



**Norwood Young America Planning Commission**  
**6:00 p.m., Tuesday, May 2, 2023**  
**Norwood Young America City Council Chambers, 310 Elm St. W.**

**AGENDA**

1. Call to Order  
Pledge of Allegiance
2. Adoption of Agenda
3. Approve Minutes of February 7, 2023
4. Introductions, Presentations, and Public Comment  
(Citizens may address the Planning Commission about any non-agenda item of concern. Speakers must state their name, address, and limit their remarks to three minutes. The Planning Commission will take no official action on these items but may refer the matter to staff for a future report or direct that the matter be scheduled for a future meeting.)
5. Public Hearing
6. Business
  - A. Guidelines for Advisory Commissions
  - B. Ordinance Updates for the Industrial Districts
7. Miscellaneous
  - A. Building Permit Report – Jan/Feb/Mar 2023
8. Commissioner's Reports
9. Next Planning Commission Meeting – Tuesday, June 6, 2023, at 6 p.m.
10. Adjourn

**Jerry  
Barr**

**Mike  
Eggers**

**Bill  
Grundahl**

**Paul  
Hallquist**

**Craig  
Heher**

**Charlie  
Storms**

**UPCOMING MEETINGS**

May 3, 2023	NYA food distribution	12:30-1:30 PM <b>*Please Note the Day and Time Changes!</b>
May 3, 2023	Small Business Seminar at The Pavilion	5:00 PM
May 8, 2023	City Council Meeting	6:00 PM
May 10, 2023	Economic Development Commission Meeting	6:00 PM
May 16, 2023	Park and Recreation Commission Meeting	5:15 PM
May 18, 2023	Sr. Advisory Meeting	9:00 AM

May 22, 2023	City Council Workshop/EDA/Meeting	5:00 PM/6:00 PM
June 6, 2023	Planning Commission Meeting	6:00 PM

*Norwood Young America  
Planning Commission Minutes  
February 7, 2023*

Present: Commissioners Craig Heher, Bill Grundahl, Mike Eggers, Paul Hallquist, Charlie Storms (City Council)

Absent: Jerry Barr

Staff: Karen Hallquist, Community & Economic Dev Director, City Planner Jared Johnson (WSB)

Public: Timon Dammann

1. Call to Order.

The meeting was called to order by Chair Heher at 6:00 pm. All those present stood for the Pledge of Allegiance.

2. Adoption of Agenda.

*Motion: ME/CS to approve agenda as written. Motion passed 5-0.*

3. Appointment of Officers

*Motion: CS/ME to appoint Craig Heher as Committee Chair. No other nominations received. Motion passed 5-0.*

*Motion: BG/PH to appoint Charlie Storms as Vice Chair. No other nominations received. Motion passed 5-0.*

*Motion: CH/ME to appoint City Staff as secretary. No other nominations received. Motion passed 5-0.*

*Motion: CS/ME to appoint Bill Grundahl as PC liaison to the Parks & Recreation Commission. No other nominations received. Motion passed 5-0.*

*Motion: BG/CS to appoint Mike Eggers as PC liaison to the Economic Development Commission. No other nominations received. Motion passed 5-0.*

4. Approve Minutes of December 6, 2022, meeting (No meeting January 2023)

*Motion: ME/CH to approve the minutes as presented. Motion passed 5-0.*

5. Introductions, Presentations, and Public Comment – none

6. Public Hearing – none

7. Business

- A. 2023 Planning Commission Goals – Karen Hallquist, Community & Econ Dev Director

Hallquist summarized 2023 goals into 3 main Goals: Update Zoning and Subdivision Ordinances; Prepare for Industrial Park Expansion; and Identify Land to Re-Guide Medium Density Residential in the Comp Plan. Currently waiting for feedback from Met Council about a Comprehensive Plan zoning amendment for the industrial park expansion and requirements for re-guiding land for Medium Density Residential land use. Will also continue to conduct public hearings.

Points of discussion after Hallquist presented goals for 2023 included some of the following items:

- With the Industrial Park coming, landscaping requirements may need to be addressed. Code currently states 1 tree per 1000 sq. ft. – after Vickerman building, learned this may need to change per linear frontage feet vs. sq. ft.

Hallquist shared landscaping requirements are on the agenda for the upcoming ordinance discussion.

- Potential of making changes to the finished front façade of buildings for the new part of the Industrial Park.

City Planner Johnson stated stricter language can be written to change requirements for finished facades, however, that can affect the cost of building and deter businesses from choosing NYA.

B. Industrial Park Expansion Comp Plan Amendment Update – Jared Johnson, Planning Consultant – WSB

City Planner Johnson submitted Comp Plan Amendment back in December, proposed to be on the Met Council agenda for February for approval. Then City can do planning process for the expansion area.

C. Ordinance Updates for the Industrial Districts – Jared Johnson, Planning Consultant – WSB

City Planner Johnson shared that the City is in the process of acquiring land for the expansion of the industrial park and would like to conduct ordinance amendments in the industrial sections of the zoning code.

- Miscellaneous edits – update verbiage regarding “industry heavy”, which is not allowed in the City so it needs to be removed, and edit “Light Industrial” to “Light Industry” to match the definition and permitted use.
- Use edits – update to align inconsistencies regarding uses in the industrial district. Specifically mini-storage facilities, which are considered light industry by definition and listed under permitted uses. Staff also suggest adding garage condos as conditional use, with limits to retail sales and outdoor storage concerns.
- Landscape requirements – suggest one tree per 1000 square feet of gross building area; combination of berming, shrub and tree planting; and berming with low ground cover.
- Outdoor storage – currently no limit on percentage of lot allowed to be occupied. Staff suggest 50% of lot.

Examples of garage condos are Workshops of Watertown and one in Hutchinson that has movable walls. Use as a transitional space for a business ready to expand from in-home business, but not to a full stand-alone building yet.

Limit for outdoor storage is suggested to keep principal use of lot what was originally designed for, not to become outdoor storage.

Commissioners and City Planner Johnson would like to have examples for more discussion on landscape requirements and outdoor storage limits for the next meeting.

8. Miscellaneous

A. December Building Permit Report

9. Commissioners' Reports

Storms shared City Council approved purchase of land for industrial park expansion.

Hallquist shared Old Town Project is ready to go for bidding. EDC ordered a housing study to prepare for housing developers. Last one done in 2017.

City Planner Johnson thanked the commissioners for welcoming him this past year. Hannah Rybak will be the new City Planner taking over next month.

10. Next Planning Commission Meeting – Tuesday, March 7, 2023, at 6 p.m.

11. Adjourn

*Motion: CS/BG to adjourn at 6:47pm. Motion passed 3-0.*

Respectfully Submitted,

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Karen Hallquist, Community & Economic Development Director



TO: Planning Commission Members

FROM: Karen Hallquist, Community & Economic Development Director

DATE: May 2, 2023

SUBJECT: Guidelines for Advisory Commissions

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The NYA City Council approved the Guidelines for Advisory Commissions at their March 27, 2023, meeting. The guidelines address the role of a commissioner, terms, commission administration, qualifications, duties and responsibilities, and meeting procedures. The guidelines will be presented to each of the current commissions, provided to new commissioners, and posted on the City website for reference.

