

**CITY OF NEWPORT  
ORDINANCE 2016-9**

**AN ORDINANCE OF THE CITY OF NEWPORT, MINNESOTA, AMENDING THE ZONING CODE,  
SECTIONS 1330 GENERAL DISTRICT REGULATIONS AND 1350 NONRESIDENTIAL DISTRICTS  
AND AMENDING THE ZONING MAP**

THE CITY COUNCIL OF THE CITY OF NEWPORT, MINNESOTA, HEREBY ORDAINS THAT:

**Section 1330 General District Regulations**

**1330.01 District Classification.**

In order to implement the Comprehensive Plan and achieve an orderly development pattern that protects the health, safety, and general welfare of the City of Newport, its residents, and business community, and minimizes development impacts on the environment, the city is hereby divided into the following zoning districts:

**1330.01.1 Residential Districts**

- RE Residential Estate
- R-1A River Residential District
- R-1 Low Density Single Family Residential District
- R-2 Medium Density Residential District
- R-3 High Density Residential District

**1330.01.2 Nonresidential Districts**

- B-1 Business Park/Office/Warehouse
- B-2 General Business
- I-1 Light Industrial District
- I-2 General Industrial District
- I-S Industrial Storage District

**1330.01.3 Mixed Use Districts**

- MX-1 Downtown Mixed Use District
- MX-2 Commercial Mixed Use District
- MX-3 Transit-Oriented Mixed Use District
- MX-4 General Mixed Use District
- MX-5 Mixed Use Buffer District

**1330.01.4 Planned Unit Developments (PUD)**

**1330.01.5 Special Overlay Districts**

- Shoreland Management District
- Critical Area Overlay District
- Flood Plain Management District
  - Floodway
  - Floodfringe
- Bluffland Area Overlay District
- Conservation Residential Overlay District
- River Redevelopment Overlay District

## Section 1350 Nonresidential Districts

**1350.01 Scope.**

**1350.02 Purpose of Business Districts.**

**1350.03 Specific intent of the Business Park/Office/Warehouse District.**

**1350.04 Specific intent of the General Business District**

**1350.05 Purpose of the Industrial Districts.**

**1350.06 Specific intent of the I-1 Light Industrial District.**

**1350.07 Specific intent of the I-2 General Industrial District.**

**1350.08 Specific intent of the I-S Industrial Storage District.**

**1350.09 Purpose of the Mixed-Use Districts.**

**1350.10 Specific intent of the MX-1 Downtown District.**

**1350.11 Specific intent of the MX-2 Commercial District.**

**1350.12 Specific intent of the MX-3 Transit-Oriented Mixed Use District**

**1350.13 Specific intent of the MX-4 General Mixed Use District**

The specific intent of the MX-General Mixed Use District is to provide for a mix of residential and commercial uses that provide for a long-term transition from the auto-oriented uses that exist in the district based on past frontage on Highway 61, to uses that are compatible with adjacent residential and mixed use districts. The City anticipates that commercial uses will cluster on and near Hastings Avenue and the Glen Road interchange, and that over the long-term, residential densities may increase in this zone.

**1350.14 Specific intent of the MX-5 (Mixed Use Buffer District)**

The specific intent of the MX-5 (Mixed Use Buffer District) is to provide for a mix of residential, commercial, and office uses that provide a transition area and buffer between industrial uses and nearby residential and mixed-use districts. The uses in the district must be compatible with nearby residential and mixed-use districts and district regulations include setbacks to improve compatibility with adjacent districts.

**1350.15 Dimensional Requirements for lots and structures in non-residential districts**

### A. Non-residential district requirements

Requirements	MX-1	MX-2	MX-3	MX-4	MX-5	B-1 and B-2	I-1	I-2	I-S
Minimum lot area in square feet	2,400	4,000	None	2,400	4,000	15,000	30,000	30,000	30,000
Minimum lot depth in feet	80	100	None	80	100	150	200	200	200
Minimum lot width in feet	30	40	30	30	40	100	100	100	100
Maximum lot coverage	80%	75%	75%	75%	75%	75%	75%	75%	75%
Maximum lot coverage by all impervious surfaces (%)— Single-Family residential uses	35%	35%	35%	35%	35%	NA	NA	NA	NA
<i>Structure setback standards***</i>									
Minimum front yard setback	0	10**	0	0	10	20	20	20	50



\*Maximum height may be increased upon issuance of a Conditional Use Permit. The setback requirements for increases in height adjacent to single-family residential uses included in this chapter apply.

