change the direction of the flow of water, either in itself or by catching or collecting debris carried by such water.

54. "Parking Facility" - An area on a lot or within a building, or both, including one or more parking spaces together with driveways, aisles, turning and maneuvering areas, clearances, and similar features, and meeting the requirements established by this Chapter. The term "parking facility" shall include parking lots, garages, and parking structures.

55. "Parking Space" - An area on a lot or within a building, used or intended for use for parking of a motor vehicle, having permanent means of access to and from a public street or alley independently of any other parking space, and located in a parking facility meeting the requirements established by this Chapter. The term "parking space" is equivalent to the term "parking stall" and does not include driveways, aisles, or other features compromising a parking facility.

56. "Porch, Open" - A roofed structure, open on two (2) or more sides, projecting from the front, side or rear wall of the building.

57. "Principal Use Or Structure" - All uses or structures that are not accessory uses or structures.

58. "Public Way" - An open or unoccupied public space which is permanently reserved for the purpose of access to abutting property.

59. "Reach" - A hydraulic engineering term to describe a longitudinal segment of a stream or river influenced by a natural or man-made obstruction. In an urban area, the segment of a stream or river between two consecutive bridge crossings would most typically constitute a reach.

60. "Recreational Vehicles" - A vehicle towed or self-propelled on its own chassis or attached to the chassis of another vehicle and designed or used for temporary dwelling, recreational or sporting purposes. The term "recreational vehicle" shall include, but shall not be limited to travel trailers, pickup campers, camping trailers, motor coach homes, converted trucks and buses, boats and boat trailers, snowmobiles and all-terrain vehicles.

61. "Regional Flood" - A flood which is representative of large floods known to have occurred generally in Minnesota and reasonably characteristic of what can be expected to occur on an average frequency in the magnitude of the 100-year recurrence interval. Regional flood is synonymous with the term "base flood" used in the Flood Insurance Study.

62. "Regulatory Flood Protection Elevation" - The Regulatory Flood Protection Elevation shall be an elevation no lower than one foot above the elevation of the regional flood plus any increases in flood elevation caused by encroachments on the flood plain that result from designation of a floodway.

63. "Residential Convenience Service" - A use or activity of a commercial nature conducted as an accessory use to multi-family residential or mobile home community residential use, and intended solely for the convenience of residents thereof.

64. "Setback Line" - A line within a lot parallel to and measured from a corresponding lot line, forming the boundary of a required yard and governing the placement of structures and uses on the lot. In the case of a corner lot with frontage on two (2) or more public streets, each yard abutting a public street shall have the same setback requirements as a "front yard".

65. "Setback, Front Yard" - The required space, unobstructed to the sky, open for the whole width of the lot extending from the nearest part of any building of the lot to the front lot line excluding cornices, eaves, gutters or chimneys projecting not more than thirty inches (30"), steps, bay window or similar features not extending through more than one story and which do not aggregate more than one-third (1/3) of the width of the frontage of the building, and vestibules not more than one story in height and extending not more than three feet (3') beyond the front wall of the principal building.

66. "Setback, Rear Yard" - The required open space, unobstructed to the sky, extending along the rear lot line (not street line), throughout the whole width of the lot to the rear of the principal building. Cornices, eaves, gutters or chimneys may project not more than thirty inches (30") into the required Rear Yard. Uncovered steps or open porches not more than one story in height and eight feet (8') in width may extend not more than twelve feet (12') into the required Rear Yard.

67. "Setback, Side Yard" - The required open space, unobstructed to the sky, extending along the side lot line from the front yard to the rear yard, excluding cornices, eaves, gutters, chimneys, bay windows or similar features which project into the side yard not more than thirty inches (30").

68. "Shrub" - A woody plant, grown for decorative, screening or enclosure purposes. The definition of a "shrub" and a "bush" shall be the same and are interchangeable.

69. "Site Plan" - A plan, prepared to scale, showing accurately and with complete dimensions, all of the buildings, structures and uses, and principal site development features including parking, access, and landscaping and screening, proposed for a specific parcel of land.

70. "Specified Anatomical Areas" - Less than completely and opaquely covered human genitals, pubic region, buttock, anus or female breast(s) below a point immediately above the areola or human male genitals in a discernibly turgid state, even if completely and opaquely covered.

71. "Specified Sexual Activities" - Shall include the following.

a. Actual or simulated sexual intercourse, oral copulation, anal intercourse, oral-anal copulations, bestiality, direct physical stimulation of clothed or unclothed genitals, flagellation or torture in the context of a sexual relationship, or the use of excretory functions in the context of a sexual relationship, and any of the following sexual-oriented acts or conduct. anilingus, buggery, coprophagy, coprophilia, cunnilingus, fellatio, necrophilia, pederasty, pedophilia, piquerism, sapphism, zooerasty, pygmalionism, or urolagia.

b. Clearly depicted human genitals in the state of sexual stimulation, arousal or tumescence.

c. Use of human or animal ejaculation, sodomy, oral copulation, coitus, or

masturbation.

d. Fondling or touching of nude human genitals, pubic region, buttocks, or female breast(s).

e. Situations involving a person or persons, any of whom are nude, clad in undergarments or in sexually revealing costumes, and who are engaged in activities involving the flagellation, torture, fettering, binding or other physical restraint of any such person(s).

f. Erotic or lewd touching, fondling or other sexually-oriented contact with an animal by a human being.

g. The display or depiction of human erection, urination, menstruation, vaginal and/or anal irrigation.

72. "Story" - That part of any building comprised between any floor and the floor or attic next above; the first story of a building is the lowest story having at least one-half (½) of its height above the highest level of adjoining ground.

73. "Street, Front" - The street or public way upon which a lot abuts. If a lot abuts upon more than one street or public way it shall mean the street designated as the front street in the owner's application for a building permit.

74. "Street Line" - The dividing line between a lot and a public street, alley or way.

75. "Street, Public" - The entire width between boundary lines of any way or place when any part thereof is open to the use of the public, as a matter of right, for the purposes of vehicular traffic.

76. "Street Wall" - The wall of the building nearest the street under consideration.

77. "Structure" - That which is built or constructed and composed of parts joined together in a definite manner attached to the ground or on-site utilities. Grade level paving shall not be classified as being a structure.

78. "Substandard Lot" - A lot of record that does not comply with currently applicable minimum area, width, or depth requirements for the district in which it is located, but which complies with applicable requirements when it was placed on record.

79. "Townhouse" - A dwelling unit having a common wall with, or abutting one or more adjoining dwelling units in a townhouse group provided that each dwelling unit is located on a separate ground parcel.

80. "Townhouse Group" - Three (3) or more contiguous townhouses having common or abutting walls.

81. "Tree" - A woody growth with an expected height in excess of six feet (6').

82. "Use" - The conduct of an activity, or the performance of a function or operation, on a site or in a structure.

83. "Use, Accessory" - A use or activity which is incidental to and customarily associated with a specific principal use on the same site.

84. "Uses, Adult" - Adult uses as regulated within this Chapter shall include the following.

a. Adult Media. Printed matter, magazines, newspapers, books, pictures, slides, records, audio tape, videotape, motion picture film, compact discs, digital video discs, floppy discs, and other communicative materials which are distinguished or characterized by their emphasis on the presentation, display, depiction or description of specified sexual activities or specified anatomical areas.

b. Adult Body Painting Studio. An establishment or business which provides the service of applying paint or other substance, whether transparent or non-transparent, to or on the body of a patron when such body is wholly or partially nude in terms of a specified anatomical area.

c. Adult Bookstore. A building or portion of a building used for the barter, rental or sale of items consisting of adult media if such building or portion of a building is not open to the public generally but only to one or more classes of the public excluding any minor by reason of age or if a substantial or significant portion of such items are distinguished or characterized by an emphasis on the depiction or description of a specified sexual activity or specified anatomical area.

d. Adult Cabaret. A building or portion of a building used for providing dancing or other live entertainment, if such building or portion of a building excludes minors by virtue of age or if such dancing or other live entertainment is distinguished or characterized by an emphasis on the presentation, display, depiction or description of a specified sexual activity or specified anatomical areas.

e. Adult Companionship Establishment. A companionship establishment which excludes minors by reason of age, or which provides the service of engaging in or listening to conversation, talk or discussion between an employee of the establishment and a customer, if such service is distinguished or characterized by an emphasis on specified sexual activities or specified anatomical areas.

f. Adult Conversation/Rap Parlor. A conversation/rap parlor which excludes minors by reason of age, or which provides the service of engaging in or listening to conversation, talk or discussion, if such service is distinguished or characterized by an emphasis on specified sexual activities or specified anatomical areas.

g. Adult Health/Sport Club. A health/sport club which excludes minors by reason of age, or if such club is distinguished or characterized by an emphasis on specified sexual activities or specified anatomical areas.

h. Adult Hotel/Motel. Adult hotel/motel means a hotel or motel from which minors are specifically excluded from patronage and wherein material is presented which is distinguished or characterized by an emphasis on matter depicting, describing or relating to specified sexual activities or specified anatomical areas.

i. Adult Massage Parlor. A massage parlor which restricts minors by reason of age, and which provides the services of massage, if such service is distinguished or characterized by an emphasis on specified sexual activities or specified anatomical areas.

j. Adult Mini-Motion Picture Theater. A building or portion of a building with a

capacity for less than fifty (50) persons used for presenting material if such building or portion of a building as a prevailing practice excludes minors by virtue of age, or if such material is distinguished or characterized by an emphasis on specified sexual activities or specified anatomical areas for observation by patrons therein.

k. Adult Modeling Studio. An establishment whose major business is the provision, to customers, of figure models who are so provided with the intent of providing sexual stimulation or sexual gratification to such customers and who engage in specified sexual activities or display specified anatomical areas while being observed, painted, painted upon, sketched, drawn, sculptured, photographed, or otherwise depicted by such customers.

l. Adult Motion Picture Arcade. Any place to which the public is permitted or invited wherein coin or slug-operated or electronically, electrically or mechanically controlled or operated still or motor picture machines, projectors or other image-producing devices are maintained to show images to five (5) or fewer persons per machine at any one time, and where the images so displayed are distinguished or characterized by an emphasis on depicting or describing specified sexual activities or specified anatomical areas.

m. Adult Motion Picture Theater. A building or portion of a building with a capacity of fifty (50) or more persons used for presenting material in such building or portion of a building as a prevailing practice excludes minors by virtue of age or if such material is distinguished or characterized by an emphasis on specified sexual activities or specified anatomical areas for observation by patrons therein.

n. Adult Novelty Business. A business which has as a principal activity the sale of devices which stimulate human genitals or devices which are designated for sexual stimulation.

o. Adult Sauna. A sauna which excludes minors by reason of age, or which provides a steam bath or heat bathing room used for the purpose of bathing, relaxation, or reducing, utilizing steam or hot air as a cleaning, relaxing or reducing agent, if the service is provided by the steam room/bathhouse facility is distinguished or characterized by an emphasis on specified sexual activities or specified anatomical areas.

p. Adult Steam Room/Bathhouse/Spa. A building or portion of a building used for providing a steam bath or heat bathing room used for the purpose of pleasure, bathing, relaxation, or reducing, utilizing steam or hot air as a cleaning, relaxing or reducing agent if such building or portion of a building restricts minors by reason of age or if the service provided by the steam room/bathhouse facility is distinguished or characterized by an emphasis on specified sexual activities or specified anatomical areas.

85. "Use, Conditional" - A use listed by the regulations for any particular district as a conditional use within that particular zoning district and allowable therein, solely on a discretionary and conditional basis subject to a conditional use permit and to all other regulations established by this Chapter.

86. "Use, Permitted" - A use listed by the regulations for any particular zoning district as a permitted use within that particular district, and permitted therein as a matter of right when conducted in accordance with the regulations established by this Chapter.

87. "Use, Principal. - A use which is a primary function of a lot or structure.

88. "Valuation" - The one hundred percent (100%) valuation of a building or structure, as determined by the Nicollet County Assessor.

SEC. 11.06. USE CLASSIFICATIONS.

Subd. 1. General Description Of Residential Use Types. Residential use types include the occupancy of living accommodations on a wholly or primarily non-transient basis but exclude institutional living arrangements involving those providing twenty-four (24) hour skilled nursing or medical care or those which provide forced residence, such as asylums and prisons.

- A. Single-Family Residential. The use of a site for only one dwelling unit.
- B. Duplex Residential. The use of a site for two (2) dwelling units within a single building.
- C. Two-Family Residential. The use of a site for two (2) dwelling units, each in a separate building.
- D. Townhouse Residential. The use of a site for three (3) or more townhouse-dwelling units, constructed with common or adjacent walls and each located on a separate ground parcel within the total development site, together with common area serving all dwelling units.
- E. Multi-Family Residential (General). The use of a site for five (5) or more dwelling units, within one or more buildings.
- F. Multi-Family Residential (Limited). The use of a site for three (3) or four (4) dwelling units, within a single building.
- G. Group Residential. The residential occupancy of living accommodations by groups of more than five (5) persons not defined as a family on a weekly or longer basis. Typical uses include occupancy of fraternity or sorority houses, dormitories, residence halls, or boarding houses.
- H. Mobile Home Residential. The residential occupancy of mobile homes by families on a weekly or longer basis. Uses only include mobile home parks or mobile home subdivisions..

Subd. 2. General Description Of Commercial Use Types. Commercial use types include the sale, rental, service, and distribution of goods; and the provision of services other than those classified as Industrial or Civic Uses

- A. Administrative and Business Offices. Offices of private firms or organizations which are primarily used for the provision of executive, management, or administrative services. Typical uses include administrative offices, and services including real estate, insurance, property management, investment, personnel, travel, secretarial services, telephone answering, photocopy and reproduction, and business offices of public utilities, organizations and associations or other use classifications when the service rendered is that customarily associated with administrative offices services.
- B. Adult Uses. Uses licensed by the City of Saint Peter, including adult bookstores, adult motion picture theaters, adult motion picture rental, adult mini-motion picture theaters, adult message parlors, adult steam room/bathhouse/sauna facilities, adult companionship establishments,

adult rap/conversation parlors, adult health/sport clubs, adult cabarets, adult novelty businesses, adult motion picture arcades, adult modeling studios, adult hotel/motels, adult body painting studios, and other premises, enterprises, establishments, businesses or places open to some or all members of the public, at or in which there is an emphasis on the presentation, display, depiction or description of specified sexual activities or specified anatomical areas which are capable of being seen by members of the public.

C. Agricultural Sales and Services. Establishments or places of business engaged in sale from the premises of feed, grain, fertilizers, pesticides and similar goods or in the provision of agriculturally related services with incidental storage on lots other than where the service is rendered. Typical uses include nurseries; hay, feed or grain stores, and tree service firms.

D. Automotive and Equipment Services. Establishments or places of business primarily engaged in automotive-related or equipment sales or services. The following are automotive and equipment use types:

i. Automotive Washing. Washing and cleaning of automobiles and related light equipment. Typical uses include auto laundries or car washes.

ii. Service Station. Provision of fuel, lubricants, parts and accessories, and incidental services to motor vehicles.

iii. Commercial Off-Street Parking. Parking of motor vehicles on a temporary basis within a privately owned off-street parking facility, other than accessory to a principal use. Typical uses include commercial parking lots or parking garages.

iv. Automotive Rentals. Rental of automobiles, noncommercial trucks, trailers, and recreational vehicles, including incidental parking and servicing of vehicles available for rent or lease. Typical uses include auto rental agencies, trailer rental agencies and taxi parking and dispatching.

v. Automotive Sales. Sale or rental of automobiles, noncommercial trucks, motorcycles, motor homes, recreational vehicles or boats, including incidental storage, maintenance, and servicing. Typical uses include new or used car dealerships, motorcycle dealerships and boat, trailer and recreational vehicle dealerships.

vi. Equipment Sale. Sale or rental of trucks, tractors, construction equipment, agricultural implements, mobile homes, and similar heavy equipment, including incidental storage, maintenance, and servicing. Typical uses include truck dealerships, construction equipment dealerships, and mobile homes sale establishments.

vii. Automotive Repair Services. Repair of automobiles, noncommercial trucks, motorcycles, motor homes, recreational vehicles, or boats, including the sale, installation, and servicing of equipment and parts.

viii. Equipment Repair Services. Repair of trucks, tractors, construction equipment, agricultural implements, and similar heavy equipment. Typical uses include truck repair garages, tractor and farm implement repair services, and machine shops, but excluding dismantling or salvage.

ix. Vehicle Storage. Long term storage or operational or non-operational vehicles. Typical uses include storage of private parking tow-aways or impound yards, but exclude dismantling or salvage.

E. Building Maintenance Services. Establishments primarily engage in the provision of maintenance and custodial services to firms rather than individuals. Typical uses include janitorial, landscape maintenance, or window cleaning services.

F. Business Support Services. Establishments or places of business primarily engaged in the sale, rental or repair of equipment and supplies used by office, professional and service establishments to the firms themselves rather than to individuals, but exclude automotive, construction and farm equipment. Typical uses include office equipment and supply firms, small business machine repair shops or hotel equipment and supply firms.

G. Business or Trade School. A use providing education or training in business, commerce, language, or other similar activity or occupational pursuit, and not otherwise defined as a home occupation, college, or university, or public or private educational facility.

H. Cocktail Lounge. A use engaged in the preparation and retail sale of alcoholic beverages for consumption on the premises, including taverns, bars, and similar uses.

I. Commercial Recreation. Establishments or places primarily engaged in the provisions of sports, entertainment or recreation for participants or spectators. The following are commercial recreation use types.

i. Indoor Sports and Recreation. Uses conducted within an enclosed building. Typical uses include bowling alleys, billiard parlors, ice and roller skating rinks, and penny arcades.

ii. Outdoor Sports and Recreation. Uses conducted in open or partially enclosed or screened facilities. Typical uses include driving ranges, miniature golf courses, golf courses, swimming pools, tennis courts, and racquetball courts.

iii. Indoor Entertainment. Predominately spectator uses conducted within an enclosed building. Typical uses include motion picture theaters, meeting halls and dance halls.

iv. Outdoor Entertainment. Predominately spectator uses conducted in open facilities. Typical uses include sports arenas, racing facilities, and amusement parks.

J. Communication Services. Establishments primarily engaged in the provision of broadcasting and other information relay services accomplished through the use of electronic and telephonic mechanisms but excludes those classified as major utility facilities. Typical uses include television studios, radio stations, telecommunication service centers or telegraph service offices.

K. Construction Sales and Services. Establishments or places of business primarily engaged in construction activities and incidental storage on lots other than construction sites as well as the retail or wholesale, from the premises, of materials used in the construction of buildings or other structures other than retail sales of paint, fixtures and hardware; but excludes those classified as one of the automotive and equipment service use types. Typical uses include building materials stores, tool and equipment rental or sales, or building contractors.

L. Consumer Repair Services. Establishments primarily engaged in the provision of repair services to individuals and households rather than firms, but excluding automotive and equipment use types. Typical uses include appliance repair shops, watch or jewelry repair, or musical instrument repair firms.

M. Convenience Storage. Storage services primarily for personal effects and household goods within enclosed storage areas having individual access, but excluding use as workshops, hobby shops, manufacturing, or commercial activity. Typical uses include mini warehousing.

N. Convenience Store. An establishment engaged in the retail sale of food and household products, including gasoline. Repair, storage or servicing of vehicles shall not be permitted.

O. Financial Services. Establishments primarily engaged in the provision of financial and banking services. Typical uses include banks, savings and loan institutions, loan and lending activities, and similar services.

P. Food Sales. Establishments or places of business primarily engaged in the retail sale of food or household products for home consumption. Typical uses include groceries, delicatessens, meat markets, retail bakeries, and candy shops.