**Information Only**

**Norwood Young America**

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310 Elm Street West PO Box 59 – Norwood Young America, MN 55368 – (952)467-1800 – [www.cityofnya.com](http://www.cityofnya.com)

# *Guidelines for Advisory Commissions*



310 Elm Street West – PO Box 59  
Norwood Young America, Minnesota 55368  
(952) 467-1800 | [Cityofnya.com](http://Cityofnya.com)

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## Role of Advisory Commissions

City councils deal with many items; it is difficult to research each one in depth. Advisory commissions assist City councils by focusing on a particular area and making recommendations for the City council's action, including yearly budget items. It is not the role of the commissions to give directives to the staff on the City's day-to-day operations.

The City Council of Norwood Young America, Minnesota, has established the following standing advisory groups:

The **Planning Commission** is required by Minnesota State Statutes and reviews issues of land use planning, zoning, subdivision regulations, and requests for variances from existing regulations.

The **Parks and Recreation Commission** reviews issues related to the acquisition and development of parks and trails in the City.

The **Economic Development Commission** advises the City Council on matters concerning commercial and industrial development within the City and attracting new businesses and retaining existing ones.

The **Senior Advisory Commission** acts as a liaison for the senior community and advises the City Council on issues concerning senior citizens and recommends appropriate solutions.

The City Council cannot delegate its decision-making authority to advisory commissions. Therefore, occasionally the Council may decline to accept an advisory commission recommendation. This usually happens when the City Council has additional information about how the recommended action would affect the "bigger picture" beyond the advisory commission's purview and should not be perceived as lacking confidence in the commission. Residents are allowed to be on one board or commission at a time unless assigned to represent another commission.

## Membership Rosters with Terms, Meeting Dates and Times

### **Planning Commission** (3-year terms)

Name	Term Expires
Jerry Barr	January 1, 2025
Bill Grundahl	January 1, 2024
Mike Eggers	January 1, 2024
Paul Hallquist	January 1, 2025
Craig Heher	January 1, 2026
Open	
Charlie Storms, City Council	

The Planning Commission meets on the first Tuesday of the month at 6:00 p.m.

### **Parks & Recreation Commission** (3-year terms)

Name	Term Expires
Sharilyn Feltmann	January 1, 2024
Bryan Rehnelt	January 1, 2024
Dan Stender	January 1, 2024
Karla Hormann	January 1, 2025
Jim Zellmann	January 1, 2025
Brooke Allen, City Council	
Bill Grundahl, Planning Commission	
Kelly Vossen (Community Education)	Advisory position

The Parks & Recreation Commission meets on the third Tuesday of the month at 5:15 p.m.

**Economic Development Commission**  
(3-year terms)

Name	Term Expires
Andrea Gerth	January 1, 2026
Connor Smith	January 1, 2026
Jason Winter	January 1, 2024
Carol Lagergren, City Council	
Mike McPadden, City Council	
Mike Eggers, Planning Commission	
Open	
Open	
Kayla Dammann, NYA Area Chamber of Commerce	Advisory position

The Economic Development Commission meets on the second Wednesday of the month at 6:00 p.m.

**Senior Advisory Commission**  
(3-year terms)

Name	Term Expires
Tom Simmons	January 1, 2026
LaVonne Kroells	January 1, 2024
Elroy Latzig	January 1, 2024
Mary Spille	January 1, 2024
Carolyn Durbin	January 1, 2025
Kay Hampshire	January 1, 2025
Lois Schultz	January 1, 2025
Betty Settergren	January 1, 2025
Cathleen Williams	January 1, 2025
Alan Krueger, City Council	
CDA Representative	Advisory position
Oak Grove Representative	Advisory position
Laurie Hilgers, Harbor Haven	Advisory position
Ranemma Walker, Harbor Haven	Advisory position
Brenda Schmitz, Peace Village	Advisory position

The Senior Advisory Commission meets on the third Thursday of the month at 9:00 a.m.

## **Commission Administration**

### **Selection of Chair and Vice-chair**

The Chairperson shall be chosen from the commission membership annually to serve for one year; provided, however, that no Chairperson shall be elected who has not completed at least one year as a member of the commission.

If the commission deems it desirable to have a Vice-chair, the same procedure will apply.

### **Vacancies**

Vacancies are filled in the same manner as expired terms, but an appointment only lasts until the end of the unexpired term.

### **Advertisement**

Openings may be advertised in the *News & Times*, the City website, social media, and the City Newsletter. Advertisements include a contact number and application deadline, if applicable.

### **Application**

Application forms are available at City Hall, 310 West Elm Street, or by calling 952-467-1800 and on the City website.

### **Appointment**

Appointments are made by the mayor and confirmed by the City Council. Elected officials may consider applicants' education, expertise, and experience, as well as all that is already represented on the commission.

### **Compensation**

Appointed members of commissions, but not ex-officio members, receive a financial stipend based on the number of meetings attended. An I-9 form must be completed for income tax purposes. Members must attend 75% of the scheduled meetings to receive their stipend.

## **Resignation**

Commission members who cannot complete their terms for any reason should provide written notice to the mayor and send a copy of the notice to the appropriate City liaison.

## **Removal**

The City Council may remove appointed commission members for misfeasance, malfeasance, or nonfeasance in office.

## **Qualifications**

### **Residency**

All appointed members of the commissions shall be residents of the City of Norwood Young America. This excludes the Economic Development Commission.

### **City Employees**

City employees may serve as regular or ex-officio members of commissions if there are no conflicts of interest.

### **Interest**

Applicants should be interested in the commission activities for which they are applying. However, the interest is essential to be broader than one topic and encompasses most of the issues the commission reviews. A willingness to learn is more important than expertise in a particular field. A commissioner's responsibility is to make a recommendation to the Council for the betterment and benefit of the City. A commissioner cannot act in a manner that is self-serving and must recuse themselves from the conversation and vote when conflicts of interest are present. Conflicts of interest are broad, and commissioners should assess their conflicts from all available angles. Should a conflict of interest be found by a member of the commission or City staff member, it will be addressed.

### **Time Commitment**

Commission meetings may only involve a few hours a month, but the time commitment for members can be substantially more. Preparation includes reviewing the agenda and City report, reading regulations related to agenda items,

visiting sites under consideration, learning about the issues, and developing a list of relevant questions prior to the meeting.

## **Duties & Responsibilities**

### **Attendance**

Consistent attendance at commission meetings is vital to discussion and action. Absence not only burdens the remainder of the commission but also shortchanges the people depending on the commission's decisions. Someone who cannot attend at least nine monthly meetings yearly should not apply. Members who cannot maintain that level of attendance should resign to allow the appointment of replacements who can make the appropriate time commitment.

### **Preparation**

It is essential to review the agenda items and associated City reports before the actual meeting. That review may reveal a need for additional information or a site visit. At the very least, it will allow the commission member to think of relevant questions to ask. Commission members are also encouraged to contact the commission's City liaison with questions before a commission meeting to allow the City adequate time to provide a detailed response.

### **Participation**

If the absence is unavoidable, a phone call or email to the City liaison is required before the meeting. The City will send a notice cancelling the meeting when there is insufficient attendance to provide a quorum. A quorum exists when half of the current commission seats are filled, plus one seat.

Each commission member's views are essential in reaching the best possible decision. The discussion raises issues and questions that improve the outcome. It is natural for new members to feel hesitant about looking foolish due to a lack of knowledge. The City liaison can help by answering questions before the meeting so new members can confidently speak.

