



**City of Newport
Planning Commission Minutes
April 12, 2012**

1. CALL TO ORDER

Chairperson Lindoo called the meeting to order at 7:24 P.M.

2. ROLL CALL -

Commissioners present – Susan Lindoo, Dan Lund, Katy McElwee-Stevens, Matt Prestegaard

Commissioners absent – Janice Anderson,

Also present – Brian Anderson, City Administrator; Renee Helm, Executive Analyst;

3. APPROVAL OF PLANNING COMMISSION MINUTES

A. Planning Commission Minutes of March 8, 2012

Motion by Prestegaard, seconded by McElwee-Stevens, to approve the March 8, 2012 minutes as presented. With 4 Ayes, 0 Nays, 1 Absent, the motion carried.

4. APPOINTMENTS WITH COMMISSION

A. Discuss Allowable Fence Materials

Executive Analyst Helm presented on this item as outlined in the April 12, 2012 Planning Commission meeting. Executive Analyst Helm updated the draft ordinance regulating allowable fence materials from the March 8, 2012 Planning Commission meeting by adding language that allows for fences to be constructed of the following materials:

- Treated wood, cedar, or redwood
- Simulated wood
- Decorative brick or stone
- Wrought iron or aluminum designed to simulate wrought iron
- Coated or non-coated chain link
- Split rail
- Welded Wire – Only allowed in the RE District and in backyards
- Snow Fences - Only allowed in the RE District between November 1 and April 15

It was requested that the language regarding welded wire be amended to include the following:

- Language identifying where the rear yard begins
- Language allowing welded wire in the front yard of RE properties for small enclosures to protect vegetation

The amended ordinance will be brought forward at the May Planning Commission meeting for a public hearing.

B. Discuss the Keeping of Chickens and Honeybees

Executive Analyst Helm presented on this item as outlined in the April 12, 2012 Planning Commission meeting. At the March 8, 2012 Planning Commission meeting it was requested that staff research the keeping of chickens in R1, R1-A, and RE Districts. Currently residents in the RE Districts are allowed to keep chickens as farm animals. City staff provided the Planning Commission with a draft ordinance that allows for the keeping of chickens on any single-family residential property in the R1, R1-A, RE, or MX-1 Districts.

Executive Analyst Helm moved through the draft ordinance. It was requested that the following changes be made in regards to the keeping of chickens:

- **Definitions:** Add language to require roofs under the definitions of “Chicken Coop” and “Chicken Run”
- Remove the following language “The slaughtering of chickens is prohibited within the City” from the ordinance
- **Size:** Change the language regarding size to have a minimum of 5-10 square feet per chicken and maximum of 40 square feet for chicken coops and 80 square feet for chicken runs.

Executive Analyst Helm also went through the requested changes to the ordinance in regards to the keeping of honeybees.

Tony Mahmood, 822 High Street – I’ve been researching the keeping of honeybees and chickens as well. It sounds like the regulations right now don’t allow me to keep honeybees on my property because I don’t meet the setback requirements. I know that if I’m allowed to keep honeybees, I do need to go to the U of M to take a class on how to raise honeybees. I know that you need to have shrubs or a fence around the hives so that the bees aren’t coming straight into the hive and instead have to come in at an angle.

It was requested that staff conduct further research in regards to the keeping of honeybees to determine if there are state mandates in regards to the keeping of honeybees such as required training for property owners, colony density, and setbacks. It was also requested that the following be amended:

- **Written Consent** – Applicants must receive written consent from **occupied** property owners within 250 feet from the hive.
- **Colony Density** – Change the radius in 6.c from 200 feet to 250 feet to be consistent with written consent requirement.

This will be brought back to the Planning Commission at a future meeting.

C. Discuss Coal Tar-Based Sealants for Driveways

Executive Analyst Helm presented on this item as outlined in the April 12, 2012 Planning Commission meeting. It was requested that City staff research the possibility of banning coal tar-based sealants for asphalt driveways due to the negative impact it has on bodies of water, specifically stormwater ponds. Coal tar sealant products contain polycyclic aromatic hydrocarbons (PAHs), which are a group of organic chemicals formed during the incomplete burning of coal, oil, gas, or other organic substances. Scientific studies have shown that these products are a primary source of contaminants in bodies of water.

Executive Analyst Helm moved through the draft ordinance that was established by the Minnesota Pollution Control Agency. It was requested that the exemption clause be removed from the ordinance. It was also requested that staff research the difference between undiluted and diluted coal tar-based sealant products to see if there is information available to determine what an acceptable level of dilution for public safety is. This item will be brought forward at a future Planning Commission meeting for a public hearing.

5. COMMISSION AND STAFF REPORTS

Admin. Anderson – The City is submitting another grant application to DEED and Met Council for the Knauff site. There is a potential developer for the site. The Planning Commission will be reviewing a Joint Powers Agreement at the next meeting for the Red Rock Corridor between the City and the Housing Redevelopment Area. The City continues to work with the County and Stantec to develop the transit station. There is an EDA meeting after the April 19, 2012 City Council meeting. The EDA will be looking at a facade improvement application for the new Mastertech Auto store.

6. NEW BUSINESS

No new business

7. ANNOUNCEMENTS

A. Upcoming Meetings and Events:

- | | | |
|--------------------------------|----------------|-----------|
| 1. Comprehensive Plan Workshop | April 17, 2012 | 6:00 p.m. |
| 2. City Council Meeting | April 19, 2012 | 5:30 p.m. |
| 3. Park Board Meeting | April 26, 2012 | 7:00 p.m. |
| 4. City Council Meeting | May 3, 2012 | 5:30 p.m. |
| 5. Planning Commission Meeting | May 10, 2012 | 7:00 p.m. |

8. ADJOURNMENT

Motion by McElwee-Stevens, seconded by Prestegaard, to adjourn the Planning Commission Meeting at 8:28 P.M. With 4 Ayes, 0 Nays, 1 Absent, the motion carried.

Signed: _____
Susan Lindoo, Chairperson

Respectfully submitted,

Renee Helm
Executive Analyst



**City of Newport
Board of Appeals Minutes
April 19, 2012**

1. CALL TO ORDER

Chairperson Lindoo called the meeting to order at 5:04 P.M.

2. ROLL CALL -

Commissioners present – Susan Lindoo, Dan Lund, Janice Anderson, Katy McElwee-Stevens, Matt Prestegaard

Commissioners absent –

Also present – Brian Anderson, City Administrator; Renee Helm, Executive Analyst; Tom Ingemann, Council Liaison; Fritz Knaak, City Attorney

3. APPROVAL OF BOARD OF APPEALS MINUTES

A. Board of Appeals Minutes of April 12, 2012

Motion by Anderson, seconded by McElwee-Stevens to approve the Board of Appeals Minutes of April 12, 2012. With 5 Ayes, 0 Nays, the motion carried.

4. APPEAL FROM VEOLIA ENVIRONMENTAL SERVICES

A. Appeal of Denied Building Permit to Install a 15,000 Gallon Above-Ground Storage Tank at 1545 7th Avenue

Janice Anderson – I found a couple words that were repeated in number nine of the findings that Renee amended.

Motion by Anderson, seconded by McElwee-Stevens to approve the Findings of Fact and Determination as amended. With 5 Ayes, 0 Nays, the motion carried.

5. ADJOURNMENT

Motion by McElwee-Stevens, seconded by Anderson to adjourn the Board of Appeals meeting at 5:07. With 5 Ayes, 0 Nays, the motion carried.

Signed: _____
Susan Lindoo, Chairperson

Respectfully submitted,

Renee Helm
Executive Analyst



MEMO

TO: Newport Planning Commission
Brian Anderson, City Administrator

FROM: Renee Helm, Executive Analyst

DATE: May 1, 2012

SUBJECT: Red Rock Gateway Area

BACKGROUND

Over the last couple months, the Planning Commission has been discussing a draft zoning ordinance for the Red Rock Gateway area. Through the discussion, staff has established language for the Zoning Code to be included in Sections 1330, 1350, and 1370.09 for approval.

DISCUSSION

The Planning Commission will have a public hearing at its May 10, 2012 meeting to consider adding the attached language to the Zoning Code, Sections 1330 and 1350 and creating a new section 1370.09 River Redevelopment Overlay District. The proposed language adds regulations for the MX-3 Transit-Oriented Mixed Use District and the River Redevelopment Overlay District. Additionally, it cleans up the two sections.

RECOMMENDATION

It is recommended that the Planning Commission approve Resolution No. P.C. 2012-2 recommending that the City Council approve a zoning amendment to Chapter 1300, Section 1330 General District Regulations, Section 1350 Nonresidential Districts, and Section 1370.09 River Redevelopment Overlay District.

**South Washington County Bulletin/Woodbury Bulletin
AFFIDAVIT OF PUBLICATION**

STATE OF MINNESOTA)
)SS.
 COUNTY OF WASHINGTON)

Julie M. Klecker being duly sworn, on oath says that he/she is an authorized agent and employee of the publisher of the newspaper, known as *The South Washington County Bulletin and/or The Woodbury Bulletin*, and has full knowledge of the facts which are stated below:

(A) The newspaper has complied with all of the requirements constituting qualification as a legal newspaper, as provided by Minnesota Statutes 331A.02, 331A.07 and other applicable laws, as amended.

(B) The printed **CITY OF NEWPORT -- P.H. ZONING**

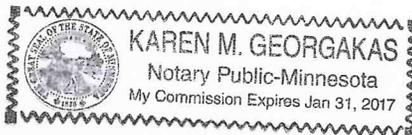
which is attached was cut from the columns of said newspaper, and was printed and published once each week for **1** successive weeks; it was first published on Wednesday, the **25th** day of **April**, 2012 and was thereafter printed and published on every Wednesday, to and including Wednesday, the **25th** day of **April**, 2012.

SOUTH WASHINGTON COUNTY BULLETIN
 AND/OR WOODBURY BULLETIN

BY: *Julie M. Klecker*
 TITLE: **Legal Notice Clerk**

Subscribed and sworn to before me on this **25th** DAY OF **April** **2012**

Karen M. Georgakas
 Notary Public



	Client #	255364
FEES:	Order #	1445956
File #		
Publication Fee	\$	94.92

**CITY OF NEWPORT
 PLANNING COMMISSION**

NOTICE OF PUBLIC HEARING TO CONSIDER AMENDMENTS TO THE ZONING CODE, INCLUDING THE FOLLOWING: CHAPTER 1300, SECTION 1330 GENERAL DISTRICT REGULATIONS, and SECTION 1350 NONRESIDENTIAL DISTRICTS, and TO CONSIDER AN ADDITION TO CHAPTER 1300 BY ADDING SECTION 1370.09 RIVER REDEVELOPMENT OVERLAY DISTRICT

Notice is hereby given that the Newport Planning Commission will hold a Public Hearing on Thursday, May 10, 2012, at 7:00 P.M. or as soon thereafter, in the City Hall Council Chambers at Newport City Hall, 596 7th Ave., Newport, MN, to consider amendments to the Zoning Code, including Chapter 1300, Section 1330 General District Regulations, and Section 1350 Nonresidential Districts, and to consider an addition to Chapter 1300 by adding Section 1370.09 River Redevelopment Overlay District. The amendments establish standards for the MX-3 District and the addition establishes an overlay district.