Q. Funeral Services. Establishments engaged in undertaking services such as preparing the human dead for burial and arranging and managing funerals. Typical uses include funeral homes and mortuaries.

R. Kennels. Boarding and care services for dogs, cats and similar small animals. Typical uses include boarding kennels, pet motels, or dog training centers.

S. Laundry Services. Establishments primarily engaged in the provision of laundering or dyeing services other than those classified as personal services. Typical use types include bulk laundry and cleaning plants, diaper services, or linen supply services.

T. Liquor Sales. Establishments or places of business engaged in retail sale for consumption of alcoholic beverages off the premises. Typical uses include liquor stores, bottle shops, or any licensed sales for off-site consumption.

U. Medical Offices. A use providing consultation, diagnosis, therapeutic, preventative, or corrective personal treatment services by doctors, dentists, medical and dental laboratories, and similar practitioners of medical and healing arts for humans, licensed for such practice by the State of Minnesota.

V. Parking Facility. An area on a lot or within a building, or both, including one or more parking spaces together with driveways, aisles, turning and maneuvering areas, clearances, and similar features, and meeting the requirements established by this Chapter. The term "parking facility" shall include parking lots, garages and parking structures.

W. Personal Improvement Services. Establishments primarily engaged in the provision of informational, instructional, personal improvement and similar services of a nonprofessional nature. Typical uses include photography studios, driving schools, health or physical fitness studios, reducing salons, dance studios, handicraft and hobby instruction.

X. Personal Services. Establishments primarily engaged in the provision of frequently or recurrently needed services of a personal nature. Typical uses include beauty and barber shops, seamstress, tailor, shoe repair shops, self-service laundry, apparel cleaning or dry cleaning services.

Y. Pet Services. Retail sales and grooming of dogs, cats, birds, fish, and similar small animals customarily used as household pets. Typical uses include pet stores, dog bathing and clipping salons, or pet grooming shops.

Z. Professional Office. A use providing professional or consulting services in the fields of law, architecture, design, engineering, accounting, and similar professions.

AA. Research Services. Establishments primarily engaged in research of an industrial or scientific nature excluding product testing. Typical uses include electronics research laboratories, space research and development firms, or pharmaceutical research labs.

BB. Restaurant (Convenience). A use engaged in the preparation and retail sale of food and beverages, for on premises consumption. Typical uses include soda fountains, ice cream parlors, sandwich shops, cafes, coffee shops and fast food establishments.

CC. Restaurant (General). A use engaged in the preparation and retail sale of food and beverages, including the on-premises sale and consumption of alcoholic beverages when conducted as an accessory or secondary feature and producing less than fifty percent (50%) of the gross income. A general restaurant may include live entertainment. Typical uses include restaurants, dinner houses and similar establishments with incidental alcoholic beverage service.

DD. Retail Sales (General). Sale or rental of commonly used goods, and merchandise for personal or household use provided for sale in structures of 45,000 square feet or more. Retail Sales (General) excludes those classified more specifically in this Section. Typical uses include department stores, or establishments providing the following products or services. household cleaning and maintenance products, drugs, cards, and stationery, notions, books, tobacco products, cosmetics, and specialty items; flowers, fabrics, and like items; cameras, photography services, household electronic equipment, recordings, sporting equipment, kitchen utensils, home furnishing and appliances, art supplies and framing, arts and antiques, paint and wallpaper, carpeting and floor covering, interior decorating services, office supplies; bicycles; and automotive parts and accessories (excluding service and installation).

EE. Retail Sales (Limited). Sale or rental of commonly used goods, and merchandise for personal or household use provided for sale in structures smaller than 45,000 square feet. Retail Sales (Limited) excludes those classified more specifically in this Section. Typical uses include department stores, or establishments providing the following products or services. household cleaning and maintenance products, drugs, cards, and stationery, notions, books, tobacco products, cosmetics, and specialty items; flowers, fabrics, and like items; cameras, photography services, household electronic equipment, recordings, sporting equipment, kitchen utensils, home furnishing and appliances, art supplies and framing, arts and antiques, paint and wallpaper, carpeting and floor covering, interior decorating services, office supplies; bicycles; and automotive parts and accessories (excluding service and installation).

FF. Scrap and Salvage Services. Places of business primarily engaged in the

storage, sale, dismantling or other processing of used or waste materials which are not intended for reuse in their original forms. Typical uses include automotive wrecking yards, junk yards or paper salvage yards.

GG. Studio/Gallery (General). The studio and or gallery of an artist, photographer, craftsman, writer, composer or a person engaged in an endeavor of similar artistic nature. The gallery may provide for the display and/or retail sale of creations of the artist or other artists.

HH. Studio/Gallery (Limited). The studio and/or gallery of an artist, photographer, craftsman, writer, composer or a person engaged in an endeavor of similar artistic nature. The gallery may provide for the display and/or retail sale of creations of the resident artist only.

II. Veterinary Services. Veterinary services for animals. Typical uses include pet clinics, dog and cat hospitals, and veterinary hospitals.

JJ. Visitor Habitation. Establishments primarily engaged in the provision of lodging services on a less-than-weekly basis with incidental food, drink and other sales and services intended for the convenience of guests. The following are visitor habitation use types.

i. Bed and Breakfast. An owner-occupied dwelling designed and utilized as a Single-Family residence, managed by the property's owner, and having bedroom accommodations and dining provisions, served in the owner's private dining room or kitchen for those accommodated as paying guests.

ii. Campground. Campground facilities providing camping or parking areas and incidental services for travelers in recreational vehicles or tents. Typical uses include recreational vehicle parks.

iii. Hotel/Motel. Lodging services involving the provision of room and/or board. Typical uses include hotels, motels or transient boarding houses.

Subd. 3. General Description of Industrial Use Types. Industrial use types include the on-site extraction or production of goods by nonagricultural methods, and storage and distribution of products.

A. Basic Industry. A use engaged in the basic processing and manufacturing of materials or products predominately from extracted or raw materials, or a use engaged in storage of, or manufacturing processes utilizing flammable or explosive materials, or storage or manufacturing processes which potentially involve hazardous or commonly recognized offensive conditions.

B. Custom Manufacturing. Establishments primarily engaged in the on-site production of goods by hand manufacturing which involve only the use of hand tools or domestic mechanical equipment not exceeding two (2) horsepower or a single kiln not exceeding eight (8) kilowatts and the incidental direct sale to consumers of only those goods produced on-site. Typical uses include ceramic studios, candle making shops or custom jewelry.

C. Light Manufacturing. A use engaged in the manufacture, predominately from previously prepared materials, of finished products or parts, including processing, fabrication, assembly, treatment, and packaging of such products, and incidental storage, sales, and distribution of such products, but excluding basic industrial processing.

D. Resource Extraction. A use involving the on-site extraction of surface mineral products or natural resources. Typical extractive uses are quarries, borrow pits, sand and gravel operations, oil and gas extraction, and mining operations.

E. Stockyards. Stockyard services including the temporary keeping of livestock for slaughter, market or shipping. Typical uses include stockyards or animal sales and auction yards.

F. Warehousing and Distribution. Establishments or places of business primarily engage in wholesaling, storage, distribution and handling of materials and equipment other than live animals and plants. The following are wholesaling, storage and distribution types.

i. Limited Warehousing and Distribution. Wholesaling, storage and warehousing services within enclosed structures. Typical uses include wholesale distributors, storage warehouses or moving and storage firms.

ii. General Warehousing and Distribution. Open-air storage, distribution and handling of materials and equipment. Typical uses include monument or stone yards, grain elevators or open storage yards.

Subd. 4. General Description Of Civic Use Types. Civic use types include the performance of utility, educational, recreational, cultural, and medical protective, governmental, and other uses which are strongly vested with public or social importance.

A. Administrative Services. Offices, administrative, clerical or public contact services that deal directly with the citizens, together with incidental storage and maintenance of necessary vehicles. Typical uses include Federal, State, County or Municipal offices.

B. Aviation Facilities. Landing fields, aircraft parking and service facilities, and related facilities for operation, service, fueling, repair, storage, charter, sales, and rental of aircraft and including activities directly associated with the operation and maintenance of airport facilities and the provision of safety and security.

C. Cemetery. Land used or intended to be used for the burial of the dead and dedicated for cemetery purposes, including columbarium's, crematoriums, mausoleums and mortuaries when operated in conjunction with and within the boundary of such cemetery.

D. Club or Lodge. A use providing meeting, recreational, or social facilities for a private or nonprofit association, primarily for use by members and guests. Typical uses include private social clubs and fraternal organizations.

E. College and University Facilities. An educational institution of higher learning which offers course study designed to culminate in the issuance of a degree.

F. Community Recreation. A recreational facility for use by residents and guests of a particular residential development, planned unit development or limited residential neighborhood, including both indoor and outdoor facilities.

G. Convalescent Services. A use providing bed care and inpatient services for persons requiring regular medical attention, but excluding a facility providing surgical or emergency medical services, and excluding a facility for providing care for alcoholism, drug addiction, mental

disease, or communicable disease. Typical uses include nursing home and/or long-term care facility.

H. Cultural Services. A library, museum, art gallery, or similar nonprofit use affording display, preservation and exhibition of objects of permanent interest in one or more of the arts and sciences.

I. Daycare Services (General). A facility, or use of a building or portion thereof, for the care of seven (7) or more individuals. This term includes nursery schools, preschools, Daycare centers for children or adults, and similar uses.

J. Daycare Services (Limited). A facility or use of a building or a portion thereof, for the care of six (6) or fewer individuals, not including members of the family regularly residing at the facility. This term includes nursery schools, pre-schools, Daycare centers for children or adults, and similar uses.

K. Detention Facilities. A publicly operated use providing housing and care for individuals confined by law.

L. Guidance Services. A use providing counseling, guidance, recuperative, vocational, or similar services to persons requiring rehabilitation assistance as a result of mental illness, alcoholism, detention, drug addiction, or similar condition, either on a residential or daytime care basis.

M. Hospital Service. A facility providing medical, psychiatric, or surgical services for sick or injured persons primarily on an inpatient basis, and including ancillary facilities for outpatient and emergency treatment, diagnostic services, training, research, administration, and services to patients, employees, or visitors. Additionally, hospital services may include, but shall not be limited to accessory uses such as gift shop, Daycare, adult Daycare and cafeteria.

N. Local Utility Services. Services which are necessary to support principal development and involve only minor structures such as lines, poles, transformers, control device meters, regulators, piping, and junction boxes which are necessary to support principal development.

O. Maintenance and Service Facilities. A facility supporting maintenance, repair, vehicular or equipment serving, materials storage, and similar activities, including corporation yards, equipment service centers, and similar uses having characteristics of commercial services, or contracting or industrial activities.

P. Major Utility Facilities. Generating plants, electrical switching facilities and primary substations, refuse collection or disposal facilities, water and wastewater treatment plants, and similar facilities of public agencies or public utility firms having potential significant impact upon surroundings uses.

Q. Military Installations. Military facilities of the Federal or State governments.

R. Park and Recreation Services. Municipally owned and operated parks, playgrounds, recreation areas or open spaces.

S. Postal Facilities. Postal services, including post offices, bulk mail processing or sorting centers, operated by the United States Postal Service.

T. Primary Educational Facilities. A public, private or parochial school offering instruction at the elementary school level in the branches of learning and study required to be taught in the public schools in the State of Minnesota.

U. Public Assembly. Publicly owned and operated facilities for major public assembly, recreation, sports, amusement or entertainment, including civic or community auditoriums, sports stadiums, convention facilities, fairgrounds, and exhibition facilities.

V. Railroad Facilities. Railroad yards, equipment servicing facilities, and terminal facilities.

W. Religious Assembly. A use located in a permanent building and providing regular organized religious worship and religious education incidental thereto, but excluding primary or secondary educational facilities.

X. Residential Care Services. A use, other than a hospital or convalescent facility, providing care for ambulatory persons in a residential environment, including overnight, occupancy or care for extended period of time. Typical uses include assisted living, congregate care or senior housing services facilities.

Y. Safety Services. Facilities for conduct of public safety and emergency services, including police and fire protection services and emergency medical and ambulance services.

Z. Secondary Educational Facilities. A public, private, or parochial school offering instruction at the junior and senior high school levels in the branches of learning and study required to be taught in the public schools of the State of Minnesota.

AA. Transportation Terminals. A facility for loading, unloading, and interchange of passengers, baggage, and incidental freight or package express between modes of transportation, including bus terminals, railroad depots, airport terminals, and public transit facilities.

SEC. 11.07. R-1 SINGLE-FAMILY RESIDENTIAL DISTRICT

Subd. 1. Statement of Intent. The R-1 District is intended and designed to provide for certain low-density residential areas now developed with Single-Family dwellings and areas where similar residential development is likely to occur.

Subd. 2. Principal Permitted Uses. Unless otherwise provided in this Chapter, no building or lands shall be used for other than one or more of the following purposes.

- A. Residential Uses
 - i. Single-Family Residential

- B. Civic Uses
 - i. Community Recreation
 - ii. Daycare Services (Limited)
 - iii. Local Utility Services

Subd. 3. Conditional Uses. The following uses of land and structures may be permitted in the R-1 District subject to the review and approval of Board of Appeals and Adjustments as provided in this

Chapter.

- A. Residential Uses
 - i. Duplex Residential

- B. Civic Uses
 - i. Administrative Services
 - ii. Cemetery
 - iii. College/University Facilities
 - iv. Cultural Services
 - v. Major Utility Facilities
 - vi. Park and Recreation Services
 - vii. Primary Educational Facilities
 - viii. Religious Assembly
 - ix. Secondary Educational Facilities

- C. Commercial Uses
 - i. Visitor Habitation
 - a. Bed and Breakfast

Subd. 4. Development Regulations. Unless otherwise provided in this Chapter, each development in the R-1 District shall be subject to the following minimum requirements.

A.	Lot Area	6,000 square feet
B.	Lot Width	55 feet
C.	Front Yard	20 feet
D.	Side Yard	7 feet
E.	Rear Yard	25 feet
F.	Maximum Height	35 feet
G.	Maximum Lot Coverage	70%

Subd. 5. Off-Street Parking and Loading. Spaces for off-street parking and loading shall be provided in accordance with Section 11.23 of this Chapter.

SEC. 11.08. R-2 SINGLE AND TWO-FAMILY RESIDENTIAL DISTRICT.

Subd. 1. Statement of Intent. The R-2 District is intended and designed to provide for certain medium density residential areas now developed with Single-Family and two-family dwellings and areas where similar residential development seems likely to occur.

Subd. 2. Principal Permitted Uses. Unless otherwise provided in this Chapter, no building or lands shall be used for other than one or more of the following purposes.

- A. Residential Uses
 - i. Single-Family Residential
 - ii. Duplex Residential
 - iii. Two-family Residential

- B. Civic Uses
 - i. Community Recreation

- ii. Daycare Services (Limited)
- iii. Local Utility Services

Subd. 3. Conditional Uses. The following uses of land and structures may be permitted in the R-2 District subject to the review, approval and regulations of the Board of Appeals and Adjustments as provided in this Chapter.

- A. Residential Uses
 - i. Group Residential
 - ii. Multi-Family Residential (Limited)

- B. Civic Uses
 - i. Administrative Services
 - ii. Cemetery
 - iii. College/University Facilities
 - iv. Cultural Services
 - v. Daycare Services (General)
 - vi. Hospital Services
 - vii. Major Utility Facilities
 - viii. Park and Recreation Services
 - ix. Primary Educational Facilities
 - x. Public Assembly
 - xi. Religious Assembly
 - xii. Residential Care Services
 - xiii. Safety Services
 - xiv. Secondary Educational Facilities

- C. Commercial Uses
 - i. Funeral Services
 - ii. Visitor Habitation
 - a. Bed and Breakfast

Subd. 4. Development Regulations. Unless otherwise provided in this Chapter, each development in the R-2 District shall be subject to the following minimum requirements.

- A. Lot Area

Single-Family	6,000 square feet
Duplex	6,000 square feet
Two-Family	8,250 square feet
Multi-Family Residential (Limited)	10,000 square feet
Other Uses	6,000 square feet

- B. Lot Width

Single-Family	55 feet
Duplex	55 feet
Two-Family	80 feet
Multi-Family Residential (Limited)	80 feet
Other Uses	55 feet

- C. Front Yard

	20 feet
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D.	Side Yard	
	Single-Family	7 feet
	Duplex	7 feet
	Two-Family	14 feet
	Multi-Family Residential (Limited)	14 feet
	Other Uses	14 feet
E.	Rear Yard	25 feet
F.	Maximum Height	35 feet
G.	Maximum Lot Coverage	70%

Subd. 5. Off-Street Parking And Loading. Spaces for off-street parking and loading shall be provided in accordance with Section 11.23 of this Chapter.

SEC. 11.09. R-3 MULTI-FAMILY RESIDENTIAL DISTRICT

Subd. 1. Statement Of Intent. The R-3 District is intended and designed to provide for certain high density residential areas now developed with multi-family dwellings and areas where similar residential development seems likely to occur.

Subd. 2. Principal Permitted Uses. Unless otherwise provided in this Chapter, no building or lands shall be used for other than one or more of the following purposes.

- A. Residential Uses
 - i. Single-Family Residential
 - ii. Duplex Residential
 - iii. Two-Family Residential
 - iv. Townhouse Residential
 - v. Multi-Family Residential (Limited)
 - vi. Multi-Family Residential (General)

- B. Civic Uses
 - i. Community Recreation
 - ii. Daycare Services (Limited)
 - iii. Local Utility Services

Subd. 3. Conditional Uses. The following uses of land and structures may be permitted in the R-3 District subject to the review, approval and regulations of the Board of Appeals and Adjustments as provided in this Chapter.

- A. Residential Uses
 - i. Group Residential

- B. Commercial Uses
 - i. Administrative and Business Offices
 - ii. Administrative Services
 - iii. Medical Offices

- iv. Commercial Recreation
 - a. Outdoor
 - v. Funeral Services
 - vi. Visitor Habitation
 - a. Bed and Breakfast Services
- C. Civic Uses
- i. Cemetery
 - ii. Club or Lodge
 - iii. College/University Facilities
 - iv. Cultural Services
 - v. Daycare Services (General)
 - vi. Hospital Services
 - vii. Major Utility Facilities
 - viii. Park and Recreation Services
 - ix. Primary Educational Facilities
 - x. Public Assembly
 - xi. Religious Assembly
 - xii. Residential Care Services
 - xiii. Safety Services
 - xiv. Secondary Educational Facilities

Subd. 4. Development Regulations. Unless otherwise provided in this Chapter, each development in the R-3 District shall be subject to the following minimum requirements.

- A. Lot Area
- | | |
|------------------------|---|
| Single-Family | 6,000 square feet |
| Duplex | 6,000 square feet |
| Two-Family | 8,250 square feet |
| Multi-Family (Limited) | 10,000 square feet |
| Multi-Family (General) | 10,000 square feet or 2,500 square feet per dwelling unit, whichever is greater |
| Townhouse | 3,000 square feet per dwelling unit. |
| Other Uses | 6,000 square feet |
- B. Lot Width
- | | |
|------------------------|----------|
| Single-Family | 55 feet |
| Duplex | 55 feet |
| Two-Family | 80 feet |
| Multi-Family (Limited) | 80 feet |
| Multi-Family (General) | 80 feet |
| Townhouse | 80 feet. |
| Other Uses | 55 feet |
- C. Front Yard 20 feet
- D. Side Yard
- | | |
|---------------|--------|
| Single-Family | 7 feet |
| Duplex | 7 feet |

	Two-Family	14 feet
	Multi-Family (Limited)	14 feet
	Multi-Family (General)	14 feet
	Townhouse	14 feet
	Other Uses	14 feet
E.	Rear Yard	25 feet
F.	Maximum Height	45 feet
G.	Maximum Lot Coverage	70%

Subd. 5. Off-Street Parking and Loading. Spaces for off-street parking and loading shall be provided in accordance with Section 11.23 of this Chapter.