## **Conduct**

Commission members should be fair, firm, and factual as they review the issues before them. Members may hold different opinions and reach different conclusions than their colleagues, but such differences are not an excuse for disrespect. It is essential to listen to fellow commissioners and members of the public without interrupting or making derogatory personal remarks. Members should avoid letting occasional differences interfere with the ongoing working relationship among commission members.

Members of the public who become argumentative, disruptive, or abusive should be called to order by the commission chair. If a member of the public continues with disruptions, the commission chair shall ask them to leave the meeting so City business can continue.

## **Continuing Education**

The City liaison can provide materials to assist commission members in learning more about the issues. There may be other learning opportunities through workshops and seminars. The City liaison can verify if funding is available and will arrange registration.

## **Dealing with the Public**

Individual commission members should only speak on behalf of the commission if a majority of the members have authorized that role through a vote.

Commission members are encouraged to have contact with and gather information from the community. They may also be approached by neighbors or members of the public. When discussing issues outside commission meetings, commissioners should never promise that the commission or the City council will take a specific action.

Commission members should elevate public understanding and discourse by providing factual information about issues. They also can and should invite people to commission meetings so the entire commission can discuss topics. Where more information is needed, commission members are encouraged to connect members of the public with the City Administrator, who can often provide such information.

## **Meeting Procedures**

## **Agenda**

### **Agenda Preparation**

The agenda packet is compiled by the City liaison and delivered the week before the meeting. It consists of an agenda with numbered discussion items and a written City or consultant report corresponding to each item. The City report contains background information and specifies what action, if any, is being requested. It usually includes a City recommendation, which the commission may or may not accept.

### **Getting an Item on the Agenda**

Putting an issue on the agenda allows commission members to prepare for discussion, resulting in a more productive discussion. Commissioners are encouraged to bring relevant issues or topics they would like to discuss to commission meetings. At an appropriate time, the commissioner should propose that issue/topic for discussion at a future meeting. It is not the role of the commissions to give directives to the staff on the City's day-to-day operations.

## **Order of Business**

### **Call to Order**

At the scheduled start time, the Chairs says, "The meeting will please come to order."

### **Roll Call**

Absences are noted in the Minutes.

### **Approval of Agenda**

Commission members or the City may request additions or deletions to the agenda before approval.

### **Approval of Minutes**



Minutes of the last commission meeting may be approved “as presented” or corrected and approved “as revised.”

### **Public Comment**

At Commission meetings, public comment is only allowed during prescheduled Public Hearings on specific items. Audience members who wish to speak on a topic may do so for up to three minutes after providing their name and address for the minute taker. If the audience is large, the chair may request that groups appoint spokespersons to represent them. The commission is not required to take action on issues raised during Public Comments.

### **Presentations for Information**

Community groups or other government entities may present information that does not require commission action. Prior authorization from the City must first be obtained.

### **New Business**

For agenda items not previously considered by the commission.

The chair asks for the City report. After City reports, commission members may ask questions for clarification, and commission opinions are not expressed.

The chair calls for a motion. The discussion may continue if a motion is made and a second is given. Motions may be made and seconded to amend the original motion. Debate may occur on the *amendment*, not the original motion.

The chair calls for a vote by repeating the motion.

The chair notes whether the motion is approved or fails.

### **Old Business**

For agenda items previously discussed by the commission but not yet acted upon.

The chair asks for the City report. After City reports, commission members may ask questions for clarification, and commission opinions are not expressed.

The chair calls for a motion. The discussion may continue if a motion is made and a second is given. Motions may be made and seconded to amend the original motion. Debate may occur on the *amendment*, not the original motion.

The chair calls for a vote by repeating the motion.

The chair notes whether the motion is approved or fails.

### **City Council Member Update**

Appointed City Council commission members can comment, ask questions, or request that an item be placed on a future agenda.

### **Commission Comment**

Commission members can comment, ask questions, or request that an item be placed on a future agenda.

### **Adjournment**

The chair states, "If there is no further business, I will entertain a motion to adjourn." If a motion is made and seconded, the motion is voted upon without debate.



TO: NYA Planning Commission

FROM: Hannah Rybak, Planning Consultant - WSB

DATE: May 2, 2023

SUBJECT: Ordinance Amendments

REQUEST: Discussion Only

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#### **Background**

The City is in the process of acquiring land for the expansion of the industrial park off Tacoma Avenue. The City would like to conduct several ordinance amendments in the industrial sections of the zoning code in anticipation for the expansion and to be prepared for interested business owners. These amendments include miscellaneous edits, editing uses, and updating landscaping and outdoor storage requirements.

#### **Review of B-1 & I-1 Districts**

Staff has put together a spreadsheet that compares the current requirements of the B-1 and I-1 Districts. Overall, the districts are very similar. Most uses are allowed within both districts, with a handful only allowed in one of the two. The main difference is the minimum lot size. In the B-1 District, the minimum lot size is 30,000 SF, or 0.69 acres. For I-1, the minimum lot size is 87,120 SF, or 2 acres. Due to the larger lot size requirement, the setback requirements for the I-1 District are greater than the B-1.

#### **Points for Discussion**

- Is there enough differentiation between the uses in each district to warrant two districts?
- Do we anticipate any future businesses within the expanded industrial park would need less than two acres? (Proposed zoning is I-1)
- Would it make sense to combine the two districts, decrease the minimum lot size and adjust setbacks accordingly?
- Are there any uses that are appropriate in one district but not the other?

#### **Staff Recommendation**

Staff recommends that both districts are combined into a single Light Industrial District. There are only 14 properties within the B-1 District, and nearly all are developed. The permitted uses in each district are very similar. The zoning district requirements are not too far off from one another either, with lot size being most notable. See the "Combined" row in the attached table for how the standards could look for a single district.

### Landscape Requirements

Attached you will find landscaping requirements from Cologne, Watertown, Jordan and Waseca. They range in complexity. Please review all three and come prepared to discuss what you like and do not like about these sample ordinances. Staff will take input from the meeting to draft proposed amendments to the Norwood Young America landscaping standards.

### **Staff Recommendation**

Staff recommends adopting updates similar to the Cologne Landscape Requirements. They are clear, concise and reasonable; considering total site area rather than building area. Additionally, they contain a requirement that some of the trees be planted at the boulevard, at an interval of 50 feet. This code also includes a requirement for shrub planting, which adds aesthetic appeal.

### Outdoor Storage Examples

Below are three properties where outdoor storage can be seen on the aerial image. Staff has calculated the exterior storage coverage for each property. This is for visualization purposes only.

### **Staff Recommendation**

Outdoor storage is permitted only through the issuance of a CUP and/or IUP in in the I-1, B-1 and C-2 Zoning Districts. Outdoor storage that was in existence prior to Zoning Ordinance regulations regarding exterior storage is considered “grandfathered” and is allowed to continue. Grandfathering does not permit expansion though; so any expansion of outdoor storage on these properties would not be permitted without the issuance of a CUP or IUP. Because storage is subject to review and approval through the CUP/IUP process, the Planning Commission and City Council have the ability to control the amount of the parcel through their review and approval of the requested permit. Because of this, it isn't technically necessary to include a percentage of lot area allowed; it is approved on an individual basis with the CUP/IUP. The property owner would be in violation of their permit if they expanded outdoor storage over what was approved.

But, if the Planning Commission finds value in adding an overall percentage of lot area that could not be exceeded, staff recommends 40-50%.





### Action

Discussion only. Staff will take Planning Commission direction to draft future text amendments.