Information and copies of the proposed Amendments can be reviewed at Newport City Hall. The purpose of this hearing is to provide citizens the opportunity to comment on the Amendments either at, or in writing prior to, the Public Hearing.
 Dated this 18th day of April.

Brian Anderson
 City Administrator

Published in the Washington County Bulletin April 25, 2012

PLANNING COMMISSION
RESOLUTION NO. P.C. 2012-2

A RESOLUTION RECOMMENDING CITY COUNCIL APPROVE A ZONING AMENDMENT TO CHAPTER 1300, SECTION 1330 GENERAL DISTRICT REGULATIONS, AND SECTION 1350 NONRESIDENTIAL DISTRICTS, ADDING SECTION 1370.09 RIVER REDEVELOPMENT OVERLAY DISTRICT OF THE CITY OF NEWPORT CODE OF ORDINANCES AND AMENDING THE ZONING MAP.

WHEREAS, The City of Newport received a Livable Communities Grant for the implementation of the Red Rock Gateway Area; and

WHEREAS, part of the grant proposal includes developing zoning and land use language in the Zoning Code and amending the Zoning Map to include the Red Rock Gateway Area; and

WHEREAS, The Planning Commission held a public hearing on these Zoning Amendments and the amended Zoning Map at its regularly scheduled meeting of Thursday, May 10, 2012; and

NOW, THEREFORE, BE IT RESOLVED, That the Newport Planning Commission recommends Newport City Council approval of a Zoning Amendment to amend the present language found in *Chapter 1300, Section 1330 General District Regulations, Section 1350 Nonresidential Districts, and Section 1370.09 River Redevelopment Overlay District*, of the *Newport City Code of Ordinances*. They will read as follows:

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:

1330.01.3 Mixed Use Districts

- **MX-1 Downtown Mixed Use District**
- **MX-2 Commercial Mixed Use District**
- **MX-3 Transit-Oriented Mixed Use District**

1330.01.5 Special Overlay Districts

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

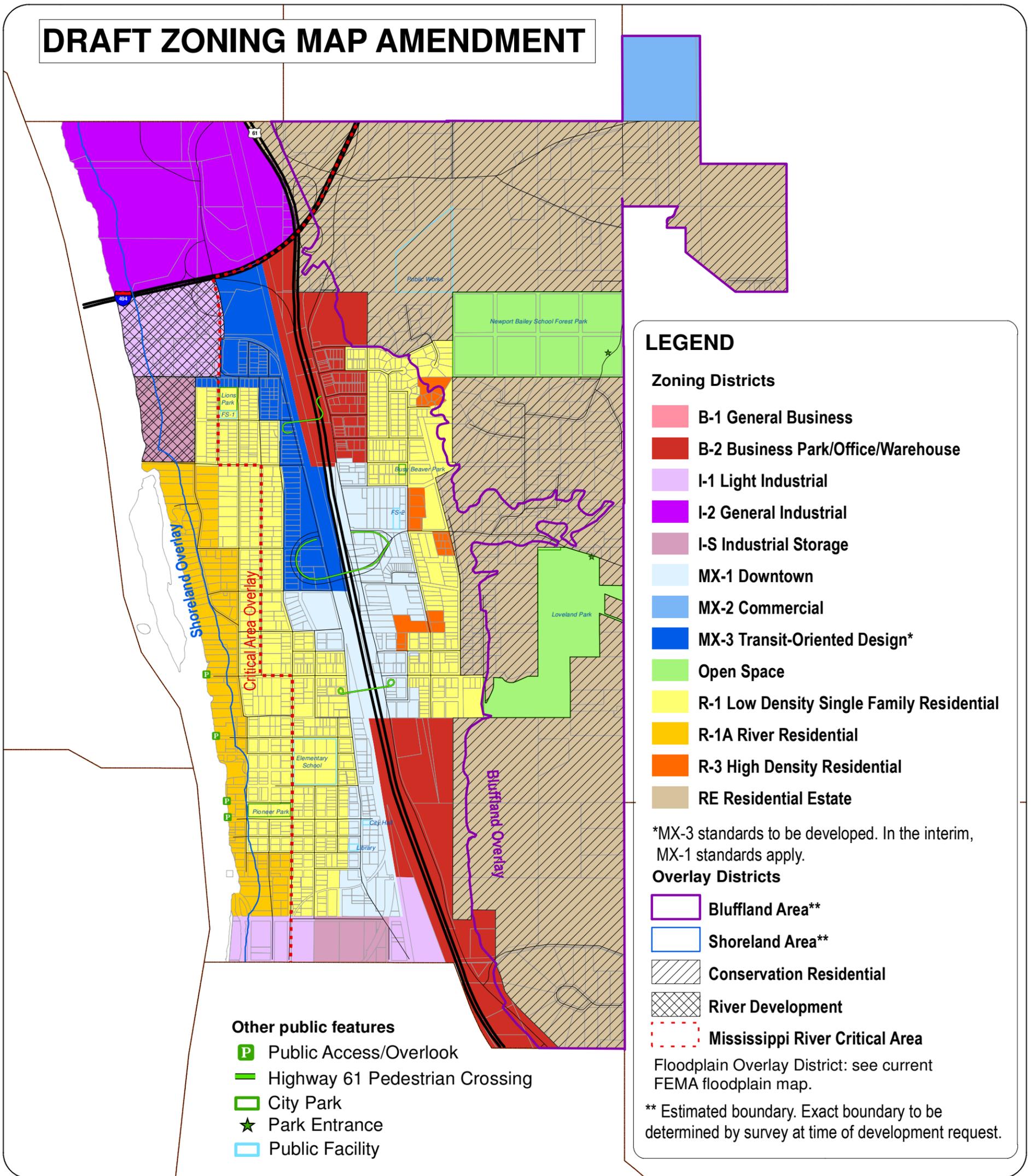
1330.02 Zoning Map

The location and boundaries of the districts established by this Chapter shall be hereby set forth in a map known as the "City of Newport Zoning Map" hereinafter referred to as the Zoning Map. The map and all notations, references, and data shown thereon are hereby incorporated by reference into this Chapter. It shall be the responsibility of the Zoning Administrator to maintain the Zoning Map, and amendments shall be recorded on the map within thirty (30) days after official publication of the amendments. The official zoning map shall be kept on file in the City hall.



City of Newport Zoning Map

DRAFT ZONING MAP AMENDMENT



LEGEND

Zoning Districts

- B-1 General Business
- B-2 Business Park/Office/Warehouse
- I-1 Light Industrial
- I-2 General Industrial
- I-S Industrial Storage
- MX-1 Downtown
- MX-2 Commercial
- MX-3 Transit-Oriented Design*
- Open Space
- R-1 Low Density Single Family Residential
- R-1A River Residential
- R-3 High Density Residential
- RE Residential Estate

*MX-3 standards to be developed. In the interim, MX-1 standards apply.

Overlay Districts

- Bluffland Area**
- Shoreland Area**
- Conservation Residential
- River Development
- Mississippi River Critical Area

Floodplain Overlay District: see current FEMA floodplain map.

** Estimated boundary. Exact boundary to be determined by survey at time of development request.

Other public features

- P Public Access/Overlook
- Highway 61 Pedestrian Crossing
- City Park
- ★ Park Entrance
- Public Facility

Data sources: City of Newport, Washington County, Metropolitan Council

Zoning Map Adopted TBD

Map printed March 20, 2012

TKDA

ENGINEERING • ARCHITECTURE • PLANNING

The right time. The right people. The right company.



2,000

Feet

Section 1330.04 Uses

Land Use Classification														NP Not Permitted P Permitted PUD Planned Unit Developments C Conditional Use Permit (CUP) required A Permitted Accessory Use CC Certificate of Compliance	
Land Use	Zoning District													Additional Use Regulations (See footnotes)	
	RE—Rural Estate	R-1A—River Residential	R-1—Low Density Single Family	R-2—Medium Density Residential	R-3—High Density Residential	B-1-General Business	B-2-Business Park/Office Wareh		I-1—Light Industrial	I-2—General Industrial	I-S—Industrial Storage	MX-1—Downtown Mixed Use	MX-2—Commercial Mixed Use		MX-3 – Transit-Oriented Mixed Use
Residential															
Single Family Detached, one dwelling per lot	P	P	P	P	P							P	P	Please see Section 1350.12 (B) for allowed uses in the MX-3 District	
Single Family Detached, more than one dwelling unit per lot	PUD	PUD	PUD	PUD	PUD							PUD	PUD		
Two Family residences				P	P							P	P		Includes townhomes
Multi-family (eight units or fewer per building)				C	P							P	P		Includes townhomes

Land Use Classification														NP Not Permitted P Permitted PUD Planned Unit Developments C Conditional Use Permit (CUP) required A Permitted Accessory Use CC Certificate of Compliance	
Land Use	Zoning District													Additional Use Regulations (See footnotes)	
	RE—Rural Estate	R-1A—River Residential	R-1—Low Density Single Family	R-2—Medium Density Residential	R-3—High Density Residential	B-1-General Business	B-2-Business Park/Office Wareh		I-1—Light Industrial	I-2—General Industrial	I-S—Industrial Storage	MX-1—Downtown Mixed Use	MX-2—Commercial Mixed Use		MX-3 – Transit-Oriented Mixed Use
Multi-family (eight or more units per building)				C	P							C	C	Please see Section 1350.12 (B) for allowed uses in the MX-3 District	Includes townhomes
Homes for handicapped or infirm including group homes or halfway houses but not containing more than 6 unrelated persons	C	C	C	C	C							C	C		
Planned residential developments	PUD	PUD	PUD	PUD	PUD							PUD	PUD		
Manufactured Single-Family Dwelling	P	P	P	P	P							P	P		

Land Use Classification														NP Not Permitted P Permitted PUD Planned Unit Developments C Conditional Use Permit (CUP) required A Permitted Accessory Use CC Certificate of Compliance			
Land Use	Zoning District													Additional Use Regulations (See footnotes)			
	RE—Rural Estate	R-1A—River Residential	R-1—Low Density Single Family	R-2—Medium Density Residential	R-3—High Density Residential	B-1-General Business	B-2-Business Park/Office Wareh		I-1—Light Industrial	I-2—General Industrial	I-S—Industrial Storage	MX-1—Downtown Mixed Use	MX-2—Commercial Mixed Use		MX-3 – Transit-Oriented Mixed Use		
Mobile Homes	C																
Public and Semi-Public Services																	
Airport	C								C	C					Please see Section 1350.12 (B) for allowed uses in the MX-3 District		
Cemetery						C	C										
Churches, synagogues, temples and associated facilities except schools	C	P	P	P	P	P						C	C				In Residential Districts and Mixed Use Districts building footprints shall not exceed 10,000 sq. ft.
Crematorium						C	C										
Funeral Home						P	P					C	C				