SEC. 11.10. R-4 LARGER LOT RESIDENTIAL DISTRICT

Subd. 1. Statement Of Intent. The R-4 District is intended to provide areas of land for the development of Single-Family Residential Uses. The minimum area and increased setback provisions are intended to provide for less dense residential subdivisions.

Subd. 2. Principal Permitted Uses. Unless otherwise provided in this Chapter, no building or lands shall be used for other than one or more of the following purposes.

- A. Residential Uses
 - i. Single-Family Residential
- B. Civic Uses
 - i. Daycare Services (Limited)
 - ii. Local Utility Services

Subd. 3. Conditional Uses. The following uses of land and structures may be permitted in the R-4 District subject to the review and approval of the Board of Appeals and Adjustments as provided in this Chapter.

- A. Civic Uses
 - i. Cemetery
 - ii. Major Utility Facilities
 - iii. Park and Recreation Services

Subd. 4. Development Regulations. Unless otherwise provided in this Chapter, each development within the R-4 District shall be subject to the following minimum requirements.

A.	Lot Area	20,000 square feet
B.	Lot Width	175 feet
C.	Front Yard	40 feet
D.	Side Yard	25 feet
E.	Rear Yard	50 feet
F.	Maximum Height	35 feet
G.	Maximum Lot Coverage	35%

Subd. 5. Off-Street Parking And Loading. Spaces for off-street parking and loading shall be provided in accordance with Section 11.23 of this Chapter.

SEC. 11.11. RP-1 RESIDENTIAL AND PROFESSIONAL OFFICE DISTRICT

Subd. 1. Statement Of Intent. The RP-1 District is intended and designed to provide certain areas of the City for the development of professional and business offices in areas where residential dwellings predominate. The district is intended to include primarily established residential areas where changing conditions have made limited office use suitable and not incompatible with the basic residential character of the district. The district is also intended for certain residential areas which, by reason of proximity to existing commercial areas and major streets, would be suitable for limited office use. It is further the intention of this Section that the classification as RP-1 of an area will aid in the preservation and stabilization of property values. To this end, it is the intention that new buildings or the conversion and alteration of existing buildings be compatible by means of landscaping, open space, and architectural treatment with neighboring residences.

Subd. 2. Principal Permitted Uses. Unless otherwise provided in this Chapter, no building or lands shall be used for other than one or more of the following purposes.

- A. Residential Uses
 - i. Single-Family Residential
 - ii. Duplex Residential

- B. Civic Uses
 - i. Daycare Services (Limited)

- C. Commercial Uses
 - i. Personal Improvement
 - ii. Personal Services
 - iii. Professional Office
 - iv. Studio/Gallery (Limited)

Subd. 3. Conditional Uses. The following uses of land and structures may be permitted in the R-3 District subject to the review, approval and regulations of the Board of Appeals and Adjustments as provided in this Chapter.

- A. Residential Uses
 - i. Group Residential

- B. Civic Uses
 - i. Administrative Services
 - ii. Club or Lodge
 - iii. Cultural Services
 - iv. Daycare Services (General)
 - v. Guidance Services
 - vi. Major Utility Facility
 - vii. Park and Recreation Services
 - viii. Public Assembly
 - ix. Religious Assembly

- x. Residential Care Services
 - xi. Safety Services
- C. Commercial Uses
- i. Administrative and Business Office
 - ii. Building Maintenance Services
 - iii. Funeral Services
 - iv. Medical Offices
 - v. Studio/Gallery (General)
 - vi. Visitor Habitation
 - a. Bed and Breakfast Services

Subd. 4. Development Regulations. Unless otherwise provided in this Chapter, each development in the RP-1 District shall be subject to the following minimum requirements.

A.	Lot Area	6,000 square feet
B.	Lot Width	60 feet
C.	Front Yard	20 feet
D.	Side Yard	10 feet
E.	Rear Yard	25 feet
F.	Maximum Height	35 feet
G.	Maximum Lot Coverage	70%

Subd. 5. Off-Street Parking And Loading. Spaces for off-street parking and loading shall be provided in accordance with Section 11.23 of this Chapter.

SEC. 11.12. R-MHP – MOBILE HOME PARKS.

Subd. 1. Intent. The regulations of this Section are designed to provide for certain high density residential areas of the City for the development of mobile home parks, which by reason of design and location will be compatible with nearby Residential Uses

Subd. 2. Conditional Use Permitting. It is unlawful for any person to construct, alter, or extend any mobile home park or structures within the park that are permanent in nature within the limits of the City unless the owner holds a valid Conditional Use Permit issued by the Zoning Administrator in the name of such owner for the specific construction, alteration or extension proposed, where permanent means structures that are not on wheels or mobile.

A. In addition to the information required in Section 11.28, all applications for the operation of a Mobile Home Park as a Conditional Use Permit shall include, but not be limited to the following.

- i. Name and address of owner/applicant.
- ii. Location and legal description of the mobile home park.
- iii. Complete engineering plans and specifications of the proposed park showing, but not limited to, the following.
 - a. The area and dimension of the tract of land; topographic sketch

of land.

- b. The number, location and size of all mobile home lots.
- c. The location and width of streets, walkways and parking areas.
- d. The location of water and sewer lines and riser pipes.
- e. Plans and specifications of the water supply and refuse and sewage disposal facilities.
- f. Plans and specifications of all buildings constructed or to be constructed within the mobile home park.
- g. The location and details of site lighting and electrical system.
- h. Stormwater and drainage management plan.
- i. Landscaping, screening and recreational space plan.

Subd. 3. Mobile Home Park Inspection. The Zoning Administrator is hereby authorized and directed to make such inspections as are necessary to determine satisfactory compliance with the restrictions contained within any Conditional Use Permit. The Zoning Administrator shall have the power to enter at reasonable times upon any private or public property for the purpose of inspecting and investigating conditions relating to the enforcement of the Conditional Use Permit and the regulations of this Section.

It shall be the duty of the park management to give the Zoning Administrator free access to all lots at reasonable times for the purpose of inspection. It shall be the duty of every occupant of a mobile home park to give the owner thereof or his/her agent or employee access to any part of such mobile home park at reasonable times for the purposes of making such repairs or alterations as are necessary to effect compliance with the Conditional Use Permit or this Section.

Subd. 4. Notices, Hearings, and Orders.

A. Notice. Whenever the Zoning Administrator determines that there has been a violation of any provision of the Conditional Use Permit or this Section; the Zoning Administrator shall give notice of such alleged violation to the person to whom the permit was issued, as hereinafter provided. Such notice shall.

- i. Be in writing.
- ii. Include a statement of the reasons for its issuance.
- iii. Allow thirty (30) days for the performance of any required act. If work cannot be completed within the thirty (30) day period, extensions may be granted if reasons for hardship do prevail and can be verified.

The notice shall be served upon the Permittee or his/her agent as the case may require; provided, that such notice or order shall be deemed to have been properly served upon such

owner or agent when a copy thereof has been sent by registered mail to his/her last known address, or when he/she has been served with such notice by any method authorized or required by the laws of this State.

B. Hearings. Any person affected by any notice which has been issued in connection with the enforcement of any provision of this Section, may request and shall be granted a hearing of the same before the Board of Appeals and Adjustments.

C. Orders. Whenever the Zoning Administrator finds that an emergency exists which requires immediate action to protect the public health, he/she may, without notice or hearing, issue an order reciting the existence of such an emergency and requiring that such action be taken as he/she may deem necessary to meet the emergency, including the suspension of the Conditional Use Permit. Notwithstanding any other provision of this Section, such order shall be effective immediately. Any person to whom such order is directed shall comply therewith immediately, but upon petition to the Zoning Administrator shall be afforded a hearing as soon as possible.

Subd. 5. Environmental, Open Space And Access Requirements.

A. General Requirements. Conditions of soil, ground water level, drainage and topography shall not create hazards to the property or the health and safety of the occupants. The site should not be exposed to objectionable smoke, noise, odors, or other adverse influences, and no portion shall be subject to unpredictable or sudden flooding.

B. Soil and Groundcover Requirements. Exposed ground surfaces in all parts of every mobile home park shall be paved, or covered with stone, screenings or other solid material, or protected with a vegetative growth that is capable of preventing soil erosion and of eliminating objectionable dust.

C. Site Drainage Requirements. The ground surface in all parts of every mobile home park shall be graded and equipped to drain all surface water in a safe and efficient manner. The drainage of all storm waters shall comply with the provisions of the City Code Sections 3.60-3.62.

D. Certain Provisions. No part of any park shall be used for nonresidential purposes, except such uses that are required for the direct servicing and well-being of park residents and for the management or maintenance of the park. Nothing contained in this Section shall be deemed as prohibiting the sale of a mobile home located on a mobile home stand and connected to permanent utilities.

E. Required Separation Between Mobile Homes.

i. Mobile homes shall be separated from each other and from other buildings and structures by at least fifteen feet (15').

ii. An attached accessory structure such as an awning, cabana, storage cabinet, carport, windbreak and porch shall, for purposes of all separation requirements, be considered to be part of the mobile home.

iii. Detached accessory structures shall not be located closer than six feet (6') from the boundary line of the individual mobile home space.

iv. Minimum lot sizes shall not be less than four thousand (4,000) square feet with maximum lot coverage of twenty-five percent (25%) or less of the total Lot Area. Where minimum lot sizes are five thousand (5,000) square feet or more, lot coverage may be increased to a maximum of thirty percent (30%) of the total lot coverage.

F. Required Recreation Areas. All mobile home parks must include Community Recreational facilities intended solely for the use of park residents and their guests. Such recreational areas shall be of sufficient size to adequately serve the expected population of the mobile home community.

G. Required Setbacks, Buffer Strips and Screening.

i. All individual mobile home sites within a mobile home park shall be located at least twenty-five feet (25') from any property boundary line abutting upon a public street or highway and at least twenty feet (20') from other adjoining property boundary lines.

ii. There shall be a minimum distance of at least ten feet (10') between the mobile home stand and abutting mobile home park streets.

iii. All mobile home parks located adjacent to recreational, industrial or commercial land uses shall provide screening such as fences or natural growth along the property boundary line separating the park and such adjacent nonresidential Uses. Such screening shall be maintained in a neat and orderly fashion.

H. Mobile Home Park Street System and Vehicle Parking.

i. General Requirements. All mobile home parks shall be provided with safe and convenient vehicular access from abutting public streets.

ii. Park Entrances. Entrances to mobile home parks shall be designed to minimize congestion and hazards and to allow free movement of traffic to and from adjacent streets. No parking shall be permitted on the park entrance roadway for a distance of one hundred feet (100') from the point of intersection with a public roadway.

iii. Internal Street System. Surface roadways shall be of adequate width to accommodate anticipated traffic, and in any case shall meet the following minimum requirements.

a. All internal streets shall be considered as private roadways. The City will not assume responsibility for the maintenance, repair or snow removal of the internal streets within a mobile home park.

b. All internal streets within a mobile home park shall have a minimum width of twenty-five feet (25').

c. Dead-end streets shall be limited in length to five hundred feet (500') and shall terminate in a cul-de-sac designed with a minimum roadway diameter of eighty feet (80'). All dead end streets shall be marked with approved signage signifying the roadway as a dead-end street.

iv. Street Construction and Design Standards.

a. Pavements. All streets shall be provided with a paved concrete or bituminous surface. Pavement edges shall be protected to prevent raveling of the wearing surface and shifting of the pavement base. Street surfaces shall be properly maintained and be free of cracks, holes and other hazards.

b. Grades. Longitudinal grades of all streets shall range between 0.4% and 8.00%. Traverse grades (crown) of all streets shall be sufficient to ensure adequate traverse drainage. If conditions warrant, an adequate storm sewer system shall be provided to dispose of all stormwater run-off. The storm sewer system may be connected to the existing City storm sewer system or utilize an on-site pond system as determined by the Zoning Administrator in consultation with the Director of Public Works. Stormwater drainage of the park must comply with the provisions of City Code Sections 3.60-3.62.

c. Intersections. Within fifty feet (50') of an intersection, streets shall be at right angles. A distance of at least eighty-five feet (85') shall be maintained between the centerlines of offset intersecting streets. Intersections of more than two streets at one point shall be prohibited.

v. Pedestrian Walkways.

a. General Requirements. All parks shall be provided with safe, convenient all-season (concrete or bituminous) pedestrian access of adequate width for intended use. Such access shall be durable and convenient to maintain and shall be installed between individual mobile homes, park streets, and all community facilities. Sudden changes in alignment and grade shall be prohibited.

b. Common Walk System. A common walk system shall be provided and maintained between locations where pedestrian traffic is concentrated. Such common walks shall have a minimum width of six (6) feet and meet all handicapped accessibility requirements.

c. Individual Walkways. All mobile homes shall be connected to common walkways, paved streets, paved driveways or parking spaces providing access to internal mobile home park streets. Such individual walkways shall have a minimum width of two (2) feet.

vi. Required Illumination. All parks shall be furnished with light fixtures spaced and equipped with luminaries placed at a height that will provide an average maintained level of illumination of 0.6 foot-candles for the safe movement of both pedestrians and vehicles. Lighting shall be constructed and directed to avoid adverse impacts upon adjoining properties due to reflection or glare.

Subd. 6. Service Buildings/Community Service Facilities.

A. General. The requirements of this subdivision shall apply to service buildings, recreational buildings and other community service facilities such as, but not limited to.

- i. Management offices, repair sheds and storage areas.
- ii. Sanitary facilities.
- iii. Laundry facilities.

- iv. Indoor recreational facilities.
- v. Commercial uses supplying necessary goods or services for the exclusive use of park residents.
- vi. Emergency storm shelters.

B. Structural Requirements for Buildings. All portions of the structure shall be properly protected from damage by ordinary uses and by decay, corrosion, termites and other destructive elements. All construction within the mobile home park shall meet the standards of applicable building code. Exterior portions shall be of such materials and be so constructed and protected as to prevent penetration of moisture and weather.

Subd. 7. Refuse Handling. The storage, collection and disposal of refuse in the mobile home park shall be so constructed as to not create a health hazard, rodent harborage, insect breeding ground, fire hazard or odor. The handling of solid waste must also conform to applicable City Code regulations.

Subd. 8. Fuel Supply and Storage. Natural gas distribution systems shall be installed and maintained in accordance with all applicable codes and regulations governing such system. The utilization of liquefied petroleum or fuel oil supply tanks is prohibited.

Subd. 9. Fire Protection. Mobile home parks shall be kept free of litter, rubbish and other flammable materials. Portable fire extinguishers rated for Classes A, B and C fires shall be kept visible in service buildings and at other locations conveniently and readily accessible for use by all of the occupants and shall be maintained in good operating condition. The capacity of all portable fire extinguishers shall be at least 2.5 gallons for Class A extinguishers and five pounds carbon dioxide or ten pounds dry powder for Class B and C extinguishers.

Fire hydrants shall be installed within one hundred feet (100') of any mobile home, service building or any other structure located within the park. Hydrants shall supply a continuous flow of water, sufficient to allow for the operation of a minimum of one and one-half inch (1½") fire hose.

Subd. 10. Responsibilities of Park Management. The person(s) to whom a license for a mobile home park is issued shall operate the park in compliance with this Section and shall provide adequate supervision to maintain the park, its facilities and equipment in good repair and in a clean and sanitary condition. The park management shall notify all park occupants of the applicable provisions of this Section and shall inform residents of their duties and responsibilities under this Section.

SEC. 11.13. CBD – CENTRAL BUSINESS DISTRICT

Subd. 1. Statement Of Intent. The Central Business District is intended to provide for the general retail shopping of persons living in Saint Peter and the surrounding trade area. The applicable development regulations within the Central Business District encourage high density commercial development. Central Business District structures and properties within the Heritage Preservation District shall be further regulated as to design and construction as per City Code Section 4.32.

Subd. 2. Principal Permitted Uses. Only the following uses of structures or land shall be permitted within the Central Business District.

- A. Civic Uses

- i. Administrative Services
- ii. Club or Lodge
- iii. Cultural Services
- iv. Local Utility Services
- v. Postal Facilities

B. Commercial Uses

- i. Administrative and Business Offices
- ii. Building Maintenance Services
- iii. Business Support Services
- iv. Cocktail Lounge
- v. Commercial Recreation
 - a. Indoor Sports and Recreation
- vi. Communication Services
- vii. Consumer Repair Services
- viii. Financial Services
- ix. Liquor Sales
- x. Personal Improvement Services
- xi. Personal Services
- xii. Pet Services
- xiii. Professional Office
- xiv. Restaurant (General)
- xv. Retail Sales (Limited)
- xvi. Studio/Gallery (General)
- xvii. Studio/Gallery (Limited)

Subd. 3. Conditional Uses. The following uses of land and structures may be allowed within the Central Business District subject to the review and approval of the Board of Appeals and Adjustments as provided in this Chapter.

A. Residential Uses

- i. Multi-Family Residential (General)

B. Civic Uses

- i. Detention Facilities
- ii. Major Utility Facilities
- iii. Public Assembly
- iv. Safety Services
- v. Transportation Terminals

C. Commercial Uses

- i. Automotive and Equipment Services
 - a. Commercial Off-Street Parking
- ii. Business or Trade School
- iii. Commercial Recreation
 - a. Indoor Entertainment
- iv. Food Sales
- v. Funeral Services
- vi. Medical Offices
- vii. Park and Recreational Services

- viii. Parking Facility
- ix. Restaurant (Convenience)
- x. Retail Sales (General)
- xi. Veterinary Services
- xii. Visitor Habitation
 - a. Hotel/Motel
- D. Industrial Uses
 - i. Custom Manufacturing

Subd. 4. Development Regulations. Unless otherwise provided in this Chapter, each development within the Central Business District shall be subject to the following minimum requirements.

A.	Lot Area	None
B.	Lot Width	18 feet
C.	Front Yard	None
D.	Side Yard	None
E.	Rear Yard	None
F.	Maximum Height	50 feet
G.	Maximum Lot Coverage	100%

Subd. 5. Off-Street Parking and Loading. Unless required as a condition of approval resulting from review as provided in Subd. 3 above, all uses within the Central Business District shall be exempt from providing off-street parking.

SEC. 11.14. C-3 LIMITED RETAIL BUSINESS DISTRICT.

Subd. 1. Statement Of Intent. The Limited Retail Business District is intended to provide for limited retail and service commercial activities. Uses are intended to accommodate and serve local neighborhood patrons.

Subd. 2. Principal Permitted Uses. Only the following uses and structures shall be permitted within the C-3, Limited Retail Business Districts.

- A. Civic Uses
 - i. Administrative Services
 - ii. Cultural Services
 - iii. Local Utility Services
 - iv. Postal Facilities
- B. Commercial Uses
 - i. Administrative Business Offices
 - ii. Business or Trade School
 - iii. Communication Services
 - iv. Consumer Repair Services
 - v. Medical Offices
 - vi. Personal Improvement Services
 - vii. Professional Offices

Subd. 3. Conditional Uses. The following uses of land and structures may be allowed within the

C-3, Limited Retail Business District subject to the review and approval of the Board of Appeals and Adjustments as provided in this Chapter.