\*\* See section 1300.08 Exceptions to Front Yard Setbacks

\*\*\*Structure setbacks for the MX-1 and MX-2 are as noted by the dimensional provisions unless otherwise specifically approved in a development plan as outlined in a Planned Unit Development.

B. Additional MX-3 District standards. The following requirements apply to all buildings or uses in an MX-3 District, unless otherwise specified:

Height and Setbacks	Residential Townhouse	Residential Apt., Condo, Cooperative	Mixed-Use Building	Commercial, Civic, not in mixed-use building
Height	3 stories or 35 feet, whichever is less	2 stories minimum, 4 stories maximum*	2 stories minimum, 4 stories maximum*	No minimum, 4 stories or 40 feet maximum
Setbacks	Front: Maximum of 15 feet Side: 10 feet Rear: 15 feet	Front: Maximum of 15 feet Side: 10 feet Rear: 15 feet	Front: Maximum of 15 feet Side: 10 feet Rear: none required	Front: Maximum of 8 feet Side: 10 feet Rear: None required

\*Maximum height may be increased upon issuance of a Conditional Use Permit. Single-story buildings shall have a foot print of no more than 15,000 square feet.

C. Densities in the MX-3 District

- 1) The maximum residential density in the MX-3 District shall be 50 units per acre.
- 2) The minimum residential density in the MX-3 District shall be 30 units per acre.
- 3) The minimum net FAR (Floor Area Ratio) for residential and non-residential uses shall be .5 FAR.

D. Additional requirements in the MX-5 District

- 1) All non-residential uses in the MX-5 district, except park and open space uses, shall be setback from the common boundary with Residential Zoning districts and from existing residential uses in the MX-5 district by a minimum of 300 feet.

### 1350.16 Uses in the Non-Residential Districts

A. Mixed Use Districts Uses

P=Permitted Use; C=Permitted with a Conditional Use Permit; N=Not Permitted; PUD=Permitted with a Planned Unit Development, sf=square feet

Use	MX-1	MX-2	MX-3	MX-4	MX-5
<b>Residential Uses</b>					
Single-family detached, one dwelling per lot	P	P	N	P	P
Single-family detached, more than one dwelling per lot	PUD	PUD	N	PUD	PUD
Two-family residences	P	P	N	P	P
Townhouse, rowhouse	P	P	P	P	P
Manufactured single-family dwelling	P	P	N	P	P
Mobile homes	N	N	N	N	N

Use	MX-1	MX-2	MX-3	MX-4	MX-5
Multi-Family, condos, apartments and cooperatives	P	P	P—less than 8 units; C—8 or more units	P	P
Congregate housing for senior populations	P	P	P	P	P
Homes for handicapped or infirm including group homes or halfway houses but not containing more than 6 unrelated persons	P	P	P	P	P
Mixed-Use (dwelling unit above ground floor)	P	P	P	P	P
Live-work building	C	C	C	C	C
PUD	PUD	PUD	PUD	PUD	PUD
<b>Civic and Semi-Public Uses</b>					
Day Care Facilities in Single Family Homes with 14 or fewer children being attended to	P	P	N	P	N
Day Care Facilities in Single Family Homes with more than 14 children being attended to	C	C	N	C	N
Day Care Facilities	C	C	C	C	N
Day Care Facilities in a mixed-use building	P	P	P	P	N
Essential services/public utilities	P	P	P	P	P
Funeral Home	C	C	C	C	N
Hospitals	C	C	C	C	N
Military reserve, national guard centers	C	N	N	N	N
Park and public recreation facilities	P	P	P	P	P
Parking Garage (as a principal use)	C	N	C	N	C
Parking Lot, Surface (as a Use)	C	N	N	N	N
Penal/correctional facilities	N	N	N	N	N
Place of worship and associated facilities, except schools	C	C	C	C	C
Public Facilities including government offices, emergency services facilities, public works facilities, schools, libraries, museums, post offices and other municipally owned or operated facilities	C	C	C—50,000 sq ft maximum	C	C
Schools – trade, college, vocational, and associated facilities	C	C	C—50,000 sq ft maximum	C	N
Schools for business, trade, dancing, music	C	C	C	C	N
Social and fraternal clubs and lodges, union halls	P	P	C—10,000 sq ft maximum	P	C
Transit stations and related parking facilities	C	C	C	C	N
<b>Commercial Uses</b>					
Administrative support services	P	P	P	P	P
Adult Uses	N	N	N	N	N
Animal boarding, grooming, veterinary clinics, retail sales	C	C	C—10,000 sq ft maximum	C	C—10,000 sq ft max
Artist studios	P	P	P	P	N
Auto body repair and major auto repair, towing services	C	N	N	N	N
Automotive services, car specialty services (not including body repair or major repair)	C	C	C—Maximum 4	C	N