### Attachments

B-1 – I-1 District Comparison (Table)

Existing NYA Landscape Requirements

Cologne Landscape Requirements

Watertown Landscape Requirements

Jordan Landscape Requirements

Waseca Landscape Requirements

Other Cities Industrial District Requirements (Table)

**B-1 / I-1 Comparison Table**

	<b>B-1</b>	<b>I-1</b>	<b>Combined</b>
<b>Principal Uses</b>			
Major automobile repair	P	C	P
Minor automobile repair		C	P
Non-passenger automobile repair		C	C
Contractor yards/Contractor Operations	P	P	P
Light industrial	P	P	P
Office complexes	P		P
Garden and landscaping services	P		P
Mini-storage facilities	P		P
Retail in association with a contractor yard or wholesale trade business	P		P
Vocational and technical schools	P	C	P
Warehouses	P	P	P
Wholesale trade and showrooms	P	P	P
Veterinary clinic, animal care, animal shelter, pet daycare, pet training, or animal hospital	C		C
Laboratories		P	P
Utilities (public sewer, water)		P	P
Antennas, satellite dishes, communication and radio towers		C	C
Adult Uses		C	C
<b>Accessory Uses</b>			
Commercial or business buildings and structures for a use accessory to a principal use	P	P	P
Fences	P	P	P
Lighting	P	P	P
Outdoor auto, truck, RV and equipment sales and display	C	C	C
Outdoor storage	C	C	C
Barbed wire fencing	C	C	C
Freight and yard equipment		C	C
Outdoor storage	I	C	I & C
<b>Lot Requirements &amp; Setbacks</b>			
Lot Area	30,000 SF	87,120 SF	43560-65340 SF
	0.69 acres	2 acres	1-1.5 acres
Lot Width	200'	200'	200'
Lot Coverage	80%	80%	80%
Building Height	40'	40'	40'
<i>Principal Structure</i>			
Front Setback	25'	30'	30'
Side Setback	5'	15'	10'
Side Setback Adjacent to Residential	30'		50'
Street Side Setback	25'	30'	30'
Rear Setback	20'	50'	30'
Rear Setback Adjacent to Residential	30'	75'	50'
<i>Accessory Structure</i>			
Side Setback	5'	10'	10'
Street Side Setback	25'	30'	30'
Rear Setback	5'	10'	10'
Rear Setback from Alley	10'	10'	10'

## Section 1255 – Landscaping

1255.01 Intent. The primary purpose of these regulations is to establish minimum standards for landscaping and ground cover to provide an aesthetic environment. These standards shall be implemented concurrently with site plan approval by the city.

1255.02 Landscaping Area. All areas designated to be landscaped and street boulevards that are not devoted to drives, sidewalks, patios or other such uses shall be landscaped. All landscaped areas shall be kept neat, clean and uncluttered. No landscaped area shall be used for the parking of vehicles or the storage or display of materials, supplies or merchandise.

1255.03 Landscape Requirements for All Uses. Ground cover shall be established within one year of issuance of Certificate of Occupancy.

1255.04 Landscape Requirements for New Non-Residential Uses.

- A. Tree planting at the rate of one (1) tree per 1000 square feet of gross building area;
- B. A combination of berming, shrub and tree planting; and
- C. Berming with low ground cover (slopes shall be no greater than one foot in elevation per three horizontal feet).

1255.05 Landscape Requirements for Expansion of Non-Residential Uses. Tree planting of a minimum of one (1), or one (1) tree per 1000 square feet of gross expanded building area.

1255.06 Landscape requirements for Multi-Family Residential Uses. Townhomes, manufactured home parks and apartment dwelling structures shall require as a minimum: one (1) new tree per dwelling unit, unless otherwise approved by the City Council.

1255.07 Size Standards. The minimum size of planted trees shall be a minimum two and one half (2 ½) caliper inches for deciduous trees and six feet in height for coniferous trees.

1255.08 Species. Types of trees allowed shall be species listed on the city landscaping list.

1255.09 Landscape Warranty. All required landscape plants shall be alive and in satisfactory growth for a minimum of two (2) years after planting, or be replaced at the owners expense.

1255.10. Compliance Time Frame. All planting and sodding shall be completed, and all seeding established within one (1) year of issuance of Certificate of Occupancy. *(Amended by Ord. 180, 5/22/2006)*

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

<b>District</b>	<b>Overstory Trees</b>	<b>Foundation Plantings<sup>4</sup></b>
<b>District</b>	<b>Overstory Trees</b>	<b>Foundation Plantings<sup>4</sup></b>
R-1	Two trees/unit/street frontage <sup>1</sup>	None
R-2	Two trees/unit/open space exposure <sup>2</sup>	1/10 ft. building and parking area
R-3	Eight trees plus two trees/unit <sup>3</sup>	1/10 ft. building and parking area
PUD	Based on underlying uses	Based on underlying uses
C-1	Eight trees or 1/3,000 sq. ft. site area <sup>5</sup>	1/10 ft. building and parking area
C-2	Eight trees or 1/3,000 sq. ft. site area <sup>5</sup>	1/10 ft. building and parking area
C-3	Eight trees or 1/3,000 sq. ft. site area <sup>5</sup>	1/10 ft. building and parking area
I-1	Eight trees or 1/3,000 sq. ft. site area <sup>5</sup>	1/10 ft. building and parking area
P/I	Eight trees or 1/3,000 sq. ft. site area <sup>5</sup>	1/10 ft. building and parking area

Notes to table:

1. Trees shall be deciduous and planted at the boulevard, except on cul de sacs where one of the required trees may be planted off the boulevard but in the front yard area.
2. Two trees shall be deciduous. Unit exposures with street frontage shall be planted at the boulevard.
3. Tree spacing must include trees at the boulevard at minimum 50 feet intervals.
4. The calculation for the number of foundation plantings is based upon one planting for each lineal feet of building perimeter and parking lot perimeter. Plantings may be grouped rather than dispersed at ten feet intervals.
5. The required number of trees is based upon a minimum of eight trees or one tree per 3,000 square feet of site area, whichever is greater. Tree spacing must include trees at the boulevard at minimum 50 feet intervals.

(B) *Minimum standards.*

(1) *Overstory trees.*

- (a) Deciduous trees: Two-and-a-half-inch caliper planting size, balled and burlapped.
- (b) Coniferous trees: Six feet in height planting size, balled and burlapped.

(2) *Foundation plantings.* Coniferous and deciduous shrubs shall be planted at a minimum of 1/3 of the mature spread and height of typical growth habits.

(3) *Boulevard trees.* All boulevard trees shall be hardwood shade trees or flowering trees



required shall be deciduous trees.

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

(6) *Diversification.* In any development in which at least eight overstory trees or foundation plantings are required, at least three varieties of plantings are required. In residential subdivisions, at least three varieties of boulevard trees are required on each side of a block.

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

Ord. 150, passed 2-22-2000; Ord. passed 3- -2007)

## **Chapter 28 LANDSCAPING<sup>1</sup>**

### ***ARTICLE I. IN GENERAL***

#### **Sec. 28-1. Title.**

This chapter of the City of Watertown Code of Ordinances, providing for the administration and enforcement of landscaping regulations, shall be known and may be cited and referred to as the Landscaping Ordinance of the City of Watertown, Minnesota.