- A. Residential Uses
 - i. Multi-Family Residential (General)

- B. Civic Uses
 - i. Club or Lodge
 - ii. College and University Facilities
 - iii. Daycare Services (General)
 - iv. Major Utility Facilities
 - v. Park and Recreation Services
 - vi. Religious Assembly
 - vii. Safety Services

- C. Commercial Uses
 - i. Automotive and Equipment Services
 - a. Automotive Washing
 - ii. Convenience Store
 - iii. Personal Services

- D. Industrial Uses.
 - i. Custom Manufacturing

Subd. 4. Development Regulations. Unless otherwise provided in this Chapter, each development within the C-3 district shall be subject to the following minimum requirement.

- | | | |
|----|----------------------|-------------------|
| A. | Lot Area | 7,000 square feet |
| B. | Lot Width | 70 feet |
| C. | Front Yard | 20 feet |
| D. | Side Yard | 15 feet |
| E. | Rear Yard | 25 feet |
| F. | Maximum Height | 35 feet |
| G. | Maximum Lot Coverage | 65% |

Subd. 5. Off-Street Parking And Loading. Unless required as a condition of approval or resulting from review as provided in Subd. 3 above, all uses within the C-3 district shall provide the required off-street parking and loading as prescribed in Section 11.23 of this Chapter.

SEC. 11.15. C-4 HIGHWAY COMMERCIAL DISTRICT

Subd. 1. Statement of Intent. The Highway Commercial District is intended to provide for commercial areas serving the highway traveling public.

Subd. 2. Principal Permitted Uses. Only the following uses of structures or land shall be permitted within the C-4, Highway Commercial Districts.

- A. Civic Uses
 - i. Administrative Services
 - ii. Club Lodge

- iii. Cultural Services
- iv. Local Utility Services
- v. Safety Services

B. Commercial Uses

- i. Administrative and Business Offices
- ii. Automotive and Equipment Services
 - a. Automotive Washing
 - b. Service Station
 - c. Commercial Off-street Parking
 - d. Automotive Rentals
 - e. Automotive Sales
 - f. Equipment Sales
 - g. Automotive Repair Services
 - h. Equipment Repair Services
 - i. Vehicle Storage
- iii. Building Maintenance Services
- iv. Business Support Services
- v. Business or Trade School
- vi. Cocktail Lounge
- vii. Communication Services
- viii. Construction Sales and Services
- ix. Consumer Repair Services
- x. Convenience Store
- xi. Financial Services
- xii. Food Sales
- xiii. Funeral Services
- xiv. Liquor Sales
- xv. Medical Offices
- xvi. Personal Improvement Services
- xvii. Personal Services
- xviii. Pet Services
- ixx. Professional Office
- xx. Research Services
- xxi. Restaurant (Convenience)
- xxii. Restaurant (General)
- xxiii. Retail Sales (Limited)
- xxiv. Studio/Gallery (General)
- xxv. Studio/Gallery (Limited)
- xxvi. Visitor Habitation
 - a. Hotel/Motel

C. Industrial Use Types.

- i. Custom Manufacturing
- ii. Warehousing and Distribution
 - a. Limited Warehousing and Distribution

Subd. 3. Conditional Uses. The following uses of land and structures may be allowed within the C-4, Highway Commercial District subject to the review and approval of the Board of Appeals and Adjustments as provided in this Chapter.

- A. Civic Uses
 - i. College and University Facilities
 - ii. Detention Facilities
 - iii. Hospital Services
 - iv. Maintenance and Service Facilities
 - v. Major Utility Facilities
 - vi. Military Installations
 - vii. Park and Recreation Services
 - viii. Postal Facilities
 - ix. Public Assembly
 - x. Railroad Facilities
 - xi. Religious Assembly
 - xii. Transportation Terminals

- B. Commercial Uses
 - i. Agricultural Sales and Services
 - ii. Commercial Recreation
 - a. Indoor Sports and Recreation
 - b. Indoor Entertainment
 - c. Outdoor Entertainment
 - iii. Construction Sales and Services
 - iv. Kennels
 - v. Laundry Services
 - vi. Parking Facilities
 - vii. Retail Sales (General)
 - viii. Veterinary Services

- C. Industrial Uses.
 - i. Warehousing and Distribution
 - a. General Warehousing and Distribution

Subd. 4. Development Regulations. Unless otherwise provided in this Chapter, each development within the C-4 district shall be subject to the following minimum requirement.

A.	Lot Area	15,000 square feet
B.	Lot Width	100 feet
C.	Front Yard	20 feet
D.	Side Yard	10 feet
E.	Rear Yard	10 feet
F.	Maximum Height	35 feet
G.	Maximum Lot Coverage	75%

Subd. 5. Off-Street Parking And Loading. Unless required as a condition of approval resulting from Planning and Zoning Commission and City Council review as provided in Subd. 3 above, all uses within the C-4 district shall provide the required off-street parking and loading as prescribed in Section 11.23 of this Chapter.

SEC. 11.16. C-5 – BUSINESS/PROFESSIONAL OFFICE DISTRICT

Subd. 1. Statement of Intent. The C-5 District is intended and designed to provide certain areas of the City for the development of business, medical or professional offices in areas adjacent to residential areas. The district is further intended to allow for the location of larger office developments that generate increased volumes of traffic without adversely affecting neighboring Residential Uses. The district is intended to promote sustainable development by providing employment opportunities in close proximity to residential neighborhoods.

Subd. 2. Principal Permitted Uses. Unless otherwise provided in this Chapter, no building or lands shall be used for other than one or more of the following purposes.

- A. Civic Uses
 - i. Administrative Services
 - ii. Daycare Services (Limited)
 - iii. Local Utility Services

Subd. 3. Conditional Uses. The following uses of land and structures may be permitted in the C-5 District subject to review, approval and regulation of the Board of Appeals and Adjustments as provided in this Chapter.

- A. Residential Uses
 - i. Multi-Family Residential (General)
 - ii. Multi-Family Residential (Limited)
 - iii. Group Residential
- B. Civic Uses
 - i. Cemetery
 - ii. Convalescent Services
 - iii. Cultural Services
 - iv. Daycare Services (General)
 - v. Guidance Services
 - vi. Major Utility Facilities
 - vii. Park & Recreation Services
 - viii. Primary Educational Facilities
 - ix. Public Assembly
 - x. Religious Assembly
 - xi. Residential Care Services
 - xii. Safety Services
 - xiii. Secondary Educational Facilities
- C. Commercial Uses
 - i. Administrative & Business Offices
 - ii. Business or Trade School
 - iii. Communication Services
 - iv. Funeral Services
 - v. Medical Offices
 - vi. Professional Office

Subd. 4. Development Regulations. Unless otherwise provided in this Chapter, each development within the C-5 District shall be subject to the following minimum requirements.

A.	Lot Area	20,000 square feet
B.	Lot Width	200 feet
C.	Front Yard	20 feet
D.	Side Yard	25 feet
E.	Rear Yard	25 feet
F.	Maximum Height	35 feet
G.	Maximum Lot Coverage	75%

Subd. 5. Off-Street Parking And Loading. Unless required as a condition of approval and resulting from Board of Appeals and Adjustments review as provided in Subdivision 3 above, all uses within the C-5 District shall provide the required off-street parking and loading as prescribed in Section 11.23 of this Chapter.

SEC. 11.17. EID – EDUCATIONAL/INSTITUTIONAL DISTRICT

Subd. 1. Statement of Intent. The EID District is intended to provide areas of land for the development of college or university campuses. The EID District allows for multiple uses of land typically associated with providing post-secondary education while protecting neighboring uses from the negative impact of non-compatible or more intense uses of land.

Subd. 2. Principal Permitted Uses. Unless otherwise provided in this Chapter, no building or lands shall be used for other than one or more of the following purposes.

- A. Residential Uses
 - i. Single-Family Residential
 - ii. Duplex Residential
 - iii. Two-Family Residential
 - iv. Multi-Family Residential (General)
 - v. Multi-Family Residential (Limited)
 - vi. Group Residential
 - vii. Townhouse Residential

- B. Civic Uses
 - i. College and University Facilities
 - ii. Community Recreation
 - iii. Cultural Services
 - iv. Local Utility Services
 - v. Postal Facilities
 - vi. Public Assembly
 - vii. Religious Assembly
 - viii. Safety Services

- C. Commercial Uses
 - i. Administrative and Business Offices
 - ii. Business or Trade School
 - iii. Commercial Recreation
 - a. Indoor Sports and Recreation
 - b. Outdoor Sports and Recreation
 - c. Indoor Entertainment
 - d. Outdoor Entertainment

- iv. Communication Services
- v. Financial Services
- vi. Food Sales
- vii. Medical Offices
- viii. Parking Facility
- ix. Personal Improvement Services
- x. Personal Services
- xi. Research Services
- xii. Retail Sales (Limited)
- xiii. Studio Gallery (General)
- xiv. Studio/Gallery (Limited)

- D. Industrial Use Types.
 - i. Custom Manufacturing

Subd. 3. Conditional Uses. The following uses of land and structures may be permitted in the EID District subject to the review and approval of the Board of Appeals and Adjustments as provided in this Chapter.

- A. Civic Uses
 - i. Cemetery
 - ii. Hospital Services
 - iii. Major Utility Facilities
 - iv. Transportation Terminals

Subd. 4. Development Regulations. Unless otherwise provided in this Chapter, each development within the EID District shall be subject to the following minimum requirements. The Development Regulations contained herein shall be applied to the EID as if the EID were comprised of a single parcel. Therefore, the applicable yard setback shall be applied from the edge of the zoning district, not from the boundary of any platted lot(s).

- | | | |
|----|-----------------------------|--|
| A. | Campus Area | 10 acres |
| B. | Lot Width | 300 feet |
| C. | Yard Setback | 35 feet |
| D. | Maximum Height
within 75 | Structures constructed
feet of the district boundary
shall not exceed 35 feet in
height. Other structures within
the EID shall not exceed a
height of 65 feet |
| E. | Maximum Lot Coverage | 75% |

Subd. 5. Off-Street Parking And Loading Spaces for off-street parking and loading shall be provided as necessary and appropriate to meet the anticipated needs of the motoring public within the campus. Uses within the EID shall be otherwise exempt from the provision of Section 11.23 regulating the provision of off-street parking.

SEC. 11.18. I-1 LIMITED INDUSTRIAL DISTRICT.

Subd. 1. Statement of Intent. The Limited Industrial District is intended and designed to provide areas of the City suitable for activities and uses which are industrial in nature. Industrial/commercial uses within the Limited Industrial District are limited to those that would not be expected to generate significant noise, odor, vibration or other discharge discernable from areas outside of the parcel on which the use is located.

Subd. 2. Principal Permitted Uses. Only the following uses of structures or land shall be permitted within the I-1 district.

- A. Civic Uses
 - i. Administrative Services
 - ii. Detention Facilities
 - iii. Guidance Services
 - iv. Local Utility Services
 - v. Maintenance and Service Facilities
 - vi. Postal Facilities
 - vii. Safety Services

- B. Commercial Uses
 - i. Agricultural Sales and Services
 - ii. Automotive and Equipment Services
 - a. Automotive Washing
 - b. Equipment Repair Services
 - iii. Building Maintenance Services
 - vi. Business Support Services
 - v. Communication Services
 - vi. Construction Sales and Service
 - vii. Laundry Services
 - viii. Research Services
 - ix. Veterinary Services

- C. Industrial Uses.
 - i. Custom Manufacturing
 - ii. Light Manufacturing
 - iii. Warehousing and Distribution
 - a. Limited Warehousing and Distribution

Subd. 3. Conditional Uses. The following uses of land and structures may be allowed within the Limited Industrial District subject to the review and approval of the Board of Appeals and Adjustments as provided by this Chapter.

- A. Civic Uses
 - i. Aviation Facilities
 - ii. Hospital Services
 - iii. Major Utility Facilities
 - iv. Military Installation
 - v. Transportation Terminals

- B. Commercial Uses
 - i. Automotive and Equipment Services

- a. Commercial Off-Street Parking
- b. Equipment Repair Services
- c. Vehicle Storage
- ii. Convenience Storage
- iii. Kennels
- iv. Medical Offices
- v. Parking Facilities

Subd. 4. Development Regulations. Unless otherwise provided in this Chapter, each development within the Limited Industrial District shall be subject to the following minimum requirements.

A.	Lot Area	20,000 square feet
B.	Lot Width	150 feet
C.	Front Yard	25 feet
D.	Side Yard	25 feet
E.	Rear Yard	25 feet
F.	Maximum Height	50 feet
G.	Maximum Lot Coverage	70%

Subd. 5. Off-Street Parking and Loading. Unless required as a condition of approval and resulting from Planning and Zoning Commission and City Council review as provided in Subd. 3 above, all uses within the Limited Industrial District shall provide the required off-street parking and loading as prescribed in Section 11.23 of this Chapter.

SEC. 11.19. I-2 GENERAL INDUSTRIAL DISTRICT.

Subd. 1. Statement Of Intent. The General Industrial District is intended and designed to provide areas of the City suitable for activities and uses that are of an industrial nature. It is further intended that industrial and related commercial uses be the predominate use of land within the (I-2) General Industrial District.

Subd. 2. Principal Permitted Uses. Only the following uses of structures or land shall be permitted within the I-2 district.

- A. Civic Uses
 - i. Administrative Services
 - ii. Local Utility Services
 - iii. Maintenance and Service Facilities
 - iv. Postal Facility
 - v. Safety Services

- B. Commercial Uses
 - i. Adult Uses
 - ii. Agricultural Sales and Services
 - iii. Automotive and Equipment Services
 - a. Automotive Washing
 - b. Equipment Sales
 - c. Equipment Repair Services
 - d. Vehicle Storage
 - iv. Construction Sales and Services

- v. Convenience Storage
- vi. Kennels
- vii. Laundry Services
- viii. Parking Facility
- ix. Research Services

- C. Industrial Uses.
 - i. Custom Manufacturing
 - ii. Light Manufacturing
 - iii. Warehousing and Distribution
 - a. Limited Warehousing and Distribution
 - b. General Warehousing and Distribution

Subd. 3. Conditional Uses. The following uses of land and structures may be allowed within the General Industrial District subject to the review and approval of the Board of Appeals and Adjustments provided in this Chapter.

- A. Civic Uses
 - i. Aviation Facilities
 - ii. Detention Facilities
 - iii. Major Utility Services
 - iv. Military Installation
 - v. Railroad Facilities
 - vi. Transportation Terminals
- B. Commercial Uses
 - i. Scrap and Salvage Services
- C. Industrial Uses.
 - i. Basic Industry

Subd. 4. Development Regulations. Unless otherwise provided in this Chapter, each development within the General Industrial District shall be subject to the following minimum requirements.

- | | | |
|----|----------------------|--------------------|
| A. | Lot Area | 20,000 square feet |
| B. | Lot Width | 150 feet |
| C. | Front Yard | 25 feet |
| D. | Side Yard | 25 feet |
| E. | Rear Yard | 25 feet |
| F. | Maximum Height | 75 feet |
| G. | Maximum Lot Coverage | 70% |

Subd. 5. Off-Street Parking And Loading. Unless required as a condition of approval and resulting from Planning and Zoning Commission and City Council review as provided in Subd. 3 above, all uses within the General Industrial District shall provide the required off-street parking and loading as prescribed in Section 11.23 of this Chapter.

SEC. 11.20. GO – GATEWAY OVERLAY DISTRICT

Subd. 1. Intent. The (GO) Gateway Overlay District is intended to promote high quality

development within the Highway #169 corridor. The design features and development standards included in this Section are intended to create a memorable and positive first impression upon those entering the city, particularly the motoring public. The district also intends to establish an image and character that is distinctly Saint Peter. The principles of the Gateway Overlay District are to be carried out through standards related to site planning, signage, architecture and landscaping.

Subd. 2. Application. The standards of the Gateway District shall be applied to those parcels and lots as depicted on the official zoning map maintained by the Zoning Administrator.

Subd. 3. Minimum Street Frontage. The minimum street frontage in the GO District shall be one hundred feet (100').

Subd. 4. Minimum Lot Area The minimum lot area in the GO District shall be 15,000 square feet.

Subd. 5. Off-Street Parking. All off-street parking areas within a designated GO District shall abide by the following regulations.

A. **Street Setback.** The minimum setback to parking or drive aisles in any yard abutting a public street shall be ten feet (10'). The first five feet (5') of this setback area abutting the street must be sodded and maintained as an uninterrupted yard. The next five feet (5') of this setback area abutting the parking or drive aisle must be developed with screening which may include a wall, decorative fence or hedge with a minimum height of three feet (3'). There is no maximum parking setback required.

To allow for the effective display of merchandise, the screening provisions mandated in the preceding paragraph shall not be required for Automotive Sales or Equipment Sales use classifications located within the Gateway Overlay district.

B. **Side Yard/Rear Yard Setback.** There shall be provided a three foot (3') side yard or rear yard setback to an impervious parking or storage surface. Such side or rear yard setback must be planted with grass or other living ground cover.

C. **Interior Parking Landscaping.** Every off-street parking lot providing more than fifty (50) spaces shall provide interior landscaping. Interior landscaping shall consist of planting islands with a minimum area of sixty square feet and a minimum width of six feet (6'), measured from the back of curb to back of curb. The interior landscaping shall constitute at least five percent (5%) of the area of the parking lot. Where more than one (1) planting island is provided or required, such islands shall be appropriately spaced throughout the parking lot.

D. To allow for the effective display of merchandise, the screening provisions mandated in this preceding paragraph shall not be required for Automotive Sales or Equipment Sales use classifications located within the Gateway Overlay (GO) district.

Subd. 6. Off-Street Loading Areas. Every off-street loading area visible from a residentially zoned lot or public street shall be screened on all sides visible from such lot or street. Screening may be provided through the use of an opaque fence, wall or densely planted evergreen hedge of not less than six feet (6') in height, except as necessary for access.

Subd. 7. Drive-Through Lanes. Drive-through or drive-in is not allowed within required front

yards.

Subd. 8. Transitional Yard. A transitional yard shall be provided anywhere development in a GO District abuts a residential zoning district in a side yard or rear yard condition. The transitional yard shall conform to the following.

- A. The transitional yard shall be a minimum of twenty feet (20') in depth.
- B. The transitional yard shall extend along the entire length of the lot line and shall be designed and maintained to function as a buffer area.
- C. Every required transitional yard shall consist of a combination of groundcover, shade trees, evergreen trees and shrubs, and appropriate screening devices such as decorative walls, fences or berms. Areas not planted with shrubs, trees or other appropriate screening devices shall be maintained with living groundcover.
- D. The transition yard may be allowed to be less than twenty feet (20') by conditional use permit. In allowing such a reduction, the Board of Appeals and Adjustments shall find that adequate screening and buffering are provided by a wall, fence, hedge or other screening device and that the lesser setback will not pose a negative impact on the use and enjoyment of neighboring property or on the public health, safety or welfare.

Subd. 9. Building Design and Construction. All buildings and structures in the GO District shall meet the following building design and construction standards.

- A. Exterior Wall Finish. All exterior wall finishes on any building structure shall be predominately constructed of the following materials, or a combination of the following materials.
 - i. Face brick.
 - ii. Natural stone.
 - iii. Pre-cast concrete panels, if the material has been integrally treated with a color, or if the surfaces have a texture or pattern discernibly different from flat smooth concrete.
 - iv. Concrete block, if the exposed surfaces have a texture or pattern discernibly different from flat smooth concrete, and if the material is either integrally colored or treated with a long-lasting durable decorative finish.
 - v. Glass.
 - vi. Stucco, or similar durable cement-based material.
 - vii. Accent or framing materials of metal or wood, but only if such materials form a minor part of the overall façade treatment.
 - viii. Steel, vinyl or aluminum siding shall be limited to a maximum of 25% of the exposed exterior wall finish.
 - ix. Other material of similar quality and durability as approved by the Board

of Appeals and Adjustments.