Use	MX-1	MX-2	MX-3	MX-4	MX-5
			repair bays		
Bakeries, delicatessens, coffee shops	P	P	P	P	N
Bakeries, wholesale	P	C	C	C	N
Bed and Breakfast	P	P	N	P	P
Biotechnology	P	P	P	P	P
Brew on premises store	P	P	P 10,000 sf maximum	P	N
Brewery, craft	P/C*	P/C*	P/C*	P/C*	N
Building materials and services	C	N	N	N	N
Catalog and mail order	P	P	P	P	N
Conference Center, 50,000 square feet or less	C	C	C	C	C
Convenience stores	P	P	P	P	C
Data centers	C	C	C	C	C
Entertainment/amusement halls, bowling alley, indoor skating rink	P	P	C	C	N
Fabrication of apparel, leather products and other products from prepared products	P	C	P	C	N
Fabrication of office and computer equipment	P	P	P	P	N
Financial services	P	P	P	P	N
Fitness and recreation centers, in a mixed-use building	C	C	C	C	N
Gas, diesel or other motor fuel retail sales	C	C	N	C	C
Grocery and produce sales	C	C	C—50,000 sq ft maximum	C	N
Industrial Buffer	N	N	N	N	
Internet publishing and broadcasting	P	P	P	P	N
Medical, dental, or veterinary clinics and laboratories	C	C	C—10,000 sq ft maximum	C	N
Medical appliance assembly	P	P	P	P	N
Motion picture and sound recording industries	C	C	C	C	N
Offices – general, medical, professional, free-standing, or mixed-use building	P	P	P—to 10,000 sq ft; C—larger than 10,000 sq ft	P	P
Printing, publishing, bookbinding, blueprinting	C	C	C	C	N
Processing and packaging of drugs, pharmaceuticals, perfumes and cosmetics	C	C	P	C	N
Retail and service establishments, free-standing, or mixed-use building	P	P	P—to 10,000 sq ft; C—10,000 to 50,000 sq ft maximum	P	P—to 10,000 sq ft; C—to 50,000 sq ft
Research, development and testing laboratory	C	C	C	C	C
Restaurants, including open air or sidewalk cafes, freestanding or in mixed-use buildings—no liquor served	P	P	P	P	N

Use	MX-1	MX-2	MX-3	MX-4	MX-5
Restaurants, including open air or sidewalk cafes, freestanding or in mixed-use buildings—liquor served, including a small brewery or winery as an accessory use	C	C	C	C	N
Restaurants with drive-through service	C	C	C	C	N
Service businesses, such as beauty shops, barbershops, dry-cleaning, drop-off/pickup (no on-site processing) in mixed-use buildings	P	P	P	P	P
Small scale manufacturing and artisans	P	P	P—5,000 sq ft or less; C—5,000 to 10,000 sq ft	P	P
Theaters (with structured parking)	P	P	P	P	N
Theaters	C	C	C	C	N
Towing services (no outside storage of vehicles)	P	C	P	C	C
Vehicle sales, display and service	C	N	N	N	N
Vehicle Storage Lot	N	N	N	N	C
Warehousing as a primary use	N	N	N	N	C
<b>Accessory Uses</b>					
Drive up facilities	C	C	C	C	C
Gazebo, arbor, play equipment in public or private open space area	P	P	P	P	P
Outdoor sales, in conjunction with permitted use	C	C	N	C	N
Renewable energy system	P	P	P	P	P
Rental of vehicles (with limited outside storage)	C	C	C	C	N
Parking lot, as an accessory use	C	C	C	C	C
Swimming Pool	P	P	P	P	N

- Brewery, Craft—in MX Districts, a conditional use permit is required for one or both of the following:
  - a. A Craft Brewery with more than fifteen thousand (15,000) square feet of floor area to ensure size and design compatibility with the particular location.
  - b. A Craft Brewery that manufactures more than five thousand (5,000) barrels of malt liquor a year in order to ensure operational and design compatibility with the particular location.