Land Use Classification														NP Not Permitted P Permitted PUD Planned Unit Developments C Conditional Use Permit (CUP) required A Permitted Accessory Use CC Certificate of Compliance	
Land Use	Zoning District													Additional Use Regulations (See footnotes)	
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Hospitals						P	P							Please see Section 1350.12 (B) for allowed uses in the MX-3 District	
Medical Clinics					C	P	P					P	P		In the MX district, facilities must not exceed a 10,000 square foot footprint
Military Reserve, National Guard Centers						C			C	C					
Nursery School/Day care services	C	C	C	P	P							P	P		
Parking Garage (as principal use)						P	P					C	C		
Parking Lots--Surface (as principal use)						P	P		P	P		C	C		

Land Use Classification														NP Not Permitted P Permitted PUD Planned Unit Developments C Conditional Use Permit (CUP) required A Permitted Accessory Use CC Certificate of Compliance	
Land Use	Zoning District													Additional Use Regulations (See footnotes)	
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Penal/correctional facilities									C	C				Please see Section 1350.12 (B) for allowed uses in the MX-3 District	
Post Office						P	P					P	P		
Pubic Facilities including government offices, emergency facilities, public works facilities, Schools, libraries, museums, art galleries, and other municipally owned or operated facilities.	C	C	C	C	C	P	P		P	P	P	C	C		Public Facilities located in Residential Districts must not exceed 10,000 square foot footprint except if located in the RE District.
Public utility	C	C	C	C	C	P	P		P	P	P	C	C		

Land Use Classification														NP Not Permitted P Permitted PUD Planned Unit Developments C Conditional Use Permit (CUP) required A Permitted Accessory Use CC Certificate of Compliance	
Land Use	Zoning District													Additional Use Regulations (See footnotes)	
	RE—Rural Estate	R-1A—River Residential	R-1—Low Density Single Family	R-2—Medium Density Residential	R-3—High Density Residential	B-1-General Business	B-2-Business Park/Office Wareh		I-1—Light Industrial	I-2—General Industrial	I-S—Industrial Storage	MX-1—Downtown Mixed Use	MX-2—Commercial Mixed Use		MX-3 – Transit-Oriented Mixed Use
Schools--Trade, College, Vocational and associated facilities						P	P		C			C	C	Please see Section 1350.12 (B) for allowed uses in the MX-3 District	In the MX district, school facilities must not exceed a 10,000 square foot footprint.
Social, fraternal clubs and lodges, union halls						P	P					C	C		
Sanitary Landfill									C	C					
Towers and antennas															
Transit Station						C	C					P	P		
Park-and-ride Lot						C	C					C	C		
Commercial															
Bed and Breakfast	C	C	C	C	C	P	P					P	P		

Land Use Classification														NP Not Permitted P Permitted PUD Planned Unit Developments C Conditional Use Permit (CUP) required A Permitted Accessory Use CC Certificate of Compliance	
Land Use	Zoning District													Additional Use Regulations (See footnotes)	
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Hotels						P	P					C	C	Please see Section 1350.12 (B) for allowed uses in the MX-3 District	
Motels						P	P					C	C		
Adult Uses (bookstore, theater, nightclub, nude or partially nude dancing)										C	C				
Animal boarding						P	P								
Animal grooming						P	P					C	C		
Animal hospitals						P	P					C	C		
Animal retail sales						P	P					C	C		
Antique Shops						P	P					P	P		
Artist studios												P	P		

Land Use Classification														NP Not Permitted P Permitted PUD Planned Unit Developments C Conditional Use Permit (CUP) required A Permitted Accessory Use CC Certificate of Compliance	
Land Use	Zoning District													Additional Use Regulations (See footnotes)	
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Auto sales, rental and services						C								Please see Section 1350.12 (B) for allowed uses in the MX-3 District	
Auto services only						C						C	C		No more than 4 bays in the MX districts
Auto storage									C	P	C				
Auto washing						C,A			P,A	P, A					
Bakeries (Retail sales)						P	P					P	P		
Bakeries (Wholesale)						P	P					C	C		
Restaurant--Liquor Served--Bar Grill						C	C					C	C		
Restaurant--Fast food						P	P					C			

Land Use Classification														NP Not Permitted P Permitted PUD Planned Unit Developments C Conditional Use Permit (CUP) required A Permitted Accessory Use CC Certificate of Compliance		
Land Use	Zoning District													Additional Use Regulations (See footnotes)		
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Restaurant-- Traditional (no liquor, sit down restaurant)						P	P					P	P	Please see Section 1350.12 (B) for allowed uses in the MX-3 District		
Building materials and services						C	C									
Catering services						P	P		P			P	P			
Professional Offices						P	P					P	P			
Convenience Stores						P	P					P	P			

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Land Use	Zoning District													Additional Use Regulations (See footnotes)		
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Bicycle Sales Dry Cleaner Laundromat Drug Store/Pharmacy Floral/Flower shop Hobby Shop						P	P					P	P	Please see Section 1350.12 (B) for allowed uses in the MX-3 District	In the MX district, drive up windows require a conditional use permit (CUP)	
Wholesale sales						P	P		P							
Produce sales: vegetables, fruit, flowers, etc...						P	P					P	P			
Drive up Banks						P	P					C	C			
Entertainment/amusement halls Bowling Alley Skating Rink, Indoor						P	P					P	P		If alcohol is part of the use a (CUP) is required.	

Land Use Classification														NP Not Permitted P Permitted PUD Planned Unit Developments C Conditional Use Permit (CUP) required A Permitted Accessory Use CC Certificate of Compliance	
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Movie Theater						P	P					C		Please see Section 1350.12 (B) for allowed uses in the MX-3 District	300 or less capacity
Movie Theater						P	P								300 or greater capacity
Coliseums, stadiums						P	P								
Country Club and Golf Course	C	C	C	C	C	C	C								
Private athletic fields or courts	C	C	C	C	C										
Golf Driving Range						C									
Horseback Riding, Stables	C														
Auto and motorcycle racing tracks						C			C	C					
Drive-in movie theater						C									

Land Use Classification														NP Not Permitted P Permitted PUD Planned Unit Developments C Conditional Use Permit (CUP) required A Permitted Accessory Use CC Certificate of Compliance
Land Use	Zoning District													Additional Use Regulations (See footnotes)
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Mobile Home Sales						P								Please see Section 1350.12 (B) for allowed uses in the MX-3 District
Manufactured Home Sales						P								
Automobile Parts/accessories retail sales and installation						P	C					C	C	
Automobile painting and body work									C					
Gas, diesel or other motor fuel retail sales						P	P					C	C	
Storage Mini-storage/cold storage											P			
Salvage yard (auto or scrap iron)										C				

Land Use Classification														NP Not Permitted P Permitted PUD Planned Unit Developments C Conditional Use Permit (CUP) required A Permitted Accessory Use CC Certificate of Compliance	
Land Use	Zoning District													Additional Use Regulations (See footnotes)	
	RE—Rural Estate	R-1A—River Residential	R-1—Low Density Single Family	R-2—Medium Density Residential	R-3—High Density Residential	B-1-General Business	B-2-Business Park/Office Wareh		I-1—Light Industrial	I-2—General Industrial	I-S—Industrial Storage	MX-1—Downtown Mixed Use	MX-2—Commercial Mixed Use		MX-3 – Transit-Oriented Mixed Use
Animal Kennel for more than 6 animals	C					C	C							Please see Section 1350.12 (B) for allowed uses in the MX-3 District	
Agricultural operations, row cropping, tree farming (excluding livestock)	P														No on-premises sales
Commercial Greenhouse operations	C					C			P						Outside storage or sales requires a CUP. No on-premise sales permitted in RE district.
Veterinarian Clinic, animal hospital						C	C		P			C	C		
Industrial															

Land Use Classification														NP Not Permitted P Permitted PUD Planned Unit Developments C Conditional Use Permit (CUP) required A Permitted Accessory Use CC Certificate of Compliance		
Land Use	Zoning District													Additional Use Regulations (See footnotes)		
	RE—Rural Estate	R-1A—River Residential	R-1—Low Density Single Family	R-2—Medium Density Residential	R-3—High Density Residential	B-1-General Business	B-2-Business Park/Office Wareh		I-1—Light Industrial	I-2—General Industrial	I-S—Industrial Storage	MX-1—Downtown Mixed Use	MX-2—Commercial Mixed Use		MX-3 – Transit-Oriented Mixed Use	
Manufacturing						C	C		P	P				Please see Section 1350.12 (B) for allowed uses in the MX-3 District		
Warehousing							C		P	P						
Storage and Distribution of Bulk Petroleum Products, Oil and Gasoline											C					
Storage and distribution of bulk liquid fertilizer, chemicals or similar materials										C	C					
Retail Sale, Installation and remanufacturing of vehicle parts and accessories.									P							

1330.05 Performance Standards

Subd. 15 Fences. Except in the RE, R-1, R-1A, MX-1, MX-2, and MX-3 districts, fences shall comply with the following standards:

- A. A fence may be placed along a property line provided no physical damage of any kind results to the abutting property.
- B. That side of the fence considered the face (the finished side as opposed to the structural supports) shall face the abutting property.
- C. A fence shall be of one color or pattern, may not contain or support pictures, signage or lettering, and must be maintained in good condition and appearance.
- D. A fence shall only be constructed of the following materials:
 1. Treated wood, cedar, or redwood
 2. Simulated wood
 3. Decorative brick or stone
 4. Wrought iron or aluminum designed to simulate wrought iron
 5. Coated or non-coated chain link
 6. Split rail
- E. A fence may be no more than twelve (12) feet in height.
- F. A fence shall not visually screen or interfere with streets, sidewalks, or vehicular traffic.
- G. In the I-S district, a fence at least six (6) feet in height shall be required around all storage tanks. No fence shall be constructed on public rights-of-way.

Subd. 21 Fences in the RE, R-1, R-1A, MX-1, MX-2, and MX-3 districts.

- A. A fence may be placed along a property line provided no physical damage of any kind results to the abutting property.
- B. That side of the fence considered being the face (the finished side as opposed to the structural supports) shall face the abutting property.
- C. A fence in the front yard shall be of one color or pattern, and may not contain or support pictures, signage or lettering visible to a public street or to adjacent properties.
- D. A fence may be no more than four (4) feet in height in the front yard.
- E. A fence may be no more than six (6) feet in height in a side or rear yard, unless the side or rear lot line is common with the front yard of an abutting lot, in which case the portion of the side or rear lot line equal to the required front yard of the abutting lot may have a fence no more than four (4) feet in height.
- F. Except in the RE district, barbed wire may not be used for fences.
- G. A fence shall not visually screen or interfere with streets, sidewalks, or vehicular traffic.
- H. All fences shall be maintained in good condition and appearance.
- I. A fence shall only be constructed of the following materials:
 1. Treated wood, cedar, or redwood
 2. Simulated wood
 3. Decorative brick or stone
 4. Wrought iron or aluminum designed to simulate wrought iron
 5. Coated or non-coated chain link
 6. Split rail
- J. Except in the RE District, welded wire may not be used for fences
- K. Welded wire may only be used in the following locations:
 1. Rear yard
 2. Small enclosures in the front yard
- L. Except in the RE District, snow fences may not be used for fences.
- M. Snow fences may be erected in the RE District for controlling snow between November 1 and April 15. All snow fences must be removed by April 16.
- N. No fence shall be constructed on public rights-of-way.