B. Additions and Accessory Buildings. All subsequent additions to the principal structure and all accessory buildings and structures shall be constructed of a similar material as the principal building.

Subd. 10. Screenage.

A. Mechanical units mounted on building roof-tops or on building walls must be screened from public view using materials that are consistent with those used on the primary building.

B. Ground level mechanical units including but not limited to electrical transformers, air conditioners and utility meters shall be effectively screened from public view by plantings and/or fencing or walls with building materials that are consistent with those used on the primary building.

C. Garbage receptacles shall be effectively screened from public view by plantings and/or fencing constructed of building materials that are consistent with those used on the primary building.

Subd. 11. Landscaping.

A. Stormwater Ponds. Stormwater detention/retention basins and ponds shall be landscaped. Such landscaping should include shade/ornamental trees, shrubbery, hedges, and/or other planting materials as approved by the Zoning Administrator.

B. Watering. A permanent means of watering plant materials should be provided. All plant materials shall be regularly watered to maintain the appearance and health of all plant materials.

C. Earthen Berms. Earthen berms and existing topography should be, whenever determined practical by the Zoning Administrator, incorporated into the landscape plan of a site, particularly when combined with plant material to facilitate screening from adjacent residentially zoned property. Berms should be designed to allow for maintenance, mowing and adequate drainage. The elevation and horizontal ground location of the berm should be varied in order to mimic a natural topographic feature.

D. Softening. Plant materials shall be placed intermittently against long expanses of walls or fencings in excess of fifty feet (50') to create a softening effect.

E. Planting Beds. Planting beds shall be mulched with bark chips, rock, feather rocks or similar materials.

Subd. 12. Fencing. No fence or wall shall be erected, enlarged, expanded, altered, relocated, maintained or repaired in any yard unless it shall first meet the requirements of this Section.

A. Construction.

i. Prohibited Materials. No fence or wall shall be constructed of any electrically charged element or barbed wire.

ii. The finished side of a fence, or that side of the fence without exposed

supports or posts shall face the neighboring properties or public streets.

iii. Maintenance. Every fence or wall shall be maintained in a good and safe condition at all times. Every damaged or missing element of any fence or wall shall be repaired and/or replaced immediately.

B. Height. No fence or wall shall be of a height exceeding six feet (6'), measured from its top edge to the ground at any point.

SEC. 11.21. PUD – PLANNED UNIT DEVELOPMENT

Subd. 1. Purpose. The purpose of Planned Unit Development regulations is to encourage the efficient use of land and resources, to promote greater efficiency in public and utility services and to encourage innovation in the planning and building of all types of developments. A Planned Unit Development may be approved by the City Council following a review and recommendation by the Planning and Zoning Commission.

Subd. 2. Public Benefit. The public benefits to the surrounding neighborhood and the city as a whole that are intended to be derived from the approval of a Planned Unit Development include, but are not limited to:

- A. Preservation and enhancement of desirable site characteristics and open space.
- B. A pattern of development which preserves natural vegetation, topographic and geologic features.
- C. Preservation and enhancement of historic and natural resources that significantly contribute to the character of the city.
- D. Use of design, landscape, or architectural features to create a pleasing environment or other special development features.
- E. Provision of a variety of housing types in accordance with the City's housing goals.
- F. Elimination of blighted structures or incompatible uses through redevelopment or rehabilitation.
- G. Business and commercial development to enhance the local economy and strengthen the tax base.
- H. The efficient use of land resulting in more efficient networks of utilities, streets, schools, public spaces, building and other facilities.

Subd. 3. General Provisions. The following general provisions shall govern the review, approval and establishment of planned unit developments.

- A. Control of the PUD. A planned unit development may be established for any parcel or tract of land under single ownership or control. The property included in the PUD shall be planned and developed or redeveloped as a single unit and in a manner consistent with the intent and

purpose for which a planned unit development may be permitted as follows:

i. The property shall be in single ownership or under the management and supervision of a central authority or otherwise subject to such supervisory lease or ownership control as may be necessary to carry out the provisions of this Chapter.

ii. Prior to the use, occupancy, sale, or the execution of contracts for sale of an individual building unit, parcel, tract, condominium, townhouse or apartment, a declaration of covenants, conditions and restrictions or an equivalent document and a set of floor plans shall be filed with the City. The filing with the City shall be made prior to the filing of said declaration or document of floor plans with the County Recorder's office.

iii. If applicable, the declaration of covenants, conditions and restrictions shall provide that an owner's association or corporation shall be formed and that all owners shall be members of the association or corporation, which shall maintain all common properties and common areas in good repair and which shall assess individual property owner's proportionate shares of joint or common costs. This declaration shall be subject to the review and approval of the City Council. The intent of this requirement is to protect the property values of the individual owner through establishing effective private control.

iv. The declaration shall additionally, amongst other things, provide that in the event the association or corporation fails to maintain properties in accordance with the applicable rules and regulations of the City or fails to pay taxes or assessments on properties as they become due and in the event the City incurs any expenses in enforcing its rules and regulations, which said expenses are not immediately reimbursed by the association or corporation, then the City shall have the right to assess each property its pro rata share of said expenses. Such assessments, together with interest thereon and costs of collection, shall be a lien on each property against which each such assessment is made and, in addition, each such assessment, together with such interest thereon and such cost of collection thereof, shall also be a personal obligation of the person who was the owner of such property at the time when the assessment became payable.

B. Uses Allowed. All permitted and conditional uses listed in a specific district are allowed as planned unit developments. Where residential units are provided as a part of a PUD, regardless of the specific zoning district, such units may be of Single-Family, duplex, two-family, townhouse residential or multi-family or group residential type construction. Mixed use PUDs are permitted and encouraged provided such use meets the intent and purpose for which a planned unit development is permitted. Uses not listed as permitted or conditional use in a specific zoning district shall not be allowed in a planned unit development unless it is found that the use is complementary to the functionality of the development and the other uses found therein.

C. Authority to Modify Regulations. The City Council shall have the authority in approving any planned unit development to change, alter, modify or waive any provision of this Chapter or the subdivision regulations as such regulations apply to the proposed PUD. No such change, alteration, modification or waiver shall be approved unless the City Council shall find that the proposed planned unit development meets the following conditions:

i. Will achieve the purpose for which a PUD may be approved pursuant to this Section.

ii. Will not violate the general purpose, goals or objectives of Chapter 11 of

the City Code and of any plans adopted by the City Council.

D. Limitations. No change, alteration, modification or waiver authorized by this Section shall authorize a change in uses allowed in any district or a modification with respect to any standard established by this Section, or a modification with respect to any standard in a zoning district made specifically applicable to a PUD unless the regulations expressly authorize such change, alteration, modification or waiver.

E. Common Open Space.

i. The common open space, and other common properties, individual properties, and all other elements of the PUD shall be so planned as to achieve a unified scheme of integrated planning and a harmonious selection and efficient distribution of uses.

ii. Common open space within a PUD must be used for amenity or recreational purposes. Motor vehicle parking areas and traffic corridors shall not be considered an approved use of common open space. The uses authorized for the common open space must be approved to the scale, and character of the PUD, and consider the PUD's size, density, topography, and number and type of structures to be provided.

iii. Common open space must be suitably improved for its intended use. Common open space containing natural features worthy of preservation may be left unimproved. The development plan must coordinate the improvement of the common open space and the construction of the permitted structures within the PUD.

iv. All land shown on the approved development plan as common open space must be conveyed to trustees provided in the indenture establishing the association or similar organization for the maintenance of the PUD.

v. No common open space may be put to any use not specified in the approved development plan.

Subd. 4. Standards.

A. The number of principal use structures which may be constructed within the PUD shall be determined by dividing the net acreage of the project area by the required lot area per unit that is required in the district in which the planned unit development is located. The net acreage shall be defined as the project area less the land area dedicated for public streets or other public purposes. The project area includes all the land within the PUD that is allocated for residential, institutional, commercial, or industrial uses, and for common open space as required.

B. The development plan shall contain such proposed covenants, easements and other provisions relating to the bulk, location and density of permitted structures, accessory structures and public facilities as may be necessary for the welfare of the PUD and City.

C. The Planning and Zoning Commission shall not recommend approval of, nor shall the City Council approve a planned unit development unless each shall first make written findings of fact that the PUD satisfies the intent of this Section and does not jeopardize the public health, safety or welfare.

D. The development of the planned unit development shall conform to the approved development plan, including all proposed covenants, easements, conditions of approval and other provisions relating to the bulk, location and density of permitted structures, accessory structures, parking and other public facilities.

E. Adequate access shall be provided throughout the site for fire and other emergency vehicles.

F. Minimum Size. Planned Unit Developments within residential zoning districts shall contain a minimum of two acres. Planned Unit Developments within commercial or industrial districts shall contain a minimum of five acres.

Subd. 5. Development Plan Approval. An application for a Planned Unit Development shall follow the procedures of a Conditional Use Permit. In addition to the submittals required of the Conditional Use Permit, the application for a Planned Unit Development must be accompanied by a development plan, drawn to scale of not more than fifty feet (50') per inch, showing the following:

A. The entire site outline, overall site dimensions and area of the tract and location of all roadways and structures existing upon the site.

B. The uses, zoning and ownership to all adjacent properties within one hundred feet (100') of the tract boundaries including the location of all structures thereon and the right-of-way width and traveled width of all adjacent public roadways.

C. The existing and proposed topography of the tract with contour intervals not greater than five feet (5').

D. The location, general exterior dimensions and approximate gross floor areas of all proposed buildings.

E. The type of each use proposed to occupy each building and the approximate amount of building floor area devoted to each separate use.

F. The proposed location, arrangement and number of vehicle parking stalls and loading facilities.

G. The location and dimensions of all vehicular entrances, exits, and driveways, and the relationship of such entrances, exits and driveways to all existing and proposed public streets.

H. The location and dimensions of all pedestrian walkways and building entrances.

I. The general site drainage system and plan.

J. The location and dimensions of all walls, fences and plantings designed to screen the proposed district from adjacent uses.

K. The types of all groundcovers.

L. Standards for exterior finish, exterior lighting, location and type of exterior signs, architectural style and any other variables which will be controlled in the design of buildings in the

development area.

M. Location and type of solid waste collection and/or disposal facilities.

N. A proposed schedule of construction. If the construction of the proposed planned unit development is to be completed in stages, the components contained in each stage must be clearly delineated. The development schedule shall indicate the starting date and the completion date of the total development plan.

Subd. 6. Review and Evaluation. The review and evaluation of a proposed PUD and supportive materials and plans shall include, but not be limited to the following criteria:

A. That adequate property control is established and provided to protect the individual owner's rights and property values and to define legal responsibilities for maintenance, repair and upkeep of properties within the PUD.

B. The pedestrian and vehicular circulation plan provides for the safe, efficient and effective movement of both persons and vehicles.

C. A sufficient amount of usable open space is provided within the PUD.

D. The arrangement of buildings, structures and accessory uses does not unreasonably disturb the privacy or property values of the surrounding uses outside of the PUD.

E. The architectural design of the project is compatible with the surrounding area.

F. The provision of necessary utility systems are provided in an effective and efficient manner that provides for the anticipated use of land and density within the PUD.

G. The principal and accessory uses are in compliance with the districts in which the development is located unless it is found that the use is complementary to the functionality of the development and the other uses found therein.

SEC. 11.22. FP – FLOOD PLAIN DISTRICT.

Subd. 1. Statutory Authorization, Findings of Fact, And Purpose.

A. Statutory Authorization. The legislature of the State of Minnesota has in Minnesota Statutes Chapter 103 and other statutes, delegated responsibility to adopt regulations designed to minimize flood losses to local government units.

B. Findings of Fact.

i. The flood hazard areas of Saint Peter are subject to periodic inundation which results in potential loss of life, loss of property, health and safety hazards, disruption of commerce and governmental services, extraordinary public expenditures for flood protection and relief, and impairment of the tax base, all of which adversely affect the public health, safety and general welfare.

ii. Methods Used to Analyze Flood Hazards. This Section is based upon a reasonable method of analyzing flood hazards which is consistent with the standards established by the

Minnesota Department of Natural Resources.

C. Statement of Purpose. It is the purpose of this Section to promote the public health, safety, and general welfare and to minimize those losses described in Subd. 1(B) (i) by provisions contained herein.

Subd. 2. General Provisions.

A. Lands to Which Section Applies. This Section shall apply to all lands within the jurisdiction of the City of Saint Peter shown on the Official Zoning Map and/or the attachments thereto as being located within the boundaries of the floodway or flood fringe.

B. The Official Zoning Map together with all materials attached thereto is hereby adopted by reference and declared to be a part of this Chapter. The attached material shall include the Flood Insurance Study, for Nicollet County, Minnesota and Incorporated Areas, prepared by the Federal Insurance Administration and the flood Insurance Rate Map prepared by the Federal Emergency Management Agency (FEMA). The Official Zoning Map shall be on file in the office of the City Administrator and the Zoning Administrator.

C. Regulatory Flood Protection Elevation. The regulatory flood protection elevation shall be an elevation no lower than one foot above the elevation of the regional flood plus any increases in flood elevation caused by encroachments on the flood plain that result from designation of a floodway.

D. Interpretation.

i. In its interpretation and application, the provisions of this Section shall be held to be minimum requirements and shall be liberally construed in favor of the City and shall not be deemed a limitation or repeal of any other powers granted by State Statutes.

ii. The boundaries of the zoning districts shall be determined by scaling distances on the Official Zoning Map. Where interpretation is needed as to the exact location of the boundaries of the district as shown on the Official Zoning Map, as for example where there appears to be a conflict between a mapped boundary and actual field conditions and there is a formal appeal of the decision of the Zoning Administrator, the Board of Zoning Adjustment shall make the necessary interpretation. All decisions will be based on elevations on the regional (100-year) flood profile and other available technical data. Persons contesting the location of the district boundaries shall be given a reasonable opportunity to present such case to the Board and to submit technical evidence.

E. Abrogation and Greater Restrictions. It is not intended by this Section to repeal, abrogate, or impair any existing easements, covenants, or deed restrictions. However, where this Section imposes greater restrictions, the provisions of this Section shall prevail. All other Sections inconsistent with this Section are hereby repealed to the extent of the inconsistency only.

F. Warning and Disclaimer of Liability. This Section does not imply that areas outside the flood plain districts or land uses permitted within such districts will be free from flooding or flood damages. This Section shall not create liability on the part of the City of Saint Peter or any officer or employee thereof for any flood damages that result from reliance on this Section or any administrative decision lawfully made hereunder.

Subd. 3. Establishment of Floodway/Flood Fringe.

A. Floodway. The Floodway shall include those areas designated as floodway on the Flood Insurance Rate Map adopted in Subd. 2(B).

B. Flood Fringe. The Flood Fringe shall include those areas designated as Zone AE on the Flood insurance Rate Map adopted in Subd. 2(B) and which are located outside of the Floodway.

C. Compliance. No new structure or land shall hereafter be used and no structure shall be located, extended, converted, or structurally altered without full compliance with the terms of this Section and other applicable regulations which apply to uses within the jurisdiction of this Section. Within the Floodway and Flood Fringe Districts, all uses not listed as permitted uses or conditional uses in Subds. 4, 5, and 6 that follow, respectively, shall be prohibited. In addition:

i. New manufactured homes, replacement manufactured homes and certain travel trailers and travel vehicles are subject to the general provisions of this Section and specifically Subd. 9.; and

ii. Modifications, additions, structural alterations or repair after damage to existing nonconforming structures and nonconforming uses of structures or land are regulated by the general provisions of this Section and specifically Subd. 11; and

iii. As-built elevations for elevated or flood proofed structures must be certified by ground surveys and flood proofing techniques must be designed and certified by a registered professional engineer or architect as specified in the general provisions of this Section and specifically as stated in Subd. 10 of this Section.

Subd. 4. Floodway.

A. Permitted Uses.

i. General farming, pasture, grazing, outdoor plant nurseries, horticulture, truck farming, forestry, sod farming, and wild crop harvesting.

ii. Industrial-commercial loading areas, parking areas, and airport landing strips.

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

iv. Residential lawns, gardens, parking areas, and play areas.

B. Standards for Floodway Permitted Uses.

i. The use shall have a low flood damage potential.

ii. The use shall be permissible in the underlying zoning district if one exists.

iii. The use shall not obstruct flood flows or increase flood elevations and shall not involve structures, fill, obstructions, excavations or storage of materials or equipment.

C. Conditional Uses.

i. Structures accessory to the uses listed in Subd. 4(A) above and the uses listed in Subd. 4(C) (2-8) below.

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

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

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

v. Storage yards for equipment, machinery, or materials.

vi. Placement of fill.

vii. Travel trailers and travel vehicles either on individual lots of record or in existing or new subdivisions or commercial or condominium type campgrounds, subject to the exemptions and provisions of Subd. 9(C) of this Section.

viii. Structural works for flood control such as levees, dikes, and floodwalls constructed to any height where the intent is to protect individual structures and levees or dikes where the intent is to protect agricultural crops for a frequency flood event equal to or less than the 10-year frequency flood event.

D. Standards for Floodway Conditional Uses.

i. All uses. No structure (temporary or permanent), fill (including fill for roads and levees), deposit, obstruction, storage of materials or equipment, or other uses may be allowed as a Conditional Use that will cause any increase in the stage of the 100-year regional flood or cause an increase in flood damages in the reach or reaches affected.

ii. All floodway Conditional Uses shall be subject to the procedures and standards contained in Subd. 10(D) of this Section.

iii. The conditional use shall be permissible in the underlying zoning district if one exists.

iv. Fill.

a. Fill, dredge spoil and all other similar materials deposited, or stored in the flood plain shall be protected from erosion by vegetative cover, mulching, riprap or other acceptable method.

b. Dredge spoil sites and sand and gravel operations shall not be allowed in the floodway unless a long-term site development plan is submitted which includes an erosion/sedimentation prevention element to the plan.

c. As an alternative, and consistent with Subsection (b) immediately above, dredge spoil disposal and sand and gravel operations may allow temporary, on-site storage of fill or other materials which would have caused an increase to the stage of the 100-year or regional flood, but only after the City Council has received an appropriate plan which assures the removal of the materials from the floodway based upon the flood warning time available. The Conditional Use Permit must be title registered with the property in the Office of the County Recorder.

v. Accessory Structures.

a. Accessory structures shall not be designed for human habitation.

b. Accessory structures, if permitted, shall be constructed and placed on the building site so as to offer the minimum obstruction to the flow of flood waters.

(1) Whenever possible, structures shall be constructed with the longitudinal axis parallel to the direction of the flood flow; and

(2) So far as practicable, structures shall be placed approximately on the same flood flow lines as those of adjoining structures.

c. Accessory structures shall be elevated on fill or structurally dry flood proofed in accordance with the FP-1 or FP-2 flood proofing classifications in the State Building Code. As an alternative, an accessory structure may be flood proofed to the FP-3 or FP-4 flood proofing classification in the State Building Code provided the accessory structure constitutes a minimal investment, does not exceed 500 square feet in size, and for a detached garage, the detached garage must be used solely for parking of vehicles and limited storage. All flood proofed accessory structures must meet the following additional standards, as appropriate.