**B. Business and Industrial District Uses**

P=Permitted Use; C=Permitted with a Conditional Use Permit; N=Not Permitted, sf=square feet

Use	B-1	B-2	I-1	I-2	I-S
<b>Civic and Public Uses</b>					
Airports	N	N	C	C	N
Cemetery and/or crematorium	C	N	N	N	N
Day care centers	C	C	C	C	C
Day care centers in a mixed-use building	P	P	C	C	C
Essential services/public utilities	P	P	P	P	P
Funeral Home	P	P	N	N	N
Hospitals	C	C	N	N	N
Medical Clinics	P	P	N	N	N
Military reserve, national guard centers	C	C	N	N	N
Park and public recreation facilities	P	P	P	P	P

Use	B-1	B-2	I-1	I-2	I-S
Parking Garage (as a principal use)	C	C	N	N	N
Parking Lot, Surface (as a principal use)	N	C	P	P	P
Penal/correctional facilities	N	N	C	C	N
Place of worship and associated facilities, except schools	P	P	N	N	N
Post Office	P	P	N	N	N
Public Facilities including government offices, emergency services facilities, public works facilities, schools, libraries, museums, and other municipally owned or operated facilities	C	C	C	C	C
Sanitary landfill	N	N	C	C	N
Schools-trade, college, vocational, and associated facilities	P	P	C	N	N
Schools for business, trade, dancing, music	C	C	C	N	N
Social, Fraternal clubs and lodges, union halls	P	P	N	N	N
Transit stations and related parking facilities	C	C	N	N	N
<b>Commercial Uses</b>					
Adult uses (bookstore, theater, nightclub, nude or partially nude dancing)	N	N	N	C	C
Animal boarding, grooming, retail sales	N	C	N	N	N
Auto painting and body work	N	N	C	N	N
Auto storage	N	C	C	P	C
Bakery, wholesale	N	C	N	N	N
Biotechnology businesses	C	C	N	N	N
Brewery, craft	P	P	P	N	N
Building materials and services	N	C	N	N	N
Commercial greenhouse operations	C	C	P	N	N
Convenience stores	P	P	N	N	N
Data centers	N	C	N	N	N
Distillery, craft	P	P	P	N	N
Fabrication of apparel, leather products and products from prepared products	N	P	N	N	N
Fabrication of office and computer equipment	N	P	N	N	N
Gas, diesel or other motor fuel retail sales	P	P	N	N	N
Hotels, motels	P	P	N	N	N
Industrial Buffer	N	N	P	P	P
Medical, dental or veterinary clinics and laboratories	N	C	N	N	N
Printing, publishing, bookbinding, blueprinting	N	C	N	N	N
Processing and packaging of drugs, pharmaceuticals, perfumes and cosmetics	N	C	N	N	N
Restaurants, traditional or liquor served; bar and grill	P	P	N	N	N
Salvage yards (auto or scrap iron)	N	N	N	P	N
Small brewery or winery as an accessory use to a bar or restaurant	P	P	P	N	N
Storage, mini-storage, cold-storage	N	N	N	N	P
Vehicle Sales, display and Service	N	C	N	N	N
Vehicle Storage Lot	N	C	N	N	N
Veterinary clinic, animal hospital	C	C	P	N	N
Wholesale sales	P	P	N	N	N
Winery, craft	P	P	P	N	N

Use	B-1	B-2	I-1	I-2	I-S
<b>Warehouse and Industrial Uses</b>					
Manufacturing	C	C	P	P	N
Micro- and regional brewery	N	P	P	N	N
Retail sale, installation and remanufacturing of vehicle parts and accessories	N	N	P	N	N
Storage and distribution of bulk petroleum products, oil and gasoline	N	N	N	N	C
Storage, mini-storage, cold storage	N	N	N	N	P
Warehousing	C	C	P	P	N
<b>Accessory Uses</b>					
Outdoor sales, in conjunction with a permitted use	N	C	N	N	N
Renewable energy system	P	P	P	P	P
Parking lot, as an accessory use	P	P	P	P	P

**1350.17 Administrative Procedure for Re-Zoning in the Non-residential Districts**

**1350.18 Administrative Procedure for Site Plan Review in the Non-residential Districts and Additional Procedures for Development in the MX-3 District**

**1350.19 Performance Standards for Non-residential Districts**

**1350.20 Additional Performance Standards for the MX-3 District**

The foregoing Ordinance was moved by Councilmember Sumner and seconded by Councilmember Ingenman.

The following Councilmembers voted in the affirmative: Geraghty, Ingenman, Sumner, Rahm, Lund

The following Councilmembers voted in the negative:

**Effective Date**

This Ordinance becomes effective upon its passage and publication according to law.

Adopted by the City Council of the City of Newport, Minnesota on the 3rd day of November, 2016.

Signed: Timothy Geraghty  
Tim Geraghty, Mayor

Attest: Deb Hill  
Deb Hill, City Administrator