1330.06 Off-Street Parking

Subd. 2 Number of Off-street Parking Spaces. The number of off-street parking spaces required for uses in the Residential, Non-Residential, and MX-1 and MX-2 Districts shall be as follows. Section 1350.12 prescribes the number of off street parking spaces required for uses in the MX-3 District.

Subd. 4 Shared Parking in Non-residential Districts. The standards for shared parking spaces for uses in all-non-residential districts are as follows:

- A. Required parking facilities serving two or more uses may be located on the same lot or in the same structure, provided that the total number of parking spaces furnished shall not be less than the sum of the separate requirements for each use.
- B. A shared parking plan for two or more uses involving fewer than the total number of parking spaces required in paragraph (1) above may be approved by Conditional Use Permit, if at least the following conditions shall be met:
 1. No more than fifty (50) percent of the required parking spaces for a given use may be shared with another use.
 2. The applicant shall show that there is no substantial conflict between the principal operating hours of the uses, which will share parking spaces.
 3. A properly drawn legal instrument covering access easements, cross parking arrangements, maintenance, or other pertinent issues, executed by the parties involved, and approved by the City Attorney, shall be filed with the City Clerk-Administrator.
 4. Proof of available parking can be made available should a more intensive use be proposed for the site at a later time.

Section 1350 – Non-residential Districts

1350.04 Purpose of the Industrial Districts

The industrial districts shall be established to accomplish the general purpose of this Chapter and the Comprehensive Plan and the following specific purposes:

- A. To provide employment opportunities;
- B. To group industrial uses in locations accessible to rail lines and highways, and to allow efficient movement of raw materials, finished products and employees;
- C. To separate traffic, noise, and other obtrusive characteristics of intense industrial activity from the more sensitive commercial, residential, and open space areas of the City.

1350.05 Specific intent of the I-1 Light Industrial District.

The specific intent of the I-1 Light Industrial District shall be to provide areas for the development of research laboratories, small-scale processing, fabricating, storage, manufacturing, and assembly of products. Such uses are non-polluting, not excessively noisy or dirty, limited traffic producers, and do not produce hazardous waste by-products.

1350.07 Specific intent of the I-S Industrial Storage District.

The specific intent of the IS Industrial Storage District shall be to provide areas that are adequately buffered and separated from residential, commercial, and business uses to permit storage of petroleum products and other similar storage uses.

1350.08 Purpose of the Mixed-Use Districts.

The mixed-use districts shall be established to accomplish the general purposes outlined in the Comprehensive Plan. Each of the districts as a unique purpose, as follows:

- A. MX-1 Downtown Mixed Use District. The specific intent of the MX-1 Downtown District is to foster a dense, focused, downtown business district with a mix of residential, office, commercial, retail and service uses. “Big box” uses are not allowed. The area should be pedestrian and bicycle-friendly in scale and in design.

- B. MX-2 Commercial Mixed Use District. The specific intent of the MX-2 Commercial District is to include a mix of land uses including residential, commercial, and other compatible uses. Commercial uses should serve the Newport community, and may serve the immediate region as well.
- C. MX-3 Transit-Oriented Mixed Use District. The specific intent of the MX-3 Transit-Oriented District is to encourage a mixture of residential, commercial, office and civic uses in proximity to transit facilities at densities and intensities that support and increase transit use. Development should encourage a safe and pleasant pedestrian environment, maximize access to transit, provide parking in an efficient and unobtrusive manner, and encourage a sense of activity and liveliness on local streets.

1350.09 Dimensional provisions for lots and structures.

The following lot dimension, lot coverage, building dimensions and setback provisions shall apply in nonresidential and mixed-use districts:

Provision	Districts								
	MX-1	MX-2	MX-3	B-1 & B-2	I-1	I-2	IS		
<i>Lot dimension and coverage provisions</i>									
Minimum lot area in square feet	2,400	4,000	None	15,000	30,000	30,000	30,000		
Minimum lot depth in feet	80	100	None	150	200	200	200		
Minimum lot width in feet	30	40	None	100	100	100	100		
Maximum lot coverage by all buildings (%)	80%	50%	None	30%	40%	50%	50%		
<i>Structure setback standards***</i>									
Minimum front yard setback in feet	0	10**	10	20	20	20	50		
Minimum front yard if across collector or minor street from any residential district in feet	10	10**	10	50	50	50	100		
Maximum front yard setback in feet			15						
Minimum side yard if adjacent to mixed-use or non-residential uses in feet	0	5	5	10	20	20	50		
Minimum side yard if adjacent to any residential district in feet	10	10	10	50	50	50	100		
Minimum rear yard in feet	20	20	20	20	20	20	50		
Minimum rear yard if adjacent to any residential district in feet	20	20	20	50	50	50	100		
<i>Parking and driving aisle setback in feet:</i>									
Minimum front yard	Not	Not	Not	20	20	20	20		

Provision	Districts								
	MX-1	MX-2	MX-3	B-1 & B-2	I-1	I-2	IS		
in feet	allowed	allowed	allowed						
Minimum front yard if across collector or minor street from any R district in feet	Not allowed	Not allowed	Not allowed	50	50	50	50		
Minimum side yard in feet	5	5	5	5	5	5	5		
Minimum side yard if adjacent to any R district in feet	5	5	5	30	30	30	30		
Minimum rear yard in feet	5	5	5	5	5	5	5		
Minimum rear yard if adjacent to any R district in feet	10	10	10	50	50	50	50		
<i>Other Provisions</i>									
Maximum building height in feet*	40 3-sty	28 2-sty	See table in Section 1350.12(D)	40	40	40	40		
Maximum height of storage tank in I-S district in feet							55		
Public utilities required, including sewer	Yes	Yes	Yes	Yes	Yes	Yes	Yes		

* Maximum height may be increased upon issuance of a Conditional Use Permit. The setback requirements in Section F(2)e apply for increases in height adjacent to single-family residential uses.

** See Section 1300.09 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 the Planned Development District process in Section 1360 of the Zoning Code.

1350.10 Parking standards.

Parking requirements shall be governed by Section 1330.06 except as otherwise stated below:

- A. In the MX-1 District parking requirements shall be 1 space for every 350 square feet of office or retail gross floor area. On-street parking spaces that are adjacent to the parcel in which the parking is being calculated for may be included in the calculation. The maximum number of off street parking spaces permitted shall not exceed 1 space per 250 square feet of office or retail uses except in the case of restaurants which shall be allowed one space per 200 square feet if shared parking facilities are unavailable.
- B. Parking standards for the MX-3 District are included in Section 1350.12(I)
- C. Additional reductions in parking requirements in the MX-1 and MX-2 Districts shall be permitted with demonstration of proof of parking or a parking management strategy acceptable to the Zoning Administrator. Allowances for reductions in parking requirements in the MX-3 District are included in Section 1350.12(I).
- D. Surface Parking Lots in the MX-1 or MX-2 District shall be located at the side or rear of buildings and not in the front yard area. Surface parking lot or driveway access may not make up more than 25% of lot frontage.

1350.11 Additional Performance Standards for the MX-1 and MX-2 Districts.

Additional performance standards for the MX-1 and MX-2 Districts:

1350.12 Additional Standards for the MX-3 Transit-Oriented Mixed Use District

A. The specific intent of the MX-3 Transit-Oriented Mixed Use District is to:

1. Encourage a mixture of residential, commercial, office, and civic uses in proximity to the commuter rail station at densities and intensities that support and increase transit use.
2. Encourage a safe and pleasant pedestrian environment near the rail station, and limit conflicts between pedestrians and vehicles.
3. Maximize access to transit.
4. Encourage use of transit infrastructure.
5. Provide parking in an efficient and unobtrusive manner
6. Reduce parking requirements by encouraging shared parking and alternative modes of transportation.
7. Encourage a sense of activity and liveliness along the street level of building facades.

B. Allowed Uses:

USE	PERMITTED	CONDITIONAL USE	NOT PERMITTED
Residential Uses			
Multifamily Residential— townhomes, condos, cooperatives	P (eight units or less per building)	C (more than 8 units per building)	
Mixed-Use (dwelling units above ground floor)	P		
Planned Unit Development		PUD	
Live-work building		C	
Congregate housing for senior populations	P		
Residential care facility (7-16 persons)		C	
Public and Semi-Public Uses			
Churches, synagogues and associated facilities, except schools		C—10,000 square feet or less	N—more than 10,000 square feet
Day care centers in a mixed-use building	P		
Government Offices		C	N—more than 50,000 square feet
Public parks and outdoor recreation facilities	P		
Parking garage (as a principle use), park-and-ride lot		C	
Public Utilities		C	
Schools – trade, vocational, dancing, music, arts, or fitness	P—10,000 square feet or less	C—more than 10,000 square feet and less than 50,000 square feet	N—more than 50,000 square feet
Transit stations, related parking, park-and-ride facilities		C	
Commercial Uses			
Auto services (not including body repair or major repair)		C—maximum of 4 bays	

Club or lodge, private	P—10,000 square feet or less		
Conference center	P—10,000 square feet or less	C—more than 10,000 square feet and less than 50,000 square feet	N—more than 50,000 square feet
Convenience retail, including gas, diesel and motor fuel retail sales		C	
Financial services	P		
Fitness and recreation centers, in a mixed-use building		C	
Grocery and produce sales	P—10,000 square feet or less	C—more than 10,000 square feet and less than 50,000 square feet	N—more than 50,000 square feet
Hotel		C	
Learning studio (martial arts, visual/performing arts, fitness)	P		
Medical, dental, and veterinary clinics and laboratories		C—10,000 square feet or less	N—more than 10,000 square feet
Offices— general, medical, professional, free-standing or mixed-use building	P—10,000 square feet or less	C—more than 10,000 square feet	
Printing, publishing, bookbinding, blueprinting		C	
Research, development and testing facilities		C	
Restaurants, including sidewalk cafes, freestanding or mixed-use buildings, bakeries, delicatessens, coffee shops, catering services	P--no liquor served	C—liquor served	
Retail businesses, free-standing or mixed-use building	P—10,000 square feet or less	C—more than 10,000 square feet and less than 50,000 square feet	N—more than 50,000 square feet
Service businesses--such as beauty shops, barbershops, dry-cleaning (drop-off/pickup only, no on-site processing)		C—10,000 square feet or less	N—more than 10,000 square feet
Small scale manufacturing, assembly, and artisans	P--5,000 square feet or less	C—more than 5,000 square feet and less than 10,000 square feet	N—more than 10,000 square feet
Structured parking facilities	P		
Accessory Uses			
Drive up facilities		C	
Gazebo, arbor, play equipment in public or private open space area	P		
Renewable energy system	P		
Parking lot	P		