(1) The structure must be adequately anchored to prevent flotation, collapse, or lateral movement of the structure and shall be designed to equalize hydrostatic flood forces on exterior walls; and

(2) Any mechanical and utility equipment in a structure must be elevated to or above the Regulatory Flood Protection Elevation or properly flood proofed.

vi. Storage of Materials and Equipment.

a. The storage or processing of materials that are, in time of flooding, flammable, explosive, or potentially injurious to human, animal, or plant life is prohibited.

b. Storage of other materials or equipment may be allowed if readily removable from the area within the time available after a flood warning and in accordance with a plan approved by the City Council.

vii. Structural works for flood control that will change the course, current or cross section of protected wetlands or public waters shall be subject to the provisions of Minnesota Statute, Chapter 105. Community-wide structural work for flood control intended to remove areas from the regulatory flood plain shall not be allowed in the floodway.

viii. A levee, dike, or floodwall constructed in the floodway shall not cause an

increase to the 100-year or regional flood and the technical analysis must assume equal conveyance or storage loss on both sides of a stream.

Subd. 5. Flood Fringe.

A. Permitted Uses. Permitted Uses shall be those uses of land or structures listed as Permitted Uses in the underlying zoning use district(s). If no pre-existing, underlying zoning use districts exist, then any residential or non-residential structure or use of a structure or land shall be a Permitted Use in the Flood Fringe provided such use does not constitute a public nuisance. All Permitted Uses shall comply with the standards for Flood Fringe "Permitted Uses" listed in Subd. 5(B) and the standards for all Flood Fringe "Permitted and Conditional Uses" listed in Subd. 5(E).

B. Standards for Flood Fringe Permitted Uses.

i. All structures, including accessory structures, must be elevated on fill so that the lowest floor including basement floor is at or above the regulatory flood protection elevation. The finished fill elevation for structures shall be no lower than one (1) foot below the regulatory flood protection elevation and the fill shall extend at such elevation at least fifteen feet (15') beyond the outside limits of the structure erected thereon.

ii. As an alternative to elevation on fill, accessory structures that constitute a minimal investment and that do not exceed 500 square feet for the outside dimension at ground level may be internally flood proofed in accordance with Subd. 4(D)(5)(c).

iii. The cumulative placement of fill where at any one time in excess of one-thousand (1,000) cubic yards of fill is located on the parcel shall be allowable only as a Conditional Use, unless said fill is specifically intended to elevate a structure in accordance with Subd. 5(B)(1) of this Section.

iv. The storage of any materials or equipment shall be elevated on fill to the regulatory flood protection elevation.

v. The provisions of Subd. 5(E) of this Section shall apply.

C. Conditional Uses. Any structure that is not elevated on fill or flood proofed in accordance with Subd. 5(B) (1-2) or any use of land that does not comply with the standards in Subd. 5(B) (3-4) shall only be allowable as a Conditional Use. An application for a Conditional Use shall be subject to the standards and criteria and evaluation procedures specified in Subd. 5(D-E) and Subd.10(D) of this Section.

D. Standards for Flood Fringe Conditional Uses.

i. Alternative elevation methods other than the use of fill may be utilized to elevate a structure's lowest floor above the Regulatory Flood Protection Elevation. These alternative methods may include the use of stilts, pilings, parallel walls, etc., or above-grade, enclosed areas such as crawl spaces or tuck under garages. The base or floor of an enclosed area shall be considered above-grade and not a structure's basement or lowest floor if: (1) the enclosed area is above-grade on at least one side of the structure; (2) is designed to internally flood and is constructed with flood resistant materials; and 3) is used solely for parking of vehicles, building access or storage. The above-noted alternative elevation methods are subject to the following additional standards:

a. Design and Certification. The structure's design and as-built condition must be certified by a registered professional engineer or architect as being in compliance with the general design standards of the State Building Code, and, specifically, that all electrical, heating, ventilation, plumbing and air conditioning equipment and other service facilities must be at or above the Regulatory Flood Protection Elevation or be designed to prevent flood water from entering or accumulating within these components during times of flooding.

ii. Specific Standards for Above-Grade, Enclosed Areas. Above-grade, fully enclosed areas such as crawl spaces or tuck under garages must be designed to internally flood and the design plans must stipulate.

a. The minimum area of openings in the walls where internal flooding is to be used as a flood proofing technique. When openings are placed in a structure's walls to provide for entry of flood waters to equalize pressures, the bottom of all openings shall be no higher than one-foot above grade. Openings may be equipped with screens, louvers, valves, or other coverings or devices provided that they permit the automatic entry and exit of flood waters.

b. The enclosed area will be designed of flood resistant materials in accordance with the FP-3 or FP-4 classifications in the State Building Code and shall be used solely for building access, parking of vehicles or storage.

iii. Basements, as defined by Subd. 2(H) (2) of this Section shall be subject to the following:

a. Residential basement construction shall not be allowed below the Regulatory Flood Protection Elevation.

b. Non-residential basements may be allowed below the Regulatory Flood Protection Elevation provided the basement is structurally dry flood proofed in accordance with Subd. 5(D) (3) of this Section.

c. All areas of non residential structures including basements to be placed below the Regulatory Flood Protection Elevation shall be flood proofed in accordance with the structurally dry flood proofing classifications in the State Building Code. Structurally dry flood proofing must meet the FP-1 or FP-2 flood proofing classification in the State Building Code and this shall require making the structure watertight with the walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads and the effects of buoyancy. Structures flood proofed to the FP-3 or FP-4 classification shall not be permitted.

d. When at any one time more than 1,000 cubic yards of fill or other similar material is located on a parcel for such activities as on-site storage, landscaping, sand and gravel operations, landfills, roads, dredge spoil disposal or construction of flood control works, an erosion/sedimentation control plan must be submitted unless the community is enforcing State approved shoreland management regulations. In the absence of State approved shoreland management regulations, the plan must clearly specify methods to be used to stabilize the fill on site for a flood event at a minimum of the 100-year or regional flood event. The plan must be prepared and certified by a registered professional engineer or other qualified individual acceptable to the City Council. The plan may incorporate alternative procedures for removal of the material from the flood plain if adequate flood warning time exists.

e. Storage of Materials and Equipment.

(1) The storage or processing of materials that are, in time of flooding, flammable, explosive, or potentially injurious to human, animal, or plant life is prohibited.

(2) Storage of other materials or equipment may be allowed if readily removable from the area within the time available after a flood warning and in accordance with a plan approved by the City Council.

f. The provisions of Subd. 5(E) of this Section shall also apply.

E. Standards for All Flood Fringe Uses.

i. All new principal structures must have vehicular access at or above an elevation not more than two (2) feet below the Regulatory Flood Protection Elevation. If a variance to this requirement is granted, the Board of Appeals and Adjustment must specify limitations on the period of use or occupancy of the structure for times of flooding and only after determining that adequate flood warning time and local flood emergency response procedures exist.

ii. Commercial Uses Accessory land uses, such as yards, railroad tracks, and parking lots may be at elevations lower than the Regulatory Flood Protection Elevation. However, a permit for such facilities to be used by the employees or the general public shall not be granted in the absence of a flood warning system that provides adequate time for evacuation if the area would be inundated to a depth greater than two feet or be subject to flood velocities greater than four feet per second upon occurrence of the regional flood.

iii. Manufacturing and Industrial Uses. Measures shall be taken to minimize interference with normal plant operations especially along streams having protracted flood durations. Certain accessory land uses such as yards and parking lots may be at lower elevations subject to requirements set out in Subd. 5(E)(2) above. In considering permit applications, due consideration shall be given to needs of an industry whose business requires that it be located in flood plain areas.

iv. Fill shall be properly compacted and the slopes shall be properly protected by the use of riprap, vegetative cover or other acceptable method. The Federal Emergency Management Agency (FEMA) has established criteria for removing the special flood hazard area designation for certain structures properly elevated on fill above the 100-year flood elevation. FEMA's requirements incorporate specific fill compaction and side slope protection standards for multi-structure or multi-lot developments. These standards should be investigated prior to the initiation of site preparation if a change of special flood hazard area designation will be requested.

v. Flood plain developments shall not adversely affect the hydraulic capacity of the channel and adjoining flood plain or any tributary watercourse or drainage system where a floodway or other encroachment limit has not been specified on the Official Zoning Map.

vi. Standards for travel trailers and travel vehicles are contained in Subd. 9(C).

vii. All manufactured homes must be securely anchored to an adequately anchored foundation system that resists flotation, collapse, and lateral movement. Methods of anchoring may include, but are not to be limited to, use of over-the-top or frame ties around ground anchors. This requirement is in addition to applicable State or local anchoring requirements for resisting wind forces.

SEC. 11.23. PARKING REGULATIONS.

Subd. 1. Requirements. In all districts (except the C-2 Central Business District), in connection with every residential, civic, commercial or industrial use, there shall be provided off-street parking spaces in accordance with the schedule set forth herein. Required parking facilities shall be primarily for the parking of private passenger automobiles of occupants, patrons or employees of the principal use or uses.

Subd. 2. General Provisions.

A. All buildings and structures, and all uses of land in all districts shall provide accessory parking facilities as required under this section.

B. The provisions of this section do not apply to uses or structures within the C-2, Central Business District.

C. In case of any building, structure or premise, the use of which is not specifically mentioned herein, the provisions for a use which is so mentioned and to which said use is similar, shall apply.

D. All off-street parking spaces required by this section shall be located on the same zoning lot as the principal permitted use.

E. Owners of two (2) or more contiguous uses or parcels of land may agree to jointly utilize the same parking facility provided that satisfactory legal evidence is presented in the form of deeds, leases, easements or other contract document to establish such joint area of usage.

F. A plan, drawn to scale, indicating how the off-street parking requirements are to be fulfilled shall be submitted to the Zoning Administrator at the same time as a building permit application is submitted to the Building Official. The plan must show all elements necessary to indicate that the requirements are being fulfilled.

G. Whenever a building or use constructed or established after the effective date of this Chapter is changed or enlarged in floor area, number of employees, number of dwelling units, seating capacity or otherwise, which creates a need for an increase of five percent (5%) or more in the number of existing parking spaces, such space shall be provided as a result of the enlargement or change in use.

H. All required off-street parking facilities must provide direct vehicular access to and from a street or alley which has been permanently dedicated by plat for public use or is owned by the City of Saint Peter.

I. All off-street parking areas and driveways providing access to a public street shall be surfaced with an asphalt mat, Portland cement concrete or similar hard surfaced material. Such area shall be appropriately graded to encourage the drainage of all surface water accumulation as regulated by City Code Sections 3.60-3.62. Such area shall be designed, arranged and marked to provide for orderly and safe loading, unloading, parking and storage of motor vehicles.

J. Any lighting used to illuminate any off-street parking area shall be designed, located and arranged to deflect light away from adjoining premises or residences.

K. Within residential districts, no required off-street parking shall be located within any required front yard except as may be provided within the private driveway serving a residential structure.

L. No part of any parking space shall be closer than five feet (5') to any established street right-of-way line. Within Industrial or Commercial districts where the required off-street parking area of more than four spaces abuts any "R" District, the parking spaces shall be set back a minimum of ten feet (10') from the "R" District and shall be effectively screened from the "R" District.

Subd. 3. Allocated Spaces By Use. The number of required off-street parking spaces is determined based upon usage of the zoning parcel, floor area of a building, number of employees or seating capacity.

A. Residential Uses

- | | | |
|-------|------------------------------------|--------------------------|
| i. | Single-Family Residential | 2 spaces |
| ii. | Community Recreation | 4 spaces |
| iii. | Duplex Residential | 4 spaces |
| iv. | Two-Family Residential | 4 spaces |
| v. | Townhouse Residential | 2 spaces/dwelling unit |
| vi. | Multi-Family Residential (General) | 1.5 spaces/dwelling unit |
| vii. | Multi-Family Residential (Limited) | 2 spaces/dwelling unit |
| viii. | Group Residential | 1 space/bedroom |
| ix. | Mobile Home Residential | 2 spaces/dwelling unit |

B. Civic Uses

- | | | |
|------|-------------------------|---|
| i. | Administrative Services | 50% of gross floor area |
| ii. | Aviation Facilities | Cumulative |
| iii. | Cemetery | None |
| iv. | Club/Lodge | 200% of gross floor area |
| v. | College/University | 1 space for every 6 resident students or 1 space for every 5 seats in the largest facility for public assembly whichever is the greater |

	vi.	Convalescent Services	1 space for every five beds + 1 space per three employees on largest shift
	vii.	Cultural Services	1 space/300 square feet of gross floor area
	viii.	Daycare Services (Limited)	2 spaces
	ix.	Daycare Services (General)	6 spaces
gross	x.	Detention Facilities	1 space per 3 beds + 50% floor area of office space
	xi.	Guidance Services	50% of gross floor area
	xii.	Hospital Services	1 space per 4 beds + 1 space/2 employees staffing largest shift
	xiii.	Local Utility Service	None
	xiv.	Maintenance/Service Facility	1 space/2 employees staffing largest shift
	xv.	Military Installation	Cumulative
	xvi.	Major Utility Facility	Cumulative
	xvii.	Park and Recreation Services	Cumulative
	xviii.	Parking Facility	None
	xix.	Postal Facility	50% of gross floor area
	xx.	Primary Educational Facilities	1 space/staff member + 1 space /each 2 classrooms or 1 space/5 seats in the largest facility for public assembly, whichever is greater
	xxi.	Public Assembly	1 space/5 seats
	xxii.	Railroad Facilities	Cumulative
	xxiii.	Religious Assembly	1 space/5 seats
space/3	xxiv.	Residential Care Facility	1 space/7 beds + 1

		employees staffing largest shift
xxv.	Safety Services	None
xxvi.	Secondary Educational Facilities	1 space/staff member or 1 space/5 seats in the largest facility for public assembly, whichever is greater
xxvii.	Transportation Terminals the largest feet of gross	1 space/2 employees staffing shift or 1 space/1,000 square floor area, whichever is less
C. Commercial User Types.		
i.	Administrative/Business Office	1 space/300 feet gross floor area
ii.	Agricultural Sales and Service	1 space/2 employees staffing largest shift
iii.	Automotive and Equipment Services	
	a. Automotive Washing	3.5 spaces/wash stall
	b. Service Station	2 spaces/gas pump + 1 space/500 square feet of sales floor
iv.	Commercial Off-street Parking	None
v.	Automotive Rentals	None
vi.	Automotive Sales	100 % of net interior sales floor.
vii.	Equipment Sales	1 space/3 employees staffing largest shift
viii.	Automotive Repair Services	50% gross floor area
ix.	Equipment Repair Services	50% gross floor area
x.	Vehicle Storage	1 space/40 vehicle storage stalls
xi.	Building Maintenance Services	1.5 spaces/2 employees staffing the largest shift
xii.	Business Support Services	1 space/2 employees or 1 space/500 square feet of sales floor area, whichever is greater

xiii.	Business/Trade School	1 space/5 students
xiv.	Cocktail Lounge	300% of net floor area
xv.	Commercial Recreation	
	a. Indoor Sports/Recreation	
	(1) Bowling Alley	5 spaces/lane
	(2) Skating Rink	1 space/500 square feet of gross floor area
	(3) Other	1 space/500 square feet of gross floor area
	b. Outdoor Sports/Recreation	
	(1) Golf Course	2 spaces/hole + 1 space for every 300 square feet of clubhouse gross floor space
	(2) Swimming Pool	1 space/5 persons of maximum pool capacity
	(3) Racquet Ball	2 spaces/court + 1 space/700 square feet of non-court floor area
	(4) Other	1 space/700 square feet of floor area
	c. Indoor Entertainment	1 space/5 seats or 1 space/5 persons at maximum capacity
	d. Outdoor Entertainment	1 space/5 seats or 1 space/5 persons at maximum capacity
xvi.	Communication Services	1 space/2 employees staffing largest shift
xvii.	Convenience Storage	1 space/rental storage area
xviii.	Convenience Store	1 space/300 square feet gross floor area
xix.	Financial Services	50% gross floor area
xx.	Food Sales	1 space/300 square feet gross floor area
xxi.	Funeral Services	1 space/5 seats in principal auditorium

xxii.	General Retail Sales	1 space/300 square feet gross floor area
xxiii.	Kennels	1 space/10 kennel enclosures
xxiv.	Laundry Services	1 space/2 employees staffing largest shift or 1 space/1,500 square feet of gross floor area, whichever is greatest
xxv.	Liquor Sales	1 space/500 square feet of gross floor area
xxvi.	Medical Offices	3 spaces/exam room or station
xxvii.	Parking Facility	None
xxviii.	Personal Improvement Services	200% of gross floor area
xxix.	Personal Services	200% of gross floor area
xxx.	Pet Services	1 space/500 square feet of gross floor area
xxxi.	Professional Office	50% of gross floor area
xxxii.	Research Services	1 space/2 employees staffing largest shift or 500% of gross floor area whichever is greater
xxxiii.	Restaurant (Convenience)	1 space/four seats + 1 space/2 employees staffing largest shift
xxxiv.	Restaurant (General)	1 space/four seats + 1 space/2 employees staffing largest shift
xxxv.	Scrap and Salvage Services	1 space/2 employees staffing largest shift
xxxvi.	Visitor Habitation.	
	(1) Bed and Breakfast	1 space/bedroom
	(2) Campground	1 space/camp site
	(3) Hotel/Motel spaces	1 space/room (additional spaces
		for accessory uses such as restaurants or convention halls)

D. Industrial Use Types.

i.	Basic Industry	1 space/2 employees staffing largest shift
ii.	Custom Manufacturing	1 space/2 employees staffing largest shift
iii.	Light Manufacturing	1 space/2 employees staffing largest shift
iv.	Resource Extraction	1 space/2 employees staffing largest shift
v.	Stockyards	1 space/2 employees staffing largest shift
vi.	Warehousing/Distribution	1 space/2 employees staffing largest shift

Subd. 4. Standards. Each non-handicapped space shall have a dimension of not less than nine and one-half feet (9½') by eighteen feet (18'), plus such additional driving lane area as listed below. Where four or more auto parking spaces are to be grouped as a common facility meeting the requirements of this Chapter, the driving lanes shall be provided and have the following dimensions:

A.	Ninety degree parking space with two-way traffic	25 feet
B.	Sixty degree parking space with two-way traffic	25 feet
C.	Sixty degree parking space with one-way traffic	20 feet

SEC. 11.24. SIGN REGULATIONS.

Subd. 1. Purpose. This section is established to protect and promote health, safety, general welfare and order within the City of Saint Peter through the establishment of comprehensive and uniform standards, regulations and procedures governing the type, numbers, size, structure, location, height, lighting, erection, use or display of devices, signs or symbols serving as visual communication media to persons situated within or upon public rights-of-way or private properties. The provisions of this Section are intended to encourage opportunity for effective, aesthetically compatible and orderly communications by reducing confusion and hazards resulting from unnecessary or indiscriminate use of communication facilities. Hereafter, no sign shall be erected, constructed, altered or modified except as regulated by the provisions of this article.

Subd. 2. Signs Permitted In All Districts. Except as otherwise provided, the following signs shall be permitted within any zoning district.

A. Individual Property Identification Sign. A sign used to advertise the sale, rental or lease of the premises, or portion thereof, of a single parcel of land.

i. Each individual property will be allowed to display one, non-illuminated sign, not to exceed six (6) square feet on one side.

ii. Such sign shall not extend higher than four feet (4') above grade and may not be located within any public right-of-way.

B. Subdivision Identification Sign. A sign which identifies the sale or lease of property within a platted subdivision or residential development.

- i. Such signs shall not exceed ten feet (10') in height above grade level.
- ii. Such signs shall not have moving parts or flashing lights.
- iii. Such signs may only display the name of the subdivision, trademark, logo, developer contact and depiction of the plat.
- iv. Such signs shall be removed if construction of the subdivision improvements are not commenced within sixty (60) days following the approval of the final plat or once eighty percent (80%) of the lots have been sold or otherwise occupied.
- v. Such sign shall not be illuminated.
- vi. Such sign shall be not exceed fifty (50) square feet in area on any one side.
- vii. Such sign shall be permitted only at platted entrances to the subdivision and shall be securely affixed and maintained in a safe condition.