(Ord. No. 232, 6-11-02)

#### **Sec. 28-2. Intent.**

The intent of this chapter is to establish minimum standards for the preservation, installation, and maintenance of landscape plantings and landscaped open space in residential, commercial and industrial districts, to utilize landscaping and landscaping open space as an effective means of energy conservation, to preserve open space, to improve property values, and to maintain the aesthetic quality of the city, thereby promoting the health and general welfare of the city.

(Ord. No. 232, 6-11-02)

#### **Secs. 28-3—28-20. Reserved.**

### ***ARTICLE II. REGULATIONS AND STANDARDS***

#### **Sec. 28-21. Landscaping regulations—General provisions.**

- (a) Landscaping plantings shall not be placed so as to interfere with site drainage.
- (b) Landscape plantings shall not be placed in any public utility easement unless specifically permitted on the approved site plan.
- (c) Plantings shall not be placed where they may interfere with the maintenance of sanitary or storm structures, fire hydrants, or water valves, or any other public utility.

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<sup>1</sup>Editor's note(s)—Ord. No. 232 adopted June 11, 2002, set out provisions intended for use as chapter 65. To preserve the style of this Code, and at the editor's discretion, these provisions have been included as chapter 28Editor's note(s)—.

Cross reference(s)—Subdivisions, ch. 52Cross reference(s)—; zoning, ch. 62Cross reference(s)—; trees and shrubs, §§ 26-121Cross reference(s)——26-129.

- (d) Landscape planting may not be placed within the public street right-of-way unless previously approved by the city council.
- (e) The vision clearance triangle shall be maintained at all times.
- (f) All disturbed areas shall be restored with sod or seed, unless specifically approved otherwise. In residential districts or uses, the entire front yard, side yard, and rear yard to the building setback line shall be sodded. In all districts, the adjacent right-of-way shall be sodded.
- (g) In sites where vegetation existed and was retained during development, the required minimum quantity of planting may be reduced with two existing plantings equivalent to one required planting. No more than 50 percent of the required plants may be waived in this manner. Plants to be exchanged shall meet minimum size requirements as established herein.

(Ord. No. 232, 6-11-02)

## Sec. 28-22. Design standards.

The provisions below represent the minimum standards required for compliance with this chapter. These regulations are not intended to suppress creative design concepts or the use of variety in the landscape plan. Whenever practical, existing trees and vegetation should be preserved and incorporated into the overall design and layout of the site.

- (1) *Minimum size.* The minimum size for required plantings, other than those in required buffers, shall be as follows:
  - a. Deciduous over-story trees shall be a minimum size of two-inch caliper.
  - b. Evergreen trees shall be a minimum height of six feet.
  - c. Ornamental trees shall be a minimum 1 ½-inch caliper in size.
- (2) *Minimum quantity.* The minimum number of plantings per site shall be as follows:
  - a. A minimum of 50 percent of all required trees shall be over-story shade trees.
  - b. For all uses except one- and two-family residential dwellings, a minimum of 25 percent of all required trees shall be evergreen trees.
  - c. For single-family residential, ½ of the tree requirement shall be provided in the rear yard.

	Residential	P-2, C-1, C-2, Industrial
Planting requirement	Two trees per dwelling unit (does not include street trees)	1 tree per 1,000 square feet of provided open space.

Values expressed in table above are in addition to plantings required in buffer, screening, or parking lot plantings.

(Ord. No. 232, 6-11-02)

## Sec. 28-23. Slopes and walls.

- (a) In no case shall a maintained slope be greater than 3:1. If a slope is greater than 3:1 appropriate maintenance free landscaping, ground cover, and/or rip-rap shall be required.

- (b) Retaining walls: In cases where the use and construction of a retaining wall is required to preserve slope or provide additional developable land, such retaining wall shall be designed and constructed in such a way as to preserve a residential scale and character.
- (c) All retaining walls above a height of four feet shall be tiered to allow the provision of landscaping to soften the wall. Walls with a height greater than four feet shall require a building permit.

(Ord. No. 232, 6-11-02)

## Sec. 28-24. Buffers.

- (a) It shall be recognized that the transition from one district to another district of contrasting and conflicting uses is across a line in theory, not in existence. Therefore, it shall be the intent of this chapter to require the actual provision of a physical barrier so as to reduce possible harmful or detrimental influence one zoning district use may have to an abutting and contrasting or conflicting zoning district use.
- (b) Conditions requiring a buffer:
  - (1) Any lot in any residential or industrial district platted after the effective date of this chapter, having both its front and rear lot lines abutting a public thoroughfare shall require a 30-foot buffer along and measured from the rear lot line. Lot depth should be increased appropriately to provide equivalent usable open space.
  - (2) Buffers shall be provided in width in accordance to table below:

	R-1, -2,	R-3, -4	C-1, -2,	I
R-1, -2,	—	40	50	65
R-3, -4	40	—	50	65
C-1, -2,	50	50	—	50
I	65	65	50	—

- (c) The more intense use shall provide the buffer required above. In an instance where adjacent property is down-zoned, thereby requiring additional buffer, the newly zoned property shall provide the additional required buffer.
- (d) Buffer requirements.
  - (1) A permanent earthen berm shall be provided where a buffer is required. Such berm shall be the minimum height as provided below. In no case shall a berm slope exceed 3:1.

40-foot buffer depth	Three (3) to five (5) feet
50-foot buffer depth	Six (6) to eight (8) feet
65-foot buffer depth	Seven (7) to ten (10) feet

Berms should be of natural design, with undulating heights and variety of landscape material.

- (2) The following shall be the minimum requirement. Additional buffer plantings may be required by the city council. All buffers shall provide the plantings as prescribed below.

Buffer Material Requirements Per Thirty Lineal Feet of Buffer			
40 feet depth	1 Over-story	2 Evergreen	1 Ornamental

50 feet depth	1 Over-story	3 Evergreen	3 Ornamental
65 feet depth	2 Over-story	4 Evergreen	2 Ornamental

- (3) Minimum buffer planting size shall be as follows:
  - a. Deciduous overstory 2-¾ inches
  - b. Evergreen six feet in height
  - c. Ornamental 1-¾ inches
- (4) In addition to the required permanent landscape buffer, the city council may require a fence to provide additional screening. Such fence shall be constructed of substantial support elements, including, but not limited to brick, poured concrete, and stone. In this case, steel or wood posts shall not be considered as substantial.
- (5) Required yards shall be measured from the lot lines. Buffer yards may be included in yards required by this ordinance. No building, parking, or structures shall be permitted within any buffer, unless authorized by the city council.
- (6) In a residential subdivision, the developer of the subdivision shall be required to install the buffer improvements as required by this chapter. The owner of the property on which the buffer is located shall maintain the buffer in perpetuity.
- (7) In a situation where landscape requirements other than buffer requirements are required, those buffer requirements shall be in addition to all other requirements.
- (8) The need to establish a buffer as an easement shall be reviewed and identified during the development review process. Easements shall generally be required between different zoning districts and for buffering requirements of residential districts.
- (9) For single-family residential subdivisions, the landscape buffer shall be submitted for review and approval as public improvements, at the same time as the preliminary plat. For any type of development that requires a site plan review, the buffer plans shall be submitted as a part of the site plan submittal.
- (e) The city council may reduce the required buffer under the following conditions:
  - (1) Where the boundary line abuts permanent natural features which function as a buffer, including, but not limited to: ponds, severe grades, or mature woodlands. The city council may reduce the requirement in proportions that the natural features fulfill the requirement.
  - (2) In those areas where the property abuts undeveloped property that is shown on the comprehensive plan as the same or a more intensive use.
  - (3) The abutting property has provided a portion or the entire required buffer.
  - (4) On lots that have been platted or zoned prior to the adoption date of this chapter that can present evidence that the required buffer would render the property unbuildable, the council may permit the construction of a substantial fence, as defined herein, not less than six feet in height. Landscaping provisions to soften the visual appearance of the fence shall be required.
  - (5) In those areas that abut a public park, the buffer area for that portion of the boundary may be reduced to 50 percent of the requirement.