Swimming pool	P		
Uses that are not permitted in MX-3			
Auto body painting, repair and body work, towing services			N
Single-family dwellings			N
Manufactured single-family dwellings			N
Mobile Homes			N
Outdoor sales in conjunction with a permitted use			N
Parking lots as a principle use			N
Storage, mini-storage, cold storage			N
Manufacturing			N
Warehousing and Industrial uses			N

C. Administrative Procedure for Development

1. Preliminary Review. Anyone planning to develop or redevelop property in an MX-3 District shall meet with the City Administrator (1) during the conceptual design process in order that the staff may offer input into meeting the ordinance requirements and design standards and (2) during the design development stage to ensure that the plans meet the minimum MX-3 District Standards.
2. Station Area Plan Procedure. No new development or redevelopment on the Station Area Site (“Old Knox Site”) may occur, and no building permit will be issued, without approval of a Station Area Plan conforming to the requirements of this section. Approval of individual site plans must conform to the Station Area Plan. Upon the submission of the Station Area Plan, the Planning Commission will conduct a public hearing and make a recommendation to the City Council, which shall approve, modify, or deny the Station Area Plan. The Station Area Plan shall include the following:
 - a. A drawing showing existing conditions such as property boundaries, generalized contours, site features such as wetlands and wooded areas, and surrounding land uses and development.
 - b. A conceptual development plan showing public and private open space, and general site data such as potential parcel boundaries and building locations, density, setbacks, ponding areas, parking areas and generalized screening, buffering, and landscape concepts.
 - c. Generalized traffic information including proposed new streets and alley connections, proposed improvements to existing roads, and an analysis of expected traffic generation and the adequacy of the proposed transportation infrastructure.
 - d. An elements plan that includes, but is not limited to, lighting, public art, planters, fountains, litter receptacles, benches or seating areas.
 - e. The findings necessary for approval of the Station Area Plan include, but are not limited to, the following:
 - i. The Station Area Plan is consistent with the intent of the MX-3 District.
 - ii. The Station Area Plan reflects development that:
 - A. Is not detrimental to the public health, safety, or general welfare
 - B. Is not hazardous, detrimental or disturbing to surrounding land uses, or that creates pollution, vibration, general unsightliness, electrical interference, or other nuisances
 - C. Does not create traffic congestion, unsafe access, or parking needs that will cause inconvenience to adjoining properties
 - D. Is served adequately by essential public services such as streets, police, fire protection, utilities, and parks
 - E. Does not create excessive additional requirements at public cost for public facilities and services, and is not detrimental to the economic welfare of the City
 - F. Causes minimal adverse environmental effects
 - G. Each phase or stage of the Station Area Plan can exist as an independent unit.
3. Site Plan Approval Required. A site plan approval is required for all new construction in the MX-3 District. Application for a site plan review shall be made to the City on forms provided by the City, and shall be accompanied by the following:

- a. A survey or plat of the property
 - b. Evidence of ownership or interest in the property
 - c. The fee specified in the City’s fee schedule
 - d. Information regarding project phasing and timing
 - e. Complete development plans as specified under Section 1360.08 of the Zoning Code, signed by a registered architect, civil engineer, landscape architect, or other appropriate design professional, as required by the State Building Code
 - f. Architectural plans showing the following:
 - i. Colored elevations of all sides of the building
 - ii. Type, color, and samples of exterior building materials
 - iii. Typical floor plans
 - iv. Dimensions of all structures
 - v. The location of exterior trash storage areas and of exterior electrical, heating, ventilation, and air conditioning equipment
 - vi. Utility plans including water, sanitary sewer, and storm sewer
 - vii. A plan showing landscaping, lighting, and signs that meet code requirements
 - viii. Illustrations that show adjacent building elevations to show the scale of adjacent buildings and landscaping
 - ix. Such other information as may be required by the City to process the application
4. Public hearing and approvals. Upon receipt of a completed site plan application, a date shall be set for a public hearing before the Planning Commission. The hearing will be held no less than 10 days after mailed notice is sent to the owners of property located wholly or partially within 350 feet of the site. The Planning Commission shall submit its recommendation to the City Council. Following appropriate review, the Council shall make a decision regarding the application.
5. Administrative Approval. To offer some degree of flexibility, the City Administrator has the authority to administratively increase any of the development and urban design standards by five percent (5%) in an MX-3 District. If administrative approval is required for parking or an item normally approved by the Planning Commission and City Council, the City Administrator shall only grant approval after consultation with other City staff (public works, building inspections, fire chief, etc.).
- a. On matters that do not involve quantitative measurements, the City Administrator may also make minor alterations if he/she determines that such changes would be an acceptable design approach to development and would be in keeping with the general intent of the MX-3 District. Any such approval shall meet the following criteria:
 - i. Incorporates existing buildings, trees, topographic features, or other existing elements consistent with the intent of the MX-3 District; and
 - ii. Provides urban open space, seating, fountains, accent landscaping, or other similar urban pedestrian amenities consistent with the intent of the MX-3 District.

D. Dimensional standards and densities.

1. The following requirements apply to all buildings or uses in an MX-3 District:

Height and Setbacks	Residential Townhouse	Residential Apt., Condo, Cooperative	Mixed-Use Building	Commercial, Civic, not in mixed-use building
Height	3 stories or 36 feet maximum, whichever is less	2 stories (24') minimum; 4 stories or 48' maximum*, whichever dimension is less	2 stories (24') minimum; 4 stories or 48' maximum*, whichever dimension is less	No minimum; 4 stories (48') maximum

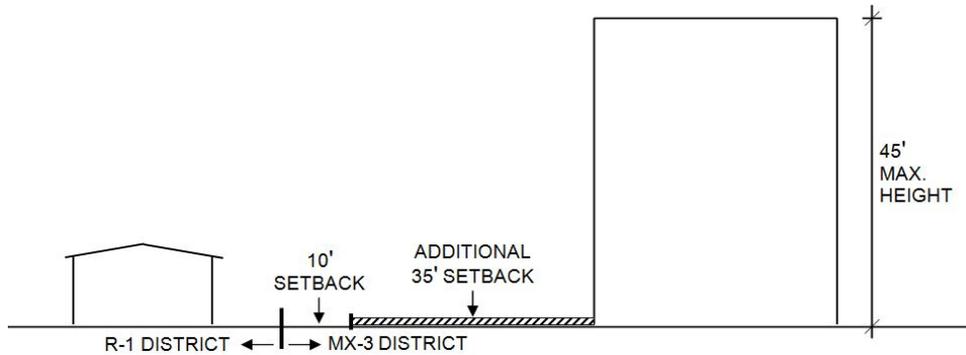
*Maximum height may be increased upon issuance of a Conditional Use Permit. The setback requirements in Section 1350.5 F (2) e apply for increases in height adjacent to single-family residential uses.

E. Densities

1. The maximum residential density in the MX-3 District shall be 50 units/acre
2. The minimum residential density in the MX-3 District shall be 30 units/acre
3. The minimum net FAR (Floor Area Ratio) for residential and non-residential uses shall be 0.5 FAR

F. Height and Setback Standards

1. General setback standards for the MX-3 District are indicated on the table in Section 1350.11.
2. Additional setback and building height standards for the MX-3 District include the following:
 - a. If new construction incorporates an existing structure located within a minimum setback, the City Administrator may allow the setback for the building addition to be reduced to the established setback.
 - b. All above-ground utility structures associated with electric, natural gas, telecommunications, cable television distribution lines, pipes, conduits, or other public utilities shall be located behind the minimum setback unless otherwise approved as part of the site plan approval. This applies to air vents, utility boxes, and back-flow preventers.
 - c. Driveways may cross the front setback, but shall be as near as perpendicular to the street for pedestrian safety and to minimize the intrusion into any landscaped area.
 - d. Balconies may project up to two feet (2') over the right-of-way, subject to an approved sidewalk encroachment agreement. Balconies shall have a minimum clearance of ten feet (10') from grade.
 - e. The permitted maximum height of structures adjacent to single-family residential uses shall be determined by the distance of the structure to the boundary line of the nearest single-family residential district. In the MX-3 District, applicable side and/or rear yard setbacks adjacent to single-family residential areas shall be increased by one foot (1') for each additional foot (1:1 ratio) of building height greater than the setback distance.



G. Open Storage Prohibited. Outside storage shall be prohibited in the MX-3 District.

H. Open Space Requirement. Developers shall be expected to work with the City to provide a minimum of ten percent (10%) of residential project sites and five percent (5%) of commercial and mixed-use sites as open space. The open space may be designed as a square, plaza, terrace, or green, with a variety of landscaped and paved surfaces and seating areas. This requirement may be waived in cases where the City’s master plan specifies the location and design of open space within the development.

1. All required open space for commercial and mixed-use sites shall be accessible to the users of the building and shall be improved with seating, plantings, and amenities, and be visible from the street or pedestrian areas.
2. Floor area ratio credits are allowed for all new developments when the pedestrian space is available for use by the public, including widened sidewalk areas.

I. Parking Requirements. For purposes of this section, new use within the MX-3 District shall be required to meet the minimum/maximum parking spaces as shown in the following chart. All square footage is measured as ‘gross footage.’