C. Construction Sign. A sign identifying the architect, engineer, contractor or others similarly involved in the construction of a building and such signs announcing the character of the building or enterprise, or the purpose for which the building is intended.

- i. Such sign shall not include any product advertising of any sort.
- ii. Such sign shall not exceed fifty (50) square feet per street frontage.
- iii. Such sign shall not extend higher than ten feet (10') in height above grade.
- iv. Such sign shall be removed within ten (10) days of issuance of a certificate of occupancy for the building.

D. Political Campaign Sign. A sign announcing candidates or parties seeking public office or promoting or opposing pertinent political issues. Such signs shall be removed within ten (10) days following the election to which they pertain.

E. Governmental Sign. A sign erected by the City of Saint Peter, Nicollet County, State of Minnesota or United States government. Such signs shall be erected by or under order of a public officer in the performance of his/her public duty.

F. Integral Sign. A sign identifying public or quasi-public buildings which may include the name of the building, date of erection, monumental citations, commemorative plaques and other similar signage when carved or affixed upon the building in a permanent manner.

G. Address Sign. A sign communicating street address only, whether written or in

numerical form.

Subd. 3. Prohibited Signs. The following signs are prohibited within all zoning districts within the City of Saint Peter.

A. **Obsolete Signs.** Signs that advertise an activity, business, product or service no longer conducted or offered for sale on the premises upon which the sign is located. Obsolete signage of historic significance may be permitted or restored within the Heritage Preservation District upon review and approval of the Heritage Preservation Commission.

B. **Banners, Balloons, Posters, Etc.** Signs which contain or consist of banners, balloons, posters, pennants, ribbons, streamers, spinners or other similarly moving devices, except as specifically provided for in Subd. 5 of this Section.

C. **Flashing Signs.** Any illuminated sign having artificial light or color which is not maintained as a constant intensity or color when such sign is in use.

D. **Hazardous Signs.** A sign, by reason of its location, lighting, size, color or intensity, which creates a hazard to the safe, efficient movement of vehicular or pedestrian traffic. No private sign shall contain words which might be construed as traffic controls, such as "stop", "caution", "warning", etc., unless such sign is intended to regulate or direct traffic within a specific premise.

Subd. 4. General Sign Provisions. All signs erected, placed or otherwise located within the City of Saint Peter shall abide by the following provisions.

A. **Maintenance Required.** All signs and sign structures shall be properly maintained and kept in a safe and orderly condition. All parts and supports shall be properly painted. Any sign or sign structure which is rotted, unsafe, deteriorated, defaced or otherwise altered, shall be repainted, repaired or replaced by the owner of the property upon which the sign is located.

B. **Interference Prohibited.** No sign, or any guys, stay or attachment thereto shall be erected, placed or maintained by any person on rocks, fences, street signs, regulatory signs, street lights, or trees; nor in such manner as to interfere with the effective use of firefighting equipment or personnel, or any electric light, power or telecommunications wiring or supports thereof.

C. **Double Frontage.** Lots having frontage on two public streets or on a street and an alley shall be permitted to have the maximum number of square footage of signs on each of the opposite ends of said lot, provided however, that not more than the maximum number of square feet of signs per frontage may be viewed simultaneously.

D. **Safe Ingress/Egress.** No sign or part thereof shall be erected or maintained so as to prevent or deter free ingress and egress from any door, window or fire escape. No sign or sign structure shall be attached to a standpipe or fire escape.

E. **Illumination of Signs.** Illuminated signs shall be constructed and installed so that the artificial source of light is directed at the advertising copy or sign face. Such illumination shall not cause glare or otherwise interfere with the vision of the traveling public or the use and enjoyment of adjacent properties.

F. **Back-to-Back Signs.** If a pole sign or sign structure is constructed so that the

faces are not back-to-back, the angle shall not exceed thirty degrees (30⁰). If the angle is greater than thirty degrees (30⁰), the total area of both sides added together shall be the calculated sign area. Back-to-back signs (when less than thirty degrees [30⁰]) shall be considered as one sign when debited against the total number of signs permitted on a single parcel.

G. Multiple Tenants/Uses. No building façade may contain more than the allowable square footage of sign area as regulated by the district regulations of the zoning district in which the sign is located regardless of the number of tenants or uses occupying the building.

H. Signage Cumulative. If more than one sign is attached to a building frontage, the total square footage of sign area within the multiple signs shall be added to determine the total sign area of the building.

I. Sign Area. Sign area is determined to be that area within the marginal lines of the surface which bears the advertisement or, in the case of messages, figures or symbols attached directly to the part of the building; that area which is included in the smallest connecting geometric figures which can be made to circumscribe the message, figure or symbol displayed thereon. Only changeable copy area of marquees or canopies shall be considered in determining the total sign area of a building or parcel.

J. Permit Required. No sign, except permitted signs as identified herein, shall be erected, altered, constructed or modified without first receiving a valid sign permit from the Zoning Administrator. The application for a sign permit shall contain such information as may be deemed necessary for the proper enforcement and administration of this Chapter. The application for a sign permit shall be accompanied by the payment of a fee as determined by resolution of the City Council.

Subd. 5. Regulated Signs. The erection, placement or construction of the following signs shall be permitted as regulated by the provisions of Subd. 6 below.

A. Billboard. Any structure, regardless of the materials used in the construction of the same, that is erected, maintained or used for public display of posters, painted signs, wall signs, whether the structure be placed on the wall or painted on the wall itself, of pictures, or other pictorial reading material which advertises a business, event or attraction which is not conducted upon or manufactured in or upon the premises upon which sign is located.

i. Billboards shall contain no more than two faces with a maximum of three hundred (300) square feet of sign area per face.

ii. Billboards shall not be located closer than five hundred feet (500') from any other billboard.

iii. Billboards shall not be erected, constructed or maintained within one hundred feet (100') of any school, place of religious assembly or "R" Residential District.

iv. Billboards shall be located on a lot with a minimum frontage of one hundred feet (100').

v. The top of the billboard shall not exceed thirty-five feet (35') in height above grade.

vi. An applicant for a sign permit to authorize the construction of a billboard shall submit a detailed site plan depicting the existing development of adjacent properties, proposed size, location and arrangement of signage, landscaping, dimensions, lighting, access and a maintenance plan for review by the Zoning Administrator.

vii. All supporting structures of a billboard must meet appropriate building codes and regulations as determined by the Building Official of the City of Saint Peter.

B. Commercial Banner. A banner sent to or purchased by a merchant from a manufacturer, distributor, vendor of goods or by the approved advertiser for the same, for purposes of an advertising campaign approved or sponsored by the manufacturer, distributor, or vendor of goods. Or, a banner designed and created by a professional advertising agency or similar professional service. The size of the commercial banner shall be considered as part of the allowable sign area for the property upon which the banner is located.

C. Directory Sign. A wall sign which identifies the business, owners, managers or resident occupants of a building and sets forth the occupation or other address information but contains no advertising. There may be one directory sign per zoning lot. The size of the directory sign shall not exceed more than two (2) square foot of sign area per occupant/resident.

D. Informational Sign. Any sign giving information to employees, visitors or delivery vehicles, but containing no advertising or identification. Information signs shall not exceed three (3) square feet of sign area.

E. Pole Sign. A sign wholly supported by a sign structure or pole permanently anchored in a fixed location in or upon the ground.

i. A pole sign shall not exceed seventy-five (75) square feet on any one side and no more than two sides of said sign shall be used for advertising purposes.

ii. A pole sign shall not exceed thirty-five feet (35') in height above grade.

F. Portable Sign. A sign that is not permanently anchored or secured to either a building or the ground.

i. The size of the portable sign shall be considered as part of the allowable sign area for the property upon which the banner is located.

ii. Portable signs shall not exceed forty (40) square feet on any one side.

iii. Portable signs shall not exceed five feet (5') in height above grade.

G. Projecting Signs. A sign other than a wall sign, which projects from and is supported by the wall of a building or a structure.

i. Such signs that project more than four inches from the face of the building or wall must be located no less than twelve feet (12') above the grade or sidewalk.

ii. Such signs shall not project more than four feet (4') from the face of the building or wall upon which they are attached.

iii. Such signs shall be properly maintained to ensure the safety and protection of the public traveling below the portion of the sign projecting from the building or wall.

iv. Such signs shall not contain more than twenty-four (24) square feet of sign area.

H. Sandwich Board Sign. A sign containing a maximum of two faces which is placed upon the ground without being permanently secured to a fixed location upon the ground. A sandwich board sign shall conform to the following regulations.

i. A sandwich board sign shall not exceed sixty inches (60") in height or twenty-four inches (24") in width.

ii. A sandwich board sign shall be placed within four feet (4') of the curb and not less than six feet (6') from adjacent buildings or accessory structures.

iii. A sandwich board sign shall only be displayed during the hours in which the applicable business is regularly open to the public.

iv. A sandwich board sign shall not be externally or artificially lighted.

I. Wall Signs. A sign which is affixed to the exterior wall or mansard roof of a building parallel to the façade of the building. Wall signs are also referred to as "flush mounted signs". Such wall signs shall not exceed two (2) square feet per lineal feet of lot frontage, or ten percent (10%) of the building façade area, or seventy-five (75) square feet whichever is greater.

Subd. 6. Permitted Signs By District. The following signs are permitted within the designated zoning districts, subject to issuance of a sign permit by the Zoning Administrator.

A. "R-1" – Single-Family Residential.

i. Signs permitted in all zoning districts

ii. Signs identifying home occupations

B. "R-2" – One and Two-Family Residential.

i. Signs permitted in all zoning districts

ii. Signs identifying home occupations

C. "R-3" – Multi-Family Residential.

i. Signs permitted in all zoning districts

ii. Signs identifying home occupations

iii. Directory Sign

iv. Informational Sign

D. "R-4" – Large Lot Residential.

- i. Signs permitted in all zoning districts
- ii. Signs identifying home occupations

E. "MHP" – Mobile Home Residential.

- i. Signs permitted in all zoning districts
- ii. Signs identifying home occupations
- iii. Directory Sign
- iv. Informational Sign

F. "RP-1" – Residential Professional Office District. Other than the signs permitted in all zoning districts, only the following sign types are permitted in this district

- i. Signs permitted in all zoning districts
- ii. Signs identifying home occupations
- iii. Permitted commercial uses may provide for one (1) illuminated sign, not to exceed six feet (6') in area denoting only the name of the building and use. In addition, one non-illuminated nameplate not exceeding one (1) square foot in area shall be permitted for each individual business occupying the building. Said signs may be affixed to the building or located within any required yard.

G. "CBD" – Central Business District.

- i. Signs permitted in all zoning districts
- ii. Commercial Banner
- iii. Directory Sign
- iv. Informational Sign
- v. Pole Sign
- vi. Projecting Sign
- vii. Sandwich Board Sign
- viii. Wall Sign

H. "C-4" – Highway Service Commercial District.

- i. Signs permitted in all zoning districts
- ii. Commercial Banner
- iii. Directory Sign
- iv. Informational Sign
- v. Pole Sign
- vi. Portable Sign
- vii. Projecting Sign
- viii. Wall Sign

I. "C-5" Office, Medical & Professional District

- i. Signs permitted in all zoning districts

- ii. Commercial Banner
- iii. Directory Sign
- iv. Informational Sign
- v. Pole Sign
- vi. Projecting Sign
- vii. Wall Sign

J. "I-1" – Light Industrial District.

- i. Signs permitted in all zoning districts
- ii. Commercial Banner
- iii. Directory Sign
- iv. Informational Sign
- v. Pole Sign
- vi. Portable Sign
- vii. Projecting Sign
- viii. Wall Sign

K. "I-2" – General Industrial District. Other than the signs permitted in all zoning districts, only the following sign types are permitted in the "I-2" District.

- i. Signs permitted in all zoning districts
- ii. Billboard
- iii. Commercial Banner
- iv. Directory Sign
- v. Informational Sign
- vi. Pole Sign
- vii. Portable Sign
- viii. Projecting Sign
- ix. Wall Sign

SEC. 11.25. HOME OCCUPATIONS. Subject to the limitations of this Chapter, any home occupation that is customarily incidental to the principal use as a dwelling shall be permitted as a home occupation as determined by the Zoning Administrator.

Subd. 1. Intent. The regulations of this Section are designed to protect and maintain the residential character of established neighborhoods while recognizing that certain professional and limited commercial activities have traditionally been carried on in the home. This Section further recognizes that when properly limited and regulated, such commercial activities can take place in a residential structure without changing the character of either the neighborhood or the structure.

Subd. 2. Use Limitations. In addition to the use limitations applicable to the district in which it is located, no home occupation shall be permitted unless it complies with the following restrictions.

A. No more than twenty percent (20%) or four hundred (400) square feet of the gross floor area, whichever is less, of the dwelling unit shall be devoted to the home occupation.

B. No alteration of the principal residential building shall be made which alters the character or appearance thereof as a dwelling.

C. No stock of goods in excess of thirty (30) cubic feet in volume shall be displayed or sold on the premises.

D. No exterior display and no exterior storage of materials/goods which indicate the presence of the home occupation which must be conducted entirely within the principal residential dwelling unit or in a permitted accessory thereto.

E. No more than one commercial vehicle utilized in connection with any home occupation shall be parked on the property or adjacent public streets.

F. No mechanical, electrical or other equipment which produces noise, electrical interference, magnetic interference, vibration, heat, glare or other nuisance outside the residential or accessory structure shall be used.

G. Home occupations may establish one (1) unlighted sign not to exceed two (2) square foot in area which advertises the presence of the home occupation. Such signage shall be attached flat against the exterior of the residential structure.

H. No home occupation shall be permitted which is noxious, offensive or hazardous by reason of vehicular traffic, generation or emission of noise, vibration, smoke, dust or other particulate matter, odorous matter, heat, humidity, glare, refuse, radiation or other objectionable emissions.

I. No more than one (1) person other than immediate family members residing within the applicable residential dwelling in which the home occupation is conducted may be employed.

J. The home occupation must be clearly incidental and secondary to the use of the dwelling unit for residential purposes.

K. The home occupation must not generate traffic in greater volumes than would normally be expected in a residential district.

L. The home occupation is customarily conducted within a dwelling unit.

Subd. 3. Application. Application to conduct a home occupation shall be requested from the Zoning Administrator.

A. The Zoning Administrator shall approve and permit all home occupations that can be conducted in accordance with the restrictions contained within Subd. 2 above.

B. Once established, home occupations must abide by the restrictions of Subd. 2 above.

C. It shall be the responsibility of the Zoning Administrator to monitor compliance with the restrictions.

D. Home occupations operating contrary to the restrictions of Subd. 2 above shall be deemed to be in violation of this Chapter.

SEC. 11.26. NONCONFORMITIES.

Subd. 1. Intent. It is the intent of this Chapter to permit legal nonconforming lots, structures or uses to continue until they are removed, but not to encourage their survival.

A. It is recognized that there exists, within the districts established by this Chapter and subsequent amendments, lots, structures and uses of land and structures which were lawful before this Chapter was adopted or amended which would be prohibited, regulated or restricted under the terms of this Chapter or future amendments.

B. Such uses are declared by this Chapter to be incompatible with permitted uses in the districts involved. It is further the intent of this Chapter that nonconformities shall not be enlarged upon, expanded or extended, nor be used as grounds for adding other structures or uses prohibited elsewhere in the same district.

C. A nonconforming use of a structure, a nonconforming use of land, or a nonconforming use of a structure and land in combination shall not be extended or enlarged after the effective date of this Chapter by attachment on a building or premises of additional signs intended to be seen from off the premises, or by addition of other uses of a nature which would not be permitted generally in the district involved.

D. To avoid undue hardship, nothing in this Chapter shall be deemed to require a change in the plans, construction or designated use of any building on which actual construction was lawfully begun prior to the effective date of adoption or amendment of this Chapter and upon which actual building construction has been diligently carried on. Actual construction is hereby defined to include the placing of construction materials in permanent position and fastened in a permanent manner; except that where demolition or removal of existing buildings has been substantially begun preparatory to rebuilding such demolition or removal shall be deemed to be actual construction, providing that work shall be diligently carried on until completion of the building involved.

Subd. 2. Nonconforming Uses Of Land. Where at the effective date of adoption or amendment of this Chapter, lawful use of land exists that is made no longer permissible under the terms of this Chapter as enacted or amended such use may be continued, so long as it remains otherwise lawful, subject to the following provisions.

A. No such nonconforming use shall be enlarged or increased, nor extended to occupy a greater area of land than was occupied at the effective date or adoption or amendment of this Chapter.

B. No such nonconforming use shall be moved in whole or in part to any other portion of the lot or parcel occupied by such use at the effective date or adoption or amendment of this Chapter.

C. If such nonconforming use of land ceases for any reason for a period of more than one year, any subsequent use of such land shall conform to the regulations specified by this Chapter for the district in which such land is located.

Subd. 3. Nonconforming Structures. Where a lawful structure exists at the effective date of adoption or amendment of this Chapter that could not be built under the terms of this Chapter by reason of restrictions on area, lot coverage, height, yards or other characteristics of the structure or its location on the lot, such structure may be continued so long as it remains otherwise lawful, subject to the following provisions.

A. No such structure may be enlarged or altered in a way which increases its nonconformity. Such structures may be enlarged or altered in a way which does not increase its nonconformity.

B. Should such structure be destroyed by any means to an extent of more than sixty percent (60%) of its replacement costs, exclusive of the foundation, it shall be reconstructed only in conformity with the provisions of this Chapter.

C. Should such structure be moved for any reason for any distance whatever, it shall thereafter conform to the regulations for the district in which it is located after it is moved.

Subd. 4. Nonconforming Uses Of Structures And Land. Where a lawful use of a structure, or of a structure and land in combination exists at the effective date of adoption or amendment of this Chapter that would not be permitted in the district under the terms of this Chapter, the lawful use may be continued so long as it remains otherwise lawful, subject to the following provisions:

A. No existing structure devoted to a use not permitted by this Chapter in the district in which it is located shall be enlarged, extended, constructed, reconstructed, moved or structurally altered except in changing the use of the structure to a use permitted in the district in which it is located.

B. Any nonconforming use may be extended throughout any parts of a building which was manifestly arranged or designed for such use, and which existed at the time of adoption or amendment of this Chapter, but no such use shall be extended to occupy any land outside such building.

C. If no structural alterations are made, any nonconforming use of structure, or structure and land in combination, may be changed to another nonconforming use of the same or a more restricted classification provided that the Board of Appeals and Adjustment by making findings in the specific case, shall find that the proposed use is equally appropriate or more appropriate to the district than the existing nonconforming use. In permitting such change, the Board may require conditions and safeguards in accord with the purpose and intent of this Chapter. Where such nonconforming use of a structure, land or structure and land in combination is hereafter changed to a more conforming use, it shall not thereafter be changed to a less conforming use.

D. Any structure, or structure and land in combination, in or on which a nonconforming use is superseded by a permitted use, shall thereafter conform to the regulations for the district in which such structure is located, and the nonconforming use may not thereafter be resumed.

E. When a nonconforming use of a structure, or structure and land in combination is discontinued or ceases to exist for a period of more than one year, the structure, or structure and land in combination shall not thereafter be used except in conformance with the regulations of the district in which it is located.

F. Where nonconforming use status applies to a structure and land in combination, removal or destruction of the structure shall eliminate the nonconforming status of the land.