(Ord. No. 232, 6-11-02)

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## **Sec. 28-25. Street trees.**

- (a) Along every development street trees shall be provided, in accordance with the following requirements:
- (1) Commercial/industrial lots shall provide one overstory shade tree per 40 lineal feet of lot frontage. Such trees shall be of specie approved by the city council. Such trees shall be located within the street right-of-way.
  - (2) Residential developments shall provide one overstory shade tree per 40 lineal feet of street frontage. Such trees shall be of specie approved by the city council at the time of preliminary plat. Such trees shall be located within the street right-of-way.
  - (3) In any development requiring more than 20 trees, no specie selected for planting shall exceed 20 percent of the overall total of trees being planted.

(Ord. No. 232, 6-11-02)

## § 154.325 LANDSCAPE REQUIREMENTS COMMERCIAL AND INDUSTRIAL.

(A) Tree requirements. A minimum of 2 deciduous, disease-free, 2-inch caliper tree, as measured 6 inches off the ground shall be planted within the front yard setback area. The clump size equivalent to a 2-inch caliper tree shall be at least 8 feet tall. The tree must be planted within the property lines and in a location as not to interfere with sight line visibility at maturity. Tree species planted must be from the current list of acceptable tree species on file at City Hall.

(B) Landscaping coverage.

(1) Commercial and industrial properties shall have diversified landscape plantings in addition to the landscaping required in setback areas for free-standing, detached structures. All landscaped areas are to be developed with live deciduous and coniferous plants, trees and shrubs which provide a variety of color, textures, heights, and forms consistent with the needs of the site and other elements of the plan. All trees are to be according to the above tree requirements. The landscaped areas may contain some stone, wood, patio blocks, sculpture, and other appropriate ornamental features.

(2) The following zoning classifications will have the following percentage of the lot landscaped.

Neighborhood Business District:  $\geq 2\%$

Central Business District:  $\geq 2\%$

Highway Commercial:  $\geq 5\%$

Industrial:  $\geq 2\%$

(C) Drainage and utility easements. Plantings and retaining walls shall not be located within a drainage, access or utility easement. The city or utility companies may clear any plantings or retaining walls positioned in violation of the subdivision. The city is not liable for any damage to plantings or retaining walls constructed within the city's easement.

(D) Traffic visibility. No wall, fence, structure, tree, shrub, vegetation or other obstruction shall be permitted in any yard or setback which poses a danger to traffic by obscuring the view from any street or roadway. Visibility from any street or roadway shall be unobstructed within the triangle described as beginning at the intersection of the projected property lines of 2 intersecting streets, thence 30 feet along 1 curb, thence diagonally to a point 30 feet from the point of beginning of the other curb line, thence to the point of beginning.

(Ord. 2013-05, passed 5-20-2013; Am. Ord. 2020-01, passed 2-3-2020; Am. Ord. 2021-08, passed 8-2-2021)

**§ 154.159 LANDSCAPING, SCREENING AND FENCES.**

(A) *Purpose.* The purpose of this section is to improve appearances, increase the compatibility of differing land uses, reduce soil erosion, protect water quality, provide summer cooling and winter wind protection, and increase property values.

(B) *Types of development included.* The requirements of this section shall apply to all proposed commercial, industrial, multiple-family residential, and public or semi-public developments that are required to submit an application for site plan review. Excluded are building additions less than 50% of the existing floor area and parking lot expansions less than 50% of the existing parking area. Individual detached (single-family) houses are exempt from this landscaping section except for sub-section (C), below. Plats that create lots for more than one detached house are subject to these regulations, however.

(C) *Plantings for single-family detached houses.* Single-family detached houses shall have at least one overstory tree per house, with a minimum caliper size of 2.0 inches.

(D) *Planting plan required.* Each application for site plan review shall include a planting plan, drawn to scale by a professional landscape architect or nursery landscape designer, which shall address:

- (1) Existing and proposed topography using two-foot contour intervals, if topography is being altered.
  - (2) Existing and proposed vegetation. The Community Development Department may require a survey of existing trees by species that have a diameter at four feet in height of 12 inches or greater.
  - (3) Proposed plants shall be shown at their normal mature crown diameter. A table shall be included that lists the symbols, quantities, common names, botanical names, sizes of plant material, root specification (e.g., balled, potted, and the like) and any special planting instructions.
  - (4) Existing and proposed site plan elements such as buildings, parking lots, driving lanes, sidewalks, other improvements, water bodies, streams and wetlands.
- (E) *Plant sizes and variety.*

(1) *Existing vegetation.* Existing healthy, well-formed canopy and understory trees as well as healthy shrubs shall be credited toward the requirements of this section, provided the vegetation is protected before and during development of the site and maintained thereafter in a healthy growing condition, and meets the applicable regulation.

(2) *Minimum plant sizes.*

**Table 15-1: Minimum Plant Sizes**

	<i>Minimum Size</i> <sup>1</sup>	<i>Notes</i>
Deciduous canopy or shade trees Ball and burlap Container	2.0" diameter 1.25" diameter	Multi-stem varieties: Minimum height of 6 feet above ground level. All new trees shall be tethered and wrapped.
Understory, small maturing, or ornamental trees	1.25" diameter	Multi-stem varieties: Minimum of 4 feet in height
Conifer trees	6 feet tall	
<sup>1</sup> All diameters are measured at a height of 4'		

(3) *Species variety.* To curtail the spread of disease or insect infestation in a plant species, not more than one-quarter of the plantings may be of the same species. To help provide year-round color, both deciduous and coniferous plants shall be used.

(4) *Prohibited plants.*

(a) The following trees shall be prohibited: Box Elder, Chinese Elm, Cottonwood, Siberian Elm, Female Ginkgo, Silver Maple, Norway Maple, Russian olive, and Buckthorn.

(b) These following trees shall not be used within 20 feet of the street edge: aspen, apple, black locust, black walnut, butternut, catalpa, cherry, Douglas fir, fir, juniper, larch, mulberry, plum, poplar, spruce, willow and yew.

(5) *Sod.* Sod shall be used in boulevard areas rather than seed to establish turf grass.

(F) *Tree and woodland protection.*

(1) Natural forest and woodland areas shall be preserved to the extent practical, and substantial tree stands shall be incorporated into site development as feasible. Treed locations shall not be clear-cut if selective cutting and grading can be used to protect and preserve portions of the forest. The land developer shall demonstrate that no practical alternative exists to removing existing trees from a site. Credit may be given for certain trees that are preserved, and additional trees may be required in place of major trees that are removed.

(2) *Tree inventory and protection required.* If requested by the Community Development Department, the applicant shall submit a tree survey prepared by an arborist or land surveyor. All trees with a diameter of 12 inches or more shall be retained to the extent practical.

(3) *Credit towards landscape requirements.* Protected trees may be used to offset the number of required new overstory trees on a one-to-one basis provided that the protected trees meet the requirements for new plantings.

(4) *Removal and replacement of protected trees.* If any trees with a diameter of 12 inches or greater are removed, they shall be replaced with new trees that meet the minimum size requirement at the rate of one new tree for each tree removed. Replacement trees shall be in addition to the normally required number of overstory trees.

(5) *Tree protection during construction.* All protected trees shall be fenced before grading or excavation begins. Encroachments into the root zones of protected trees shall be avoided.

(6) *Exemptions.* The following tree removal activities are exempt from the standards of this section:

- (a) Removing trees that are dead or dying based on an inspection by an arborist;
- (b) Removing of trees that are determined by the City Engineer to be an immediate nuisance or threat to an existing structure, underground utility or to the public health, safety, or welfare; and
- (c) Removal by the city or its authorized agent of trees on city or publicly-owned land or in public rights-of-way in accordance with this subchapter to complete street improvement projects.



(G) *Maintenance required.* Required plantings shall be maintained in a healthy condition in perpetuity. Dead or diseased plants shall be replaced.

(H) *General site landscaping.*

(1) *Landscape elements.* Landscape design may include existing trees or shrubs that are in good condition, turf grass, ground cover plants, overstory trees, ornamental trees, shrubs, perennials, flowers, ornamental grasses, berms, walls and fences. Each site shall include a combination of coniferous and deciduous plants and a combination of trees and shrubs. Overstory trees may be either deciduous or coniferous.

(2) *Areas of the site to be landscaped.*

(a) All parts of each site that are not occupied by parking, patios, driveways or other hardscape shall be planted with at least turf grass or ground cover plants. These locations include:

1. Required setback spaces that abut a public street;
2. Required setback spaces along a side yard between the front lot line and the building;
3. Required setback spaces that abut a different type of land use (e.g., commercial versus residential); and
4. All islands in parking lots.

(b) No landscaped area may be used for parking vehicles or the storage or display of materials, supplies or merchandise.

(3) *Priority of locations for plantings.* The priority for the locations to be planted with trees and shrubs is:

- (a) Site edges that abut a differing type or intensity of land use; refer to division (J), below for how to plant such locations;
- (b) The space between the public street right-of-way and the parking lot or building;
- (c) The setback along an interior or rear lot line; and
- (d) Islands or peninsulas in commercial or residential parking lots.

(4) *Minimum number of overstory trees required along public streets.*

**Table 15-2: Minimum Number of Overstory or Ornamental Trees Required**

<i>Type of Land Use</i>	<i>Minimum Number of Trees Required per 100 Linear Feet of Public Street Edge</i>
Multiple-family residential development	3.0
Commercial development	3.0
<b>Business park (I-1 District)</b>	<b>3.0</b>
<b>General industrial (I-2 District)</b>	<b>2.0</b>

These required trees shall be planted between the front property line and the building setback line and shall be supplemented with shrubs at the rate shown in Table 15-3, below. Additional overstory or ornamental trees may be needed along other property line or within parking lots to meet the requirements of this section.

(5) *Minimum number of shrubs required along public streets.*

**Table 15-3: Minimum Number of Shrubs Required**

<i>Type of Land Use</i>	<i>Minimum Number of Shrubs Required per 100 Linear Feet of Public Street Edge</i>
Multiple-family residential development	20
Commercial development	15
<b>Business park (I-1 District)</b>	<b>12</b>
<b>General industrial (I-2 District)</b>	<b>0</b>

These required shrubs shall be planted between the front property line and the building setback line. Additional perennials or annuals may be needed along other property line or within parking lots to meet the requirements of this section.

(I) *Parking lot screening.* The following requirements for the setback areas and interior portions of parking lots complement the general site landscaping requirements shown in division (H) of this section.

(1) *Perimeter landscaping requirements.* The views toward parking lots from public streets or residential areas shall be treated with plantings and, possibly, earthen berms, fences or other methods. The priority for planting locations shall be:

- (a) Parking lots adjacent to housing. See division (J) of this section, buffers between different zoning districts or land use intensities;
- (b) Between the public street right-of-way and the parking lot or the building. Refer to division (I)(2) of this section;
- (c) The interior of parking lots. Refer to division (I)(3) of this section; and
- (d) Other parking lot edges.

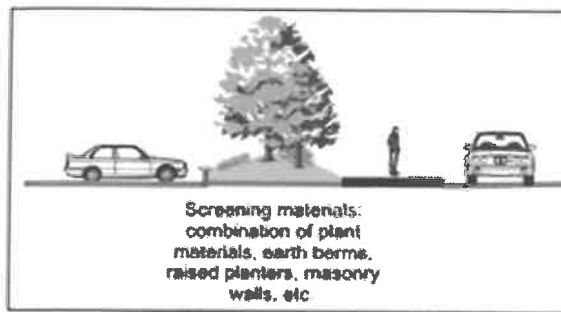
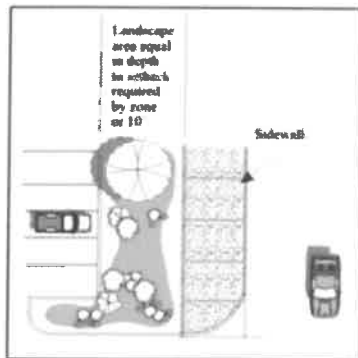
(2) *Parking lots adjacent to streets.*

(a) Any parking lot for a commercial, industrial, multiple-family residential, public or semi-public development adjacent to a public street shall have a minimum planting strip equal to the required setback along the street right-of-way;

(b) For residential, commercial, public or semi-public sites, the landscaping shall be designed to soften the views of parked cars from the street. In a traffic safety visibility triangle, mature shrubs or ornamental grasses shall not exceed 30 inches in height. This division does not apply to I-2 zone.

(c) Overstory trees (deciduous or coniferous) shall be provided at a minimum rate shown in Table 15-2, Number of Overstory Trees Required, above.

(d) Screening materials may include a combination of plants, berms, raised planters, masonry walls, or other screening devices that meet the intent of this requirement.

**Figure 15-1: Illustration of parking lot perimeter screening****Figure 15-1: Illustration of parking lot perimeter screening****Figure 15-2: Perimeter landscaping required between a parking lot and a street****Figure 15-2: Perimeter landscaping required between a parking lot and a street****(3) Islands in parking lots.**

(a) This division does not apply to the I-2 zone. Planted islands shall be used to demarcate driving aisles and to break up long rows of parking at the rate of one island for every 50 parking spaces. Landscaped islands shall have a minimum outer width of nine feet. Plantings in the islands shall consist of at least one overstory tree per island and rock mulch. Additional shrubs or other perennials may be included at the discretion of the owner to enhance appearances.

**(J) Landscaping between different zoning districts or land use intensities.**

(1) The plantings required in this division are in addition to plantings required in division (H) of this section, general site landscaping.

(2) New developments shall provide a landscaped buffer between differing zoning districts or land uses of significantly different intensity (i.e. low density and high density, residential and commercial, residential and industrial, commercial and industrial, public/semi-public and residential, and the like). The buffer shall have the width as provided in Table 15-1 and number of plantings as provided in Table 15-2.

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(3) No structure shall be permitted within a required buffer other than a wall, fence, or earth berm. Parking areas and driveways shall not encroach upon buffer areas. Note that the width of the required transition buffer may exceed the width of the normal minimum required parking or building setback.

**Table 15-4: Minimum Width and Treatment of Required Buffer Areas**

	Proposed Use in this Zoning District			
	R-1 or R-2 District, a School or a Public Park	R-3 or R-4 District	Any B District	Any I District
Adjacent to:				
R-1 or R-2 District, a school or a public park Landscape standard	--	15' B	25' C	40' D
R-3 or R-4 District Landscape Standard	15' B	--	20' C	40' D

Any B District Landscape Standard	25' C	20' C	--	15' B
Any I District Landscape Standard	40' D	40' D	15' B	--

(4) *Minimum planting requirements.*

(a) For every 100 lineal feet of a required buffer area between differing types of land uses or intensities, the following cumulative number of plants shall be provided.

**Table 15-5: Minimum Planting Requirements**

<b>Required Buffer Area</b>	<b>Overstory Trees (Deciduous and Coniferous) per 100 lineal feet of buffer</b>	<b>Plus Ornamental Trees per 100 lineal feet of buffer</b>	<b>Plus Shrubs per 100 lineal feet of buffer</b>
A	2	0	0
B	3	2	4
C	4	4	10
D	6	6	12

(b) The buffer requirement may be reduced one step (not lower than A) if:

1. If there is a public street between differing zoning districts.
2. The property owner on the opposite side of the buffer line has already installed a transition buffer that meets these requirements.

(c) The buffer requirement may be reduced two steps (not lower than A) if a berm and/or an opaque fence or wall totaling at least six feet tall is used. In that case, any required shrubs shall be placed on the outer side of the fence or wall with the intent of softening the barrier.

(K) *Screening of storage, loading or trash collection areas.*

(1) *Intent and applicability.* In addition to the other planting requirements in this sub-section, screening shall be required in all districts to shield the view to certain site elements from either off-site or on-site locations.

(2) *Items to be screened.*

(a) The following areas shall be screened from view from the public street or from nearby housing:

1. Trash and recycling areas;
2. Loading and truck service areas; and
3. Outdoor storage areas.

(b) It is not the intention of this code to require visual screening of these items in the I-2, General Industrial District, from views between industrial sites.

(3) *Methods of screening.*

(a) All items to be screened shall be provided with a visual screen consisting of fences, walls, gates, berms, approved plants or some combination of those elements.

(b) Fences or walls shall be compatible with the architectural materials and patterns of the principal structure.

(c) Truck dock doors on new (future) buildings shall face away from the public street. Wing walls shall be used to screen the view from the public street of truck docks that are on a wall that is perpendicular to the street.

(d) Outdoor storage of goods or materials shall be screened from view from the public street or from housing by a fence or wall at least six feet tall and 90% opaque. Plantings in the foreground shall be used to soften the appearance of the fence or wall.

(L) *Fences and walls.*

(1) *Construction and maintenance, generally.*

(a) Every fence or wall shall be constructed in a substantial, workmanlike manner and of substantial material reasonably suited for the purpose for which the fence is proposed to be used.

(b) Every fence or wall shall be maintained in a condition of reasonable repair and shall not be allowed to become and remain in a condition of disrepair or danger, or constitute a nuisance, public or private. Any such fence which is, or has become dangerous to the public safety, health or welfare, is a public nuisance and the Zoning Administrator shall commence proper proceedings for the abatement thereof.

(c) Chain link fences, wherever permitted, shall be constructed in such a manner that no barbed ends shall be at the top except in industrial districts, or on public property for security purposes.

(d) That side of the fence considered to be the face (the side opposite the post) shall face abutting property, except for farm fences.

(e) No person shall construct or erect any electrical or barbed wire fence, except for Essential Services for which security is imperative or to contain intensively used facilities for raising animals.

(f) No person shall construct a fence topped with razor wire without a conditional use permit, except the federal prison or essential services for which security is imperative.

(g) No fence shall be installed in a location which would prevent a fire hydrant from being immediately discernible or in any manner deter or hinder the Fire Department from gaining immediate access thereto.

(h) In those instances where a fence exists as an enclosure which restricts access from the front to the rear yard, a gate, identifiable collapsible section, or other such means of recognizable ingress shall be unobstructed and a minimum of three feet in width. The location of such ingress points shall be positioned at any point paralleling the front lot lines, between the side lot property line and the principal structure.

(i) All fences shall be constructed on or inside the boundary of the subject property, and not in the public right of way. There is no setback requirement for fences.

(2) Residential district fences or walls.

- (a) On properties zoned residential and not a farm, no fence shall be erected or maintained more than six feet in height.
- (b) No fence shall be erected in any front or corner side yard, to a height in excess of four feet.
- (c) On corner lots in all districts, no fence or planting in excess of 30 inches above the street center line grade shall be permitted within a traffic sight triangle.
- (d) If a rear lot line is shared with the side lot line of an abutting lot, that portion of the rear lot line equal to the front setback of the house on the abutting lot shall not be fenced to a height of more than four feet. If the abutting lot is undeveloped, the height of the rear lot fence shall be reduced at the normal front setback line.

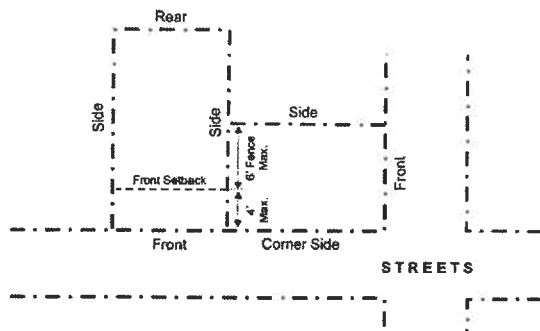


Figure 15-3: Fence height limitations where a rear lot line abuts a side lot line

- (e) Chain link fences that enclose tennis courts shall not exceed ten feet in height.

(3) Non-residential district fences.

- (a) Fences over six feet tall shall require a building permit.
- (b) Boundary line fences abutting residential districts shall conform to those conditions applying to the residential district.
- (c) Fences for special purposes and fences differing in construction, height, or length may be permitted in any non-residential district by issuance of a building permit from the Community Development Department. Findings shall be made that the fence is necessary to protect, buffer, or improve the premises for which the fence is intended.
- (4) Seasonal/snow fencing. The allowed duration for putting up a seasonal or snow fence is between November 1 and March 31 of every year.

(Ord. 1040, passed 1-5-16; Am. Ord. 1098, passed 9-21-21)

	Outdoor Storage Permitted or Conditional	Limit on percentage of lot?	Location for outdoor storage	Screening requirements
<b>Norwood Young America</b>	Conditional	No	500' from state & federal roads 100' from city streets	Fully screened from adjacent developments & public streets
<b>Long Lake</b>	Permitted	50%	Must be located to rear of principal structure. Allowed on rear half of lot if no building present.	Must be enclosed by screening fence, 8' max
<b>Orono</b>	Conditional	No	Cannot be within any front yard or side yard abutting a public ROW. 5 foot setback from all side and rear lot lines and not be within any easements	Screened and landscaped from adjacent residential uses and public ROW
<b>Mound</b>	Permitted? Not mentioned in code	N/A	N/A	N/A
<b>Wayzata</b>	Conditional	No	None	Screened from neighboring uses and abutting R districts, public ROW
<b>Excelsior</b>	Not permitted (no industrial district)	N/A	N/A	N/A
<b>Victoria</b>	Only permitted outdoor storage is contractor supply yard	No	None	Min 8 foot opaque fence
<b>Medina</b>	Permitted on lots larger than 5 acres, some uses do not permit storage	20% of the footprint of building	Rear of building	Screened from view