USE	PARKING MINIMUM	PARKING MAXIMUM
Residential	1.5 spaces per dwelling unit, plus 10% for guest parking	2.5 spaces per dwelling unit, plus 10% for guest parking

Commercial, Retail, Service	1 space per 400 SF	1 space per 200 SF
Office	1 space per 400 SF	1 space per 300 SF
Restaurant	1 space per 200 SF	1 space per 75 SF
Hotel	.75 per room, plus 10% guest and staff parking	1.5 spaces per room, plus 10% guest and staff parking
Clinic	1 space per 300 SF	1 space per 100 SF
Community Center and similar uses	1 space per 400 SF	1 space per 200 SF
Theater	1 space per 6 seats, plus 5% for staff	1 space per 3 seats, plus 10% for staff

1. The required/permitted number of parking spaces of any building within the MX-3 District, including mixed-use buildings, shall be the sum total of the requirements for each use in the building.
2. Parking maximums may be exceeded, if one or more of the following is provided:
 - a. If structured or underground parking is provided on site, parking maximum may be exceeded by 25%.
 - b. If a shared parking agreement is executed, parking maximum may be exceeded by 20%.
 - c. If all parking spaces are located behind the building and are not visible from the public right-of-way, parking maximum may be exceeded by 10%.
 - d. If driveways and access points are shared by at least two adjacent properties, parking maximum may be exceeded by 10%.
 - e. If a provision is made for combining or interconnecting adjacent parking lots and pedestrian access points, parking maximum may be exceeded by 10%.
 - f. In no case shall the cumulative increase in parking exceed the maximum by more than 25%.
 - g. A 25% parking reduction in the minimum number of parking spaces required is allowed if the principle use is located within 800 feet of a parking facility with public spaces available to the general public or within 800 feet of a public transit park-and-ride facility with an approved joint use agreement.
3. No surface parking or maneuvering space shall be permitted within a required setback or between the primary structure and the front yard, except that driveways providing access to the parking area may be installed across these areas. It is the intent that these driveways be as nearly perpendicular to the street right-of-way as possible for pedestrian safety and to minimize intrusion into the landscaped areas.
4. Parking requirements may be met on-site or off-site at a distance of up to 800 feet from the permitted use. Off-site parking to meet the requirements of this section may be provided through a lease, subject to the review and approval of the City.
5. Parking that is located to the rear of the primary structure may extend the entire width of the lot, with the exception of any required screening or landscaped areas. Parking that is located to the side of the primary structure shall not cover more than thirty-five percent (35%) of the total lot width.
6. Shared parking shall be permitted and encouraged.
7. Bicycle parking shall be provided as a component of all parking facilities at a ratio of one bicycle space per 20 automobile spaces, or a minimum of two bicycle parking spaces, whichever is greater. Bicycle parking must be provided within view of each business front entrance. Adjoining businesses may share common bicycle parking areas.
8. All surface parking areas for more than ten (10) motorized vehicles shall provide screening. If a wall is provided, then the area devoted to the wall shall be wide enough to allow for its maintenance. The screening may be eliminated if abutting parking lots are combined or interconnected with vehicular and pedestrian access. Walls shall meet the performance standards for structures and screening included in Section 1330.05 and in this Section, Item L(2) f.
9. Structured parking shall meet the following additional requirements:
 - a. At least fifty percent (50%) of the linear street level frontage of structured non-municipal parking facilities shall be devoted to retail, office, civic, institutional, or residential uses. If seventy-five percent (75%) or more of the linear street frontage is devoted to such uses, then the total square footage of these uses shall be credited one hundred percent (100%) toward the required FAR minimums.

- b. If retail, office, civic, institutional, or residential uses are constructed on the rear or side of the facility or above the ground floor on the street frontage of the facility, then the total square footage of these areas shall be credited one hundred percent (100%) toward the required FAR minimums.
- c. Underground parking structures are permitted. Subsurface parking located in the minimum setback shall be permitted with an eight foot (8') clearance from the top of the subsurface structure to the sidewalk, subject to an approved encroachment agreement. No ventilation shall be permitted in the setback.
- d. A minimum nine foot (9') clearance shall be maintained on the first level and any additional level that provides disabled parking spaces. A minimum seven-foot (7') clearance shall be maintained throughout the remainder of the parking deck to ensure the safe movement of vans and emergency vehicles.

J. Loading Standards.

- 1. Non-residential buildings and structures, excluding parking structures, subject to the provisions of this Section, shall provide a minimum number of off-street service/delivery loading spaces. The loading spaces shall be designed and constructed so that all parking maneuvers can take place entirely within the property lines of the premises and shall not interfere with the normal movement of vehicles and pedestrians on the public rights-of-way. The loading spaces shall be a minimum of ten feet (10') by twenty-five feet (25') and shall be provided in accordance with the following:

Non-residential uses with gross floor area:

Less than 50,000 square feet	None required
50,000-150,000 square feet	One (1) space
Each additional 100,000 square feet	One (1) space

Existing buildings are exempt from these standards.

- 2. No loading spaces shall be permitted within any required or established setback, or between the primary structure and the required setback, except that driveways providing access to the loading area may be installed across these areas.

K. MX-3 District Design Standards

- 1. Connectivity and Circulation. Transit-oriented development uses shall be integrated with the surrounding area, easily accessible, and have a good internal circulation system for a variety of travel modes.
 - a. A pedestrian sidewalk system shall meet the following standards:
 - i. Internal sidewalk connections are required between buildings and from buildings to all on-site facilities (parking areas, bicycle facilities, open space, etc.). All internal sidewalks shall be finished with a hard surface as required by the City Public Works Department.
 - ii. External sidewalk connections are required to provide direct connections from all buildings on-site to the existing and/or required sidewalk system and to adjacent multi-use trails, parks, and greenways. Sidewalks shall be constructed with a hard surface and of a width as required by the City Public Works Department.
- 2. Street Design
 - a. Street walls
 - i. No blank walls are permitted to face public streets, walkways, or public open space.
 - ii. All non-residential buildings fronting directly on a street shall be designed so that the first floor street façade of the building(s) along all streets include clear glass window and doors to create pedestrian interest. These openings shall be arranged so that the uses are visible from and to the street on at least fifty percent (50%) of the length and at least forty percent (40%) of the area of the first floor street level frontage. At least fifty percent (50%) of the windows shall have the lower sill within three feet of the grade.
 - iii. For all other uses, buildings shall be designed so that the first floor street façade along all streets includes the use of clear glass windows and doors arranged so that the uses are visible from and/or accessible to the street on at least twenty-five percent (25%) of the length of the first floor street frontage.
 - iv. Expanses of blank walls shall not exceed twenty (20) continuous feet in length. A blank wall is a façade that does not contain clear glass windows or doors or sufficient ornamentation, decoration, or articulation.

- v. No reflective surfaces shall be permitted on street level exterior façades.
- b. Corner Building Placement
 - i. At intersections, buildings shall have front and side facades aligned at or near the front property line.
- c. Top of buildings
 - i. All rooftop mechanical equipment on buildings shall be screened from above or below (based on the type of mechanical equipment utilized) by integrating it into the building and roof design to the maximum extent feasible. Such equipment shall be screened with parapets or other materials similar to and compatible with exterior materials and architectural treatment on the structure being served. Horizontal or vertical slats of wood material shall not be utilized for this purpose. Solar and wind energy equipment is exempt from this provision if screening would interfere with system operations.
- d. Building entrances and orientation.
 - i. Entrances shall be clearly visible and identifiable from the street and delineated with elements such as roof overhangs, recessed entries, landscaping or similar design features.
 - ii. At least one or more operable pedestrian entrances per building shall be provided. In a building where all three (3) of the circumstances below exist, only two (2) entrances shall be required:
 - A. When a lot abuts a public street right-of-way, at least one entrance shall be provided along all building façade(s) fronting all public rights-of-way.
 - B. When a lot abuts an existing or proposed public open space system, multi-use trail, or greenway, entrance(s) shall be provided on the building façade closest to the public open space, multi-use trail, or greenway.
 - C. When abutting a sidewalk in the rail station area, an entrance(s) shall be provided on the building façade closest to the station area sidewalk.
- e. Exterior Materials
 - i. The primary exterior opaque materials on each elevation of a building, except for the service side, must be brick, stone, decorative masonry, or similar materials, or a combination thereof.
 - ii. The following materials are not allowed as exterior materials: painted or unpainted concrete block, aluminum, vinyl or fiberglass siding or roofing materials, precast concrete materials, unless specifically approved by the City Council for a new commercial building, painting of previously unpainted brick, wooden exteriors.
 - iii. Sustainability Standards. The City encourages the use of sustainable building materials and construction techniques through programs such as US Green Building Council's LEED (Leadership in Energy and Environmental Design), Minnesota Sustainable Building Guidelines, and similar programs.
 - iv. Alternative Designs or Materials. To encourage creativity, imagination, innovation, and variety in architectural design, the Planning Commission may recommend modifications of the requirements of this Section and the City Council may approve such modifications upon determining that the proposed architectural design or exterior façade materials meet all of the following conditions:
 - A. The proposed design or material is consistent with the purposes of this section.
 - B. The proposed design or material would enhance the architectural appearance of the building and would be equal or superior to designs or materials permitted by this section.
 - C. The proposed design or material would be in harmony with the character of adjacent buildings and the surrounding district.
- f. Screening Standards
 - i. All service entrances, utility structures associated with a building, and loading docks and/or spaces, shall be screened from the abutting property and from public view from a public street.
 - ii. Any fences or walls used for screening or other purposes shall be constructed in a durable fashion of brick, stone, and other masonry materials specifically designed as fencing materials. The finished side of the fence shall face the abutting property. Chain link, wood, vinyl, or barbed wire fences are not permitted.
 - iii. The composition of the screening material and the placement on the lot shall be left to the discretion of the property owners as long as the intent of this Section is met. A wall cannot be substituted for a planting strip along any public street unless supplemented by landscaping.
 - iv. Landscaping used for screening shall be evergreen and at least four feet (4') tall with a minimum spread of two feet (2') when planted and no further apart than five feet (5'). Shrubs shall be

adequately maintained as that an average height of five (5') to six feet (6') can be expected as normal growth within four years of planting. The average expected height may be reduced to four feet (4') for screening along public streets.

- v. The maximum height for walls and fences shall be six feet (6') or whatever is sufficient to visually screen the use but not less than four feet (4').
 - vi. Dumpsters, recycling containers, compactors, and solid waste handling areas are not permitted in any setback or yard and shall be screened from adjacent property and from public view with a six-foot (6') high solid and finished masonry wall with closeable gates. In no instance shall a chain link fence, wood, vinyl, or barbed wire fence be permitted.
- g. Buffer Standards
- i. All uses, other than single-family detached dwelling units, shall provide landscaping along all property lines abutting residentially used property located adjacent to the MX-3 District. This requirement also applies in situations where an alley with a right-of-way width of twenty-five feet (25') or less separates uses in the MX-3 District from a non-MX-3 District residential property. Landscaping shall be provided along all property lines abutting the alley when adjacent to residential uses. Multi-family developments in an MX-3 District are exempt from this landscaping requirement when they abut other multi-family uses.
 - ii. In no instance shall a chain link, wood, vinyl, or barbed wire fence be permitted.
- h. Exterior Lighting Standards
- i. Exterior lighting shall be used to provide illumination for the security and safety of entry drives, parking, service and loading areas, pathways, courtyards and plazas, without intruding on adjacent properties and shall comply with the following standards:
 - A. Poles and fixtures shall be architecturally compatible with structures and lighting on-site and on adjacent properties.
 - B. Security lighting shall be adequate for visibility, but not overly bright.
 - C. Metal halide lighting shall be used with a concealed light source of the "cut-off" variety to prevent glare and "light trespass" onto adjacent buildings and sites.
 - D. Poles within landscaped areas and plazas shall have a maximum height of twenty feet (20'), measured from grade, and shall be coordinated with City standards.
 - E. Poles in parking lots shall have a maximum height of twenty-four feet (24') measured from finished grade.
 - F. Lighting fixtures mounted directly on structures shall be permitted when utilized to enhance specific architectural elements or to help establish scale or provide visual interest.
 - G. "Wall paks" shall be permitted only in loading and service areas and shall be down-lit and shielded from view.
 - H. Shielded illumination or fixtures shall be permitted to light building mounted signage, building façades, or pedestrian arcades if they are integrated into a building's architectural design.
 - I. Lighting should highlight entrances, art, terraces, and special landscape features.
 - J. Separate pedestrian scale lighting or other low-level fixtures, such as bollards, shall be incorporated for all pedestrian ways through parking lots and drop-off areas at entrances to buildings.
 - K. All primary walkways, steps, or ramps along pedestrian routes shall be illuminated.
 - i. Light Intensity
 - i. A photometric lighting plan is required for all proposed commercial developments to ensure that adequate and appropriate light levels are provided for each site condition.
 - ii. Lighting shall not exceed 0.1 foot candle at residential property lines or 0.5 foot candle on non-residential property lines measured on a vertical plane.
 - iii. The following minimum levels of illumination must be maintained for each of the specific locations:

Building entrances	5.0 foot candles
Sidewalks	2.0 foot candles
Bikeways	1.0 foot candles
Courts/plazas/terraces	1.5 foot candles
Ramps	5.0 foot candles

Stairways	5.0 foot candles
Underpasses	5.0 foot candles
Waiting areas	1.0 foot candles
Parking lots	1.0 foot candles

- j. Signs, banners, flags, and pennants
 - i. where signs, banners, flags, and pennants for identification or decoration are provided, they shall conform to the following:
 - ii. Wall signs shall have a maximum of one-hundred fifty (150) total square feet or five percent (5%) of the building wall area occupied by the user, whichever is less. Wall signs may be increased by twenty (20) square feet per sign in lieu of a ground mounted or monument sign.
 - iii. Signs are permitted to project up to two feet (2') into the minimum setback as measured from the building. Under no circumstances shall a sign project more than four feet (4') from the back of the curb. A minimum overhead clearance of eight feet (8') from the sidewalk shall be maintained.
 - iv. Marquee signs are permitted.
 - v. Ground mounted or monument signs are permitted as follows:
 - A. Signs shall not exceed ten feet (10') in height and forty (40) square feet in area.
 - B. Signs shall be located behind the right-of way and out of any sight distance triangle.
 - C. Signs shall be setback five feet (5') from any property line.
 - D. No freestanding pole signs shall be permitted.
 - E. No off-premise signs shall be permitted.
 - vi. Signs shall also conform to Section 1380.02 and 1380.03 of this code.
 - k. Landscaping Standards
 - i. The plan for landscaping must include ground cover, bushes, trees, foundation plantings, sculpture, fountains, decorative walks, or other similar site design features or materials. Landscaping must conform to the requirements of the City Code, Section 1330.05, Subd. 14.
 - ii. Landscaping shall support the purpose and intent of the District, and be consistent with the Station Area Plan or adopted master plans for the District.

L. Design Manual

- 1. All design guidelines included in the City's Red Rock Transit District Design Guidelines shall apply. The Design Guidelines have been adopted as part of the City's Comprehensive Plan.

1330.13 Commercial, Industrial, and Mixed Use Districts

1370.09 River Redevelopment Overlay District.

Subd. 1 Findings. The City finds that the development of new transit facilities in the MX-3 Transit-Oriented Mixed Use District and redevelopment of the MX-3 District will benefit the general health and welfare of the residents of Newport by fulfilling needs for housing, transportation, and employment. Redevelopment in the MX-3 District may encourage redevelopment of adjacent industrial zoning districts in the long-term. Redevelopment in adjacent areas should be coordinated with the City's long-range plans for the MX-3 District to benefit the community and make the best use of public and private investment in the area.

Subd. 2 Purpose and Intent. The River Redevelopment Overlay District is created to coordinate future redevelopment in the overlay district with redevelopment in the adjacent MX-3 Transit-Oriented Mixed Use District.

Subd. 3 Objectives. The objectives of this district are to:

- A. Provide for City review of proposed new uses and redevelopment of parcels in within the River Redevelopment Overlay District.
- B. Coordinate redevelopment within the Overlay District with redevelopment plans and activities in the adjacent MX-3 Transit-Oriented Mixed Use District.
- C. Implement the City's concept plans for redevelopment in and around the MX-3 District by creating connections to the Mississippi River.

Subd. 4 Establishment of the River Redevelopment Overlay District. A River Redevelopment Overlay District with its attendant regulations shall be hereby established as part of the Zoning regulations of Newport, Minnesota. This district shall overlay the existing I-1 and I-2 Zoning Districts so that any parcel of land lying in the overlay district shall also lie in the underlying established zoning district. Territory within the overlay district shall be subject to the requirements established in this Section, as well as restrictions and requirements established by other applicable Code Sections, the Subdivision Ordinance, and other ordinances and regulations of the City. Within the overlay district, all existing uses shall be permitted in accordance with the regulations for the underlying zoning district provided, however, parcels within the overlay district shall not be entitled to add new uses or redevelop their sites until they have first satisfied the additional requirements established in this Subsection.

Subd. 5 District Boundaries. This Subsection shall apply to the River Redevelopment Residential Overlay District which shall be delineated on the official zoning map of the City for purposes of determining the application of this Subsection to any particular parcel of land. The above-referenced map shall be on file in the office of the Zoning Administrator and shall be available for inspection and copying.

Subd. 6 Definitions.

- A. Redevelopment. "Redevelopment" is the construction of new buildings, facilities or uses on a site that has existing uses.

Subd. 7 New Uses Permitted. Permitted uses in the River Redevelopment Overlay District are those uses which are acceptable to any overall redevelopment plan adopted by the City and specific redevelopment plans approved by the City. Uses permitted in the MX-3 District are permitted within the River Redevelopment Overlay District. Upon approval of the specific redevelopment plans, the City shall determine the specific uses that are permitted within the development.

Sub. 8 New Uses Excluded. The following types of uses are not permitted in the River Redevelopment Overlay District:

- A. Uses which may be dangerous, create annoying odors, noise disturbances or be otherwise detrimental to the general welfare of persons residing or working in the vicinity thereof or may impair the use, enjoyment or value of any property.
- B. Trucking terminals.
- C. Uses whose operation requires the outdoor storage of materials or equipment, including the outdoor manipulation of said materials or equipment.
- D. Uses whose principal operation requires the outdoor storage of motor vehicles, including the outdoor manipulation of said motor vehicles.

Subd. 8 Process for Approval of Redevelopment Plans. Plans for each new use or redevelopment project or combination of projects in the River Redevelopment Overlay District must be submitted to the City Administrator for concept plan review. Site plan approval is required for all new construction in the River Redevelopment Overlay District. Applications and process for site plan approval shall follow the requirements for site plan approval identified in Section 1350.14, Section C.

Adopted this 10th day of May 2012 by the Newport Planning Commission.

VOTE: Lindoo	_____
Lund	_____
Anderson	_____
McElwee-Stevens	_____
Prestegaard	_____

Signed: _____
Susan Lindoo, Chairperson

ATTEST: _____
Brian Anderson, City Administrator

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 General Business District
- B-2 Business Park/Office/Warehouse
- 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 Mainstreet District Commercial Mixed Use District
- MX-3 Transit-Oriented Mixed Use 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
- Historic Neighborhood Conservation Overlay District
- Conservation Residential Overlay District
- River Redevelopment Overlay District

1330.02 Zoning Map

The location and boundaries of the districts established by this Chapter shall be hereby set forth in a map known as the "City of Newport Zoning Map" hereinafter referred to as the Zoning Map. The map and all notations, references, and data shown thereon are hereby incorporated by reference into this Chapter. It shall be the responsibility of the Zoning Administrator to maintain the Zoning Map, and amendments shall be recorded on the map within thirty (30) days after official publication of the amendments. The official zoning map shall be kept on file in the City hall.

1330.03 Boundary Lines

Wherever any uncertainty exists as to the boundary of any use district as shown on the zoning map incorporated herein, the following rules shall apply:

- A. Where district boundary lines are indicated as following streets, alleys, railroads, or similar rights-of-way, they shall be construed as following the centerlines thereof;
- B. Where district boundary lines are indicated as approximately following lot lines or section lines, such lines shall be construed to be such boundaries;
- C. Where a lot of record at the effective date of this Code that is held in one (1) ownership is divided by a district boundary line, the entire lot shall be construed to be within the less restricted district; provided that this section shall not apply if it increases the area of the less restricted portion of the lot by more than twenty (20) percent;

13401330. 04 Uses

It is the policy of the City of Newport that the enforcement, amendment and administration of this Ordinance be accomplished with due consideration of the recommendation contained in *Chapter 1300, Section 1340.02* and *Sections 1350.01-1350.10, Intent of the Newport City Code of Ordinances* and the *City of Newport Comprehensive Plan* as developed and amended from time to time by the Planning Commission and City Council of the City of Newport.

Within the City's zoning districts, no land or buildings may be used or occupied in any manner except for the uses set forth in the following land use classification chart and described in the following subsections. If a use is not identified in the following land use classification chart, the Zoning Administrator shall issue a statement of clarification, finding that the use is or is not substantially similar in character and impact to a use regulated in the land use classification chart. If the use is not substantially similar to any other use regulated in the land use classification chart, the Zoning Administrator shall refer the matter to the City Council for determination. The Zoning Administrator and City Council shall take into consideration if the use meets the City's goals and plans, what zoning district may be most appropriate for the use as well as what conditions and standards should be imposed relating to development of the use. In addition, the Zoning Administrator and City Council shall take into consideration whether the use will conform to the performance standards (*Section 1330.05*) and overlay districts (*Section 1370*) described in this Chapter.

An appeal may be taken to the board of appeals and adjustments as described in *Section 1310.03 Appeal from Administrative Decisions* by any person aggrieved by any order, requirement, decision or determination made by the Zoning Administrator or any other administrative office of the City in enforcement of this Section.

Section 1330.04 Uses

Land Use Classification														NP Not Permitted P Permitted PUD Planned Unit Developments C Conditional Use Permit (CUP) required A Permitted Accessory Use CC Certificate of Compliance	
Land Use	Zoning District													Additional Use Regulations (See footnotes)	
	RE—Rural Estate	R-1A—River Residential	R-1—Low Density Single Family	R-2—Medium Density Residential	R-3—High Density Residential	B-1-General Business	B-2-Business Park/Office Wareh		I-1—Light Industrial	I-2—General Industrial	I-S—Industrial Storage	MX-1—Downtown Mixed Use	MX-2—Commercial Mixed Use		MX-3 – Transit-Oriented Mixed Use
Residential															
Single Family Detached, one dwelling per lot	P	P	P	P	P							P	P	Please see Section 1350.12 (B) for allowed uses in the MX-3 District	
Single Family Detached, more than one dwelling unit per lot	PUD	PUD	PUD	PUD	PUD							PUD	PUD		
Two Family residences				P	P							P	P		Includes townhomes
Multi-family (eight units or fewer per building)				C	P							P	P		Includes townhomes

Land Use Classification													NP Not Permitted P Permitted PUD Planned Unit Developments C Conditional Use Permit (CUP) required A Permitted Accessory Use CC Certificate of Compliance		
Land Use	Zoning District												Additional Use Regulations (See footnotes)		
	RE—Rural Estate	R-1A—River Residential	R-1—Low Density Single Family	R-2—Medium Density Residential	R-3—High Density Residential	B-1-General Business	B-2-Business Park/ Office Wareh		I-1—Light Industrial	I-2—General Industrial	I-S—Industrial Storage	MX-1—Downtown Mixed Use		MX-2—Commercial Mixed Use	MX-3 – Transit-Oriented Mixed Use
Multi-family (eight or more units per building)				C	P							C	C	Please see Section 1350.12 (B) for allowed uses in the MX-3 District	Includes townhomes
Homes for handicapped or infirm including group homes or halfway houses but not containing more than 6 unrelated persons	C	C	C	C	C							C	C		
Planned residential developments	PUD	PUD	PUD	PUD	PUD							PUD	PUD		
Manufactured Single-Family Dwelling	P	P	P	P	P							P	P		

Land Use Classification														NP Not Permitted P Permitted PUD Planned Unit Developments C Conditional Use Permit (CUP) required A Permitted Accessory Use CC Certificate of Compliance		
Land Use	Zoning District													Additional Use Regulations (See footnotes)		
	RE—Rural Estate	R-1A—River Residential	R-1—Low Density Single Family	R-2—Medium Density Residential	R-3—High Density Residential	B-1-General Business	B-2-Business Park/Office Wareh		I-1—Light Industrial	I-2—General Industrial	I-S—Industrial Storage	MX-1—Downtown Mixed Use	MX-2—Commercial Mixed Use		MX-3 – Transit-Oriented Mixed Use	
Mobile Homes	C															
Public and Semi-Public Services																
Airport	C								C	C						
Cemetery						C	C									
Churches, synagogues, temples and associated facilities except schools	C	P	P	P	P	P						C	C			
Crematorium						C	C									
Funeral Home						P	P					C	C			

Please see Section 1350.12 (B) for allowed uses in the MX-3 District

In Residential Districts and Mixed Use Districts building footprints shall not exceed 10,000 sq. ft.

Land Use Classification													NP Not Permitted P Permitted PUD Planned Unit Developments C Conditional Use Permit (CUP) required A Permitted Accessory Use CC Certificate of Compliance		
Land Use	Zoning District												Additional Use Regulations (See footnotes)		
	RE—Rural Estate	R-1A—River Residential	R-1—Low Density Single Family	R-2—Medium Density Residential	R-3—High Density Residential	B-1-General Business	B-2-Business Park/Office Wareh		I-1—Light Industrial	I-2—General Industrial	I-S—Industrial Storage	MX-1—Downtown Mixed Use		MX-2—Commercial Mixed Use	MX-3 – Transit-Oriented Mixed Use
Hospitals						P	P							Please see Section 1350.12 (B) for allowed uses in the MX-3 District	
Medical Clinics					C	P	P					P	P		In the MX district, facilities must not exceed a 10,000 square foot footprint
Military Reserve, National Guard Centers						C			C	C					
Nursery School/Day care services	C	C	C	P	P							P	P		
Parking Garage (as principal use)						P	P					C	C		
Parking Lots--Surface (as principal use)						P	P		P	P		C	C		

Land Use Classification														NP Not Permitted P Permitted PUD Planned Unit Developments C Conditional Use Permit (CUP) required A Permitted Accessory Use CC Certificate of Compliance			
Land Use	Zoning District													Additional Use Regulations (See footnotes)			
	RE—Rural Estate	R-1A—River Residential	R-1—Low Density Single Family	R-2—Medium Density Residential	R-3—High Density Residential	B-1-General Business	B-2-Business Park/Office Wareh		I-1—Light Industrial	I-2—General Industrial	I-S—Industrial Storage	MX-1—Downtown Mixed Use	MX-2—Commercial Mixed Use		MX-3 – Transit-Oriented Mixed Use		
Penal/correctional facilities									C	C					Please see Section 1350.12 (B) for allowed uses in the MX-3 District		
Post Office						P	P					P	P				
Pubic Facilities including government offices, emergency facilities, public works facilities, Schools, libraries, museums, art galleries, and other municipally owned or operated facilities.	C	C	C	C	C	P	P		P	P	P	C	C				Public Facilities located in Residential Districts must not exceed 10,000 square foot footprint except if located in the RE District.
Public utility	C	C	C	C	C	P	P		P	P	P	C	C				

Land Use Classification														NP Not Permitted P Permitted PUD Planned Unit Developments C Conditional Use Permit (CUP) required A Permitted Accessory Use CC Certificate of Compliance	
Land Use	Zoning District													Additional Use Regulations (See footnotes)	
	RE—Rural Estate	R-1A—River Residential	R-1—Low Density Single Family	R-2—Medium Density Residential	R-3—High Density Residential	B-1-General Business	B-2-Business Park/Office Wareh		I-1—Light Industrial	I-2—General Industrial	I-S—Industrial Storage	MX-1—Downtown Mixed Use	MX-2—Commercial Mixed Use		MX-3 – Transit-Oriented Mixed Use
Schools--Trade, College, Vocational and associated facilities						P	P		C			C	C	Please see Section 1350.12 (B) for allowed uses in the MX-3 District	In the MX district, school facilities must not exceed a 10,000 square foot footprint.
Social, fraternal clubs and lodges, union halls						P	P					C	C		
Sanitary Landfill									C	C					
Towers and antennas															See Ordinance 97-4
Transit Station						C	C					P	P		
Park-and-ride Lot						C	C					C	C		
Commercial															
Bed and Breakfast	C	C	C	C	C	P	P					P	P		

Land Use Classification													NP Not Permitted P Permitted PUD Planned Unit Developments C Conditional Use Permit (CUP) required A Permitted Accessory Use CC Certificate of Compliance	
Land Use	Zoning District												Additional Use Regulations (See footnotes)	
	RE—Rural Estate	R-1A—River Residential	R-1—Low Density Single Family	R-2—Medium Density Residential	R-3—High Density Residential	B-1-General Business	B-2-Business Park/Office Wareh		I-1—Light Industrial	I-2—General Industrial	I-S—Industrial Storage	MX-1—Downtown Mixed Use		MX-2—Commercial Mixed Use
Hotels						P	P					C	C	Please see Section 1350.12 (B) for allowed uses in the MX-3 District
Motels						P	P					C	C	
Adult Uses (bookstore, theater, nightclub, nude or partially nude dancing)										C	C			
Animal boarding						P	P							
Animal grooming						P	P					C	C	
Animal hospitals						P	P					C	C	
Animal retail sales						P	P					C	C	
Antique Shops						P	P					P	P	
Artist studios												P	P	

Land Use Classification														NP Not Permitted P Permitted PUD Planned Unit Developments C Conditional Use Permit (CUP) required A Permitted Accessory Use CC Certificate of Compliance		
Land Use	Zoning District													Additional Use Regulations (See footnotes)		
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Auto sales, rental and services						C									Please see Section 1350.12 (B) for allowed uses in the MX-3 District	
Auto services only						C						C	C	No more than 4 bays in the MX districts		
Auto storage									C	P	C					
Auto washing						C,A			P,A	P, A						
Bakeries (Retail sales)						P	P					P	P			
Bakeries (Wholesale)						P	P					C	C			
Restaurant--Liquor Served--Bar Grill						C	C					C	C			
Restaurant--Fast food						P	P					C				

Land Use Classification														NP Not Permitted P Permitted PUD Planned Unit Developments C Conditional Use Permit (CUP) required A Permitted Accessory Use CC Certificate of Compliance
Land Use	Zoning District													Additional Use Regulations (See footnotes)
	RE—Rural Estate	R-1A—River Residential	R-1—Low Density Single Family	R-2—Medium Density Residential	R-3—High Density Residential	B-1-General Business	B-2-Business Park/Office Wareh		I-1—Light Industrial	I-2—General Industrial	I-S—Industrial Storage	MX-1—Downtown Mixed Use	MX-2—Commercial Mixed Use	
Restaurant-- Traditional (no liquor, sit down restaurant)						P	P					P	P	Please see Section 1350.12 (B) for allowed uses in the MX-3 District
Building materials and services						C	C							
Catering services						P	P		P			P	P	
Professional Offices						P	P					P	P	
Convenience Stores						P	P					P	P	

Land Use Classification														NP Not Permitted P Permitted PUD Planned Unit Developments C Conditional Use Permit (CUP) required A Permitted Accessory Use CC Certificate of Compliance		
Land Use	Zoning District													Additional Use Regulations (See footnotes)		
	RE—Rural Estate	R-1A—River Residential	R-1—Low Density Single Family	R-2—Medium Density Residential	R-3—High Density Residential	B-1-General Business	B-2-Business Park/Office Wareh		I-1—Light Industrial	I-2—General Industrial	I-S—Industrial Storage	MX-1—Downtown Mixed Use	MX-2—Commercial Mixed Use		MX-3 – Transit-Oriented Mixed Use	
Bicycle Sales Dry Cleaner Laundromat Drug Store/Pharmacy Floral/Flower shop Hobby Shop						P	P					P	P	Please see Section 1350.12 (B) for allowed uses in the MX-3 District	In the MX district, drive up windows require a conditional use permit (CUP)	
Wholesale sales						P	P		P							
Produce sales: vegetables, fruit, flowers, etc...						P	P					P	P			
Drive up Banks						P	P					C	C			
Entertainment/amusement halls Bowling Alley Skating Rink, Indoor						P	P					P	P		If alcohol is part of the use a (CUP) is required.	

Land Use Classification														NP Not Permitted P Permitted PUD Planned Unit Developments C Conditional Use Permit (CUP) required A Permitted Accessory Use CC Certificate of Compliance	
Land Use	Zoning District													Additional Use Regulations (See footnotes)	
	RE—Rural Estate	R-1A—River Residential	R-1—Low Density Single Family	R-2—Medium Density Residential	R-3—High Density Residential	B-1-General Business	B-2-Business Park/Office Wareh		I-1—Light Industrial	I-2—General Industrial	I-S—Industrial Storage	MX-1—Downtown Mixed Use	MX-2—Commercial Mixed Use		MX-3 – Transit-Oriented Mixed Use
Movie Theater						P	P					C		Please see Section 1350.12 (B) for allowed uses in the MX-3 District	300 or less capacity
Movie Theater						P	P								300 or greater capacity
Coliseums, stadiums						P	P								
Country Club and Golf Course	C	C	C	C	C	C	C								
Private athletic fields or courts	C	C	C	C	C										
Golf Driving Range						C									
Horseback Riding, Stables	C														
Auto and motorcycle racing tracks						C		C	C						
Drive-in movie theater						C									

Land Use Classification													NP Not Permitted P Permitted PUD Planned Unit Developments C Conditional Use Permit (CUP) required A Permitted Accessory Use CC Certificate of Compliance		