Subd. 5. Repairs And Maintenance. On any building devoted in whole or in part to any nonconforming use, work may be done in any period of twelve months on ordinary repairs, or on repairs or replacement of nonbearing walls, fixtures, wiring or plumbing to an extent not exceeding fifty percent (50%) of the assessed value of the building, provided that the cubic content of the building as it existed at

the time of adoption or amendment of this Chapter shall not be increased.

Nothing in this Chapter shall be deemed to prevent the strengthening or restoring to a safe condition of any building or part thereof declared to be unsafe by an official charged with protecting the public safety upon orders of such official.

Subd. 6. Uses Under Conditional Use Not Conforming Uses. Any use for which a conditional use permit is issued as provided in this Chapter shall not be deemed a nonconforming use, but shall without further action, be deemed a conforming use in such district so long as the use remains in conformance with the applicable conditions.

Subd. 7. Change Of Tenancy Or Ownership. There may be a change of tenancy, ownership or management of any existing nonconforming uses of land, of structures or of structures and land in combination.

SEC. 11.27. EXCEPTIONS/MODIFICATIONS. The regulations specified in this Chapter shall be subject to the following exceptions, modifications and interpretation.

Subd. 1. Existing Lots Of Record. In any residential district, a Single-Family dwelling may be constructed or located on any lot of record existing as of the effective date of this Chapter irrespective of its area or width, provided however:

A. The sum of the width of established side yards shall not be less than thirty percent (30%) of the width of the lot.

B. The width of any side yard shall not be less than ten percent (10%) of the width of the lot or five feet, whichever is greater.

C. The depth of the rear yard on any such lot need not exceed twenty percent (20%) of the depth of the lot or twenty feet (20') whichever is greater.

Subd. 2. Structures Permitted Above Height Limit. The height regulations contained within this Chapter shall not apply to television/radio towers, church spires, belfries, monuments, tanks, water and fire towers, stage towers or scenery lofts, cooling towers, grain elevators, ornamental towers and spires, chimneys, elevator bulkheads, drilling rigs, conveyors, flagpoles and other pertinent mechanical apparatus which may be erected to any height not in conflict with any other applicable regulation or restriction of city, state or federal government.

Subd. 3. Easements. Nothing may be placed, planted, constructed, erected, or otherwise located within any recorded easement.

Subd. 4. Yard Encroachment. Every part of a required yard shall be open to the sky, unobstructed with any building or structure, except for permitted accessory buildings within the rear yard and for the ordinary projections of sills, belt courses, cornices, ornamental features and roof overhang projecting no more than two feet, and except for yard recreational and laundry drying equipment, arbors and trellises, fences, flagpoles, yard lights and similar decorative items.

Subd. 5. Double Frontage Lots. Buildings on lots extending from street to street shall provide the required front yard abutting each street.

Subd. 6. Porch Enclosures. The structural alteration of an existing porch within the exterior dimensions of said porch shall not be considered a non-conforming structure within the scope of this Chapter, even though the setback requirements of the district in which it is located may not be met. This shall be interpreted to mean that the replacement, reconstruction or enclosure of an existing porch with a porch of the same or lesser dimension shall be considered a conforming structure even though the front, side or rear yard dimensions required in the district in which it is located may not be met. The requirements of this Section shall apply only to Residential Uses. For the purpose of this Section, a porch shall be defined as an open or enclosed covered entrance or entryway attached to and projecting from an exterior wall of an existing residential building.

Subd. 7. Intersection Visibility Required. On a corner lot in any district, except the Central Business District, no fence, wall, hedge, tree or other planting or structure that will materially obstruct vision between a height of two-and one-half feet (2½') and ten feet (10') above the centerline grade of the intersecting streets shall be erected, placed or maintained within the triangular area formed by connecting the right-of-way lines at points which are twenty-five feet (25') distant from the intersection.

Source: Ordinance No. 394, 2nd Series
Effective Date: 12-06-08

Subd. 8. Accessory Buildings. No accessory building shall be erected in any required yards other than a rear or side yard as provided hereinafter. Detached, accessory structures in rear yards shall be at least six feet (6') from rear lot lines and the lot lines of any adjoining residentially zoned property. On corner lots, the setback for detached, accessory structures shall conform to the front yard setback. A detached, accessory building(s) shall not occupy more than thirty percent (30%) of the rear yard; however, this regulation shall not be interpreted to prohibit the construction of a three hundred (300) square foot garage within a rear yard. No accessory building(s) shall be utilized unless and until such time as the principal structure is erected and occupied.

Source: Ord. No. 398, 2nd Series
Effective Date: 04-24-08

SEC. 11.28. CONDITIONAL USE PERMITS.

Subd. 1. Procedures And Requirements. Conditional uses specifically designated within the individual district regulations may be permitted, enlarged or altered upon application for a conditional use permit in accordance with the rules and procedures of the Board of Appeals and Adjustments. The Board of Appeals and Adjustments will grant or deny a conditional use permit in accordance with the standards set forth herein and with the intent and purpose of this Chapter. In granting a conditional use permit, the Board shall authorize the issuance of a conditional use permit and may prescribe and impose appropriate conditions, safeguards and a specified time limit for the performance of the conditional use permit.

Subd. 2. Application For Conditional Use. A request for a conditional use permit or for the modification of a conditional use permit may be initiated by a property owner or his/her authorized agent by filing an application with the Zoning Administrator upon forms prescribed for this purpose. The application shall be accompanied by a site plan and other such plans and data showing dimensions, arrangements, descriptive data and other materials constituting a record essential to an understanding of the proposed use or proposed modification in relation to the standards set forth herein. The application shall also be accompanied by a fee as determined by resolution of the City Council.

Subd. 3. Procedures. A conditional use shall not be granted by the Board of Appeals and

Adjustment unless and until the following procedures have been fulfilled.

A. The Zoning Administrator shall provide a copy of the application for conditional use for review and comment to the Planning and Zoning Commission within five (5) days after receipt of the application.

B. The Planning and Zoning Commission shall provide the Board of Appeals and Adjustments with its recommendation within forty-five (45) days after receipt of the application.

C. After receipt of the Planning and Zoning Commission's recommendations, the Board of Appeals and Adjustments shall schedule a public hearing in relation to the conditional use permit application. Notice of the public hearing shall be given as required by state statute.

D. The Board of Appeals and Adjustments shall determine that it is empowered under this Chapter to grant the conditional use permit as described in the application and that the granting of the conditional use will not adversely affect the public interest pursuant to testimony presented at the public hearing and review by the Planning and Zoning Commission.

E. In granting any conditional use permit, the Board may prescribe appropriate conditions and safeguards in conformity with this Chapter. Violation of such conditions and safeguards, when made a part of the terms under which the conditional use permit is granted, shall be deemed a violation of this Chapter and punishable under Section 11.30 of this Chapter.

F. The concurring vote of a simple majority of those Board of Appeals and Adjustments members present shall be sufficient to grant a conditional use permit. No order of the Board granting a conditional use permit shall be valid for a period longer than one (1) year from the date of such order, unless the Board specifically grants a longer period of time or a building permit is obtained within a six (6) month period and construction is commenced.

Subd. 4. Standards. No conditional use permit shall be granted by the Board of Appeals and Adjustments unless the Board shall find each of the following to be present:

A. That the establishment, maintenance or operation of the conditional use will not be detrimental to or endanger the public health, safety, comfort or general welfare of the community.

B. That the conditional use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purpose already permitted, nor substantially diminish and impair property values within the neighborhood.

C. That in the case of existing relocated Single-Family dwellings, that the proposed use aesthetically blends in with the neighboring, existing permitted uses and special attention be given to the architectural style, scale and quality of construction of the proposed use.

D. That the establishment of the conditional use will not impede the normal and orderly development of improvements to the surrounding property for uses permitted in the district.

E. That adequate utilities, access roads, drainage, parking and/or other necessary facilities have been or will be provided.

F. That adequate measures have been or will be taken to provide ingress and

egress so designed as to minimize traffic congestion in the public streets.

G. The use shall not include any activity involving the use or storage of flammable or explosive material unless protected by adequate firefighting and fire suppression equipment and by such safety devices as are normally used in handling of any such material.

H. The use shall not include noise which is objectionable due to volume, frequency, pitch or beat unless muffled or otherwise controlled.

I. The use shall not include vibration which is discernable without instrumentation on any adjoining parcel or property.

J. The use shall not involve any malodorous gas or matter which is discernable on any adjoining property.

K. The use shall not involve any pollution of the air by fly-ash, dust, vapors or other substance which is harmful to health, animals, vegetation or other property or which causes soiling, discomfort or irritation.

L. The use shall not involve any direct or reflective glare which is visible from any adjoining property or from any public street, road or highway.

M. The use shall not involve any activity substantially increasing the movement of traffic on public streets unless procedures are instituted to limit traffic hazards and congestion.

N. The use shall not involve any activity substantially increasing the burden on any essential utility system or facilities unless provisions are made for any necessary adjustments.

O. The use shall not interfere with the use or enjoyment of neighboring permitted uses. If such interference is found, provisions must be made for increased setbacks from property lines or screening of incompatible uses by the use of fences, berms or hedges.

P. The ground coverage shall be such that no additional dust or stormwater run-off is generated by the conditional use.

Q. The use shall not create a hazard to vehicular or pedestrian traffic. If any such hazard is determined, provisions must be made to increase the required setback in regard to open air storage.

Source: Ordinance No. 394, 2nd Series
Effective Date: 12-06-07

SEC. 11.29. BOARD OF APPEALS AND ADJUSTMENTS.

Subd. 1. Establishment And Procedures. The Board of Appeals and Adjustments previously established shall continue. Said Board shall consist of five (5) members including three (3) City Councilmembers appointed by the City Council, the Chairperson of the Planning and Zoning Commission, and the Chairperson of the Heritage Preservation Commission. Vacancies shall be filled by the City Council for the unexpired term of any member whose term becomes vacant. Matters relating to

the powers and duties of the Board shall be provided by State Statute and terms of this Section.

Source: Ordinance 396, 2nd Series
Effective Date: 12-20-07

Subd. 2. Proceedings Of The Board Of Appeals and Adjustments. The Board of Appeals and Adjustments shall adopt rules necessary to conduct its affairs and in keeping with the provisions of this Chapter. Meetings shall be held at the call of the Chairperson and at such other times as the Board may determine, however, the Board of Appeals and Adjustments shall meet no fewer than once per calendar year. The Chairperson, or in the absence of the Chairperson, the acting Chairperson, may administer oaths and request attendance of witnesses. All meetings shall be open to the public as required by applicable State Statute. The Board of Appeals and Adjustments shall keep minutes of its proceedings showing the vote of each member upon each question, or if absent, or failing to vote, indicating such fact, and shall keep records of its examinations and other official actions, all of which shall be a public record and be immediately filed in the office of the Zoning Administrator. The presence of three (3) voting members shall be necessary to constitute a quorum.

Subd. 3. Hearings, Appeals, Notice. Appeals to the Board of Appeals and Adjustments may be taken by any person aggrieved, or by any officer, department, board or bureau of the City affected by any decision of the Zoning Administrator. Such appeals shall be taken within ten (10) days by filing with the Zoning Administrator and with the Board of Appeals and Adjustments, a written notice of appeals specifying the grounds thereof. The Zoning Administrator shall forthwith transmit to the Board all information pertaining to the appeal. Before an appeal is filed with the Board, the appellant shall pay a fee as set by resolution of the City Council. The Board shall fix a reasonable time for the hearing on the appeal, give public notice thereof, as well as due notice to the parties in interest, and decide the same within sixty (60) days. At the hearing, any party may appear in person or by agent or attorney.

Subd. 4. Stay Of Proceedings. An appeal shall stall all proceedings in furtherance of the action appealed, unless the Zoning Administrator certifies to the Board after notice of appeal is filed with him/her that by reason of facts stated in the certificate, a stay would, in the opinion of the Zoning Administrator, cause imminent peril to life and/or property. In such case, proceedings shall not be stayed either by a restraining order which may be granted by the Board of Appeals and Adjustments or by a court of competent jurisdiction on application, on notice to the Zoning Administrator and on due cause shown.

Subd. 5. Ex-Officio Members. The City Administrator, City Attorney and Zoning Administrator shall be non-voting, ex-officio members of the Board of Appeals and Adjustments and shall designate its Secretary.

Subd. 6. Powers And Duties. The Board of Appeals and Adjustments shall have the following powers and duties.

A. Administrative Review. To hear and decide appeals where it is alleged there is error in any order, requirement, decision or determination made by the Zoning Administrator in the enforcement of this Chapter.

B. Conditional Uses. To hear and decide only such conditional uses as the Board of Appeals and Adjustments is specifically authorized to pass on by the terms of this Chapter and as provided for in Section 11.26.

C. Variances. To authorize, upon appeal in specific cases, such variance from the

terms of this Chapter as will not be contrary to the public interest where, owing to special conditions, a literal interpretation and enforcement of the provisions of this Chapter would result in unnecessary hardship. A variance from the terms of this Chapter shall not be granted by the Board unless and until.

i. A written application for variance is submitted demonstrating all of the following.

a. That special conditions and circumstances exist which are peculiar to the land, structure or building involved and which do not apply to other lands, structures or buildings in the same district.

b. That literal interpretation of the provisions of this Chapter would deprive the applicant(s) of rights commonly enjoyed by other properties in the same district under the terms of this Chapter.

c. That the special conditions and circumstances do not result from the actions of the applicant.

d. That granting the variance requested will not confer on the applicant any special privilege that is denied by this Chapter to other lands, structures or buildings in the same district.

ii. The Board of Appeals and Adjustments shall make findings that the requirements of this Section have been met by the applicant for a variance.

iii. The Board shall further make a finding that the reasons set forth justify the granting of the variance and that the variance is the minimum variance that will make possible the reasonable use of the land, building or structure.

iv. The Board shall further make a finding that the granting of the variance will be in harmony with the general purposes and intent of this Chapter, and will not be injurious to the neighborhood or otherwise detrimental to the public welfare.

Subd. 7. Decisions Of The Board of Appeals and Adjustments. In exercising the above-mentioned powers, the Board of Appeals and Adjustments may, so long as such action is in conformity with the terms of this Chapter, reverse or affirm, wholly or partly, or may modify any order, requirement, decision or determination as ought to be made and to that end shall have powers of the Zoning Administrator from whom the appeal is taken. The concurring vote of three (3) members of the Board shall be necessary to reverse any order, requirement, decision or determination of the Zoning Administrator, or to decide in favor of the applicant on any matter upon which it is required to pass under this Chapter, or to effect any variation in application of this Chapter.

Subd. 8. Appeals From The Board of Appeals and Adjustments. Any person or persons, or any board, taxpayer, department, board or bureau of the community aggrieved by any decision of the Board of Appeals and Adjustments may seek review of such decision of the Board by a court of record in the manner provided by the laws of the State of Minnesota.

SEC. 11.30. ADMINISTRATION, ENFORCEMENT, AND CERTIFICATE OF ZONING COMPLIANCE.

Subd. 1. Zoning Administration. The Zoning Administrator shall be designated by the City

Council and shall administer and enforce the provisions of this Chapter. The Zoning Administrator shall have the following powers and duties.

A. The Zoning Administrator shall issue all permits and certificates required by this Chapter.

B. If the Zoning Administrator shall find that any of the provisions of this Chapter are being violated, the Administrator shall notify, in writing, the person responsible for such violations, indicating the nature of the violation and ordering the action necessary to correct it. The Zoning Administrator shall order the discontinuance of illegal uses of land, buildings or structures; removal of illegal buildings or structures or of additions, alterations or structural changes thereto; discontinuance of any illegal work being done; and shall take any other action authorized by this Chapter to insure compliance with or to prevent violation of its provisions.

Subd. 2. Certificate Of Zoning Compliance. No land shall be occupied or used, nor shall any building hereafter erected or structurally altered be occupied or used, in whole or in part, for any purpose whatsoever, until a certificate is issued by the Zoning Administrator stating that the building and use comply with the provision of this Chapter.

A. No change of use shall be made in any building or part thereof, now or hereafter erected or structurally altered, without a permit being issued therefore by the Zoning Administrator. No permit shall be issued to make a change unless the changes are in conformity with the provision of this Chapter.

B. Nothing in this part shall prevent the continuance of a nonconforming use as hereinbefore authorized, unless a discontinuance is necessary for the safety of life or property.

C. Applications for Certificate of Zoning Compliance shall be applied for coincidentally with the building permit and shall be issued within seven (7) days after the lawful erection or alteration of the building is completed. A record of all certificates shall be kept on file in the office of the Zoning Administrator, and copies shall be furnished on request to any person having a proprietary or tenancy interest in the building affected.

D. No permit for excavation for, or the erection or alteration of any building shall be issued before the application has been made for a Certificate of Zoning Compliance, and no building or premises shall be occupied until that Certificate is issued. A temporary Certificate of Zoning Compliance may be issued by the Zoning Administrator for a period not to exceed six (6) months during alterations for partial occupancy of a building pending its completion, provided that such temporary certificate may include such conditions and safeguards as will protect the safety of the occupants and the public.

E. Verification of a pre-existing nonconforming use shall be required for all nonconforming uses prior to the additional permits being used. Application for permits shall be filed with the Zoning Administrator, accompanied by affidavits or other proof that the nonconforming uses were not established in violation of previous City Code provisions.

Subd. 3. Plans. Each application for Certificate of Zoning Compliance shall be accompanied by a plan, in duplicate, drawn to scale, showing the actual dimensions of the lot to be built upon, the size, shape and location of the building to be erected, and such other information as may be necessary to provide for the enforcement of this Chapter. A record of applications and plans shall be kept in the office of the Zoning Administrator.

Subd. 4. Violations and Penalty. Every person violates a section, subdivision, paragraph or provision of this Chapter when he/she performs an act thereby prohibited or declared unlawful, or fails to act when such failure is thereby prohibited or declared unlawful, and upon conviction thereof, shall be punished as for a misdemeanor except as otherwise stated in specific provisions hereof.

A. In case any building or structure is erected, constructed, reconstructed, altered, repaired, converted, or maintained, or any building, structure or land is used in violation of this Chapter, the City Attorney, in addition to other remedies, may institute any proper action or proceed in the name of the City of Saint Peter to prevent such unlawful erection, construction, reconstruction, alteration, repair, conversion, maintenance, conduct, business or use in or about said premises.

B. Each day that a violation is permitted to exist constitutes a separate offense.

SEC. 11.31. AMENDMENTS. The City Council may, from time to time, on its own action or on petition; amend, supplement or change boundaries or regulations herein or subsequently established. No such amendment shall become effective unless it shall have been proposed by or shall have been first been submitted to the Planning and Zoning Commission for review and recommendation. The Commission shall have forty-five (45) days in which to submit its report to the City Council. If the Commission fails to submit a report within the forty-five (45) day period, it shall be deemed to have approved the proposed amendment.

SEC. 11.32. SEVERABILITY CLAUSE. Should any section or provision of this Chapter be declared by a court of competent jurisdiction to be invalid, that decision shall not affect the validity of the Chapter as a whole or any part thereof, other than the part so declared to be invalid.

(Sections 11.33 through 11.98, inclusive, reserved for future expansion.)

SEC. 11.99. VIOLATION A MISDEMEANOR. Every person violates a section, subdivision, paragraph or provision of this Chapter when he performs an act thereby prohibited or declared unlawful, or fails to act when such failure is thereby prohibited or declared unlawful, and upon conviction thereof, shall be punished as for a misdemeanor except as otherwise stated in specific provisions hereof. Nothing herein contained shall prevent the City from taking such other lawful action as is necessary to prevent or remedy any violation.

Source: Ordinance No. 394, 2nd Series
Effective Date: 12-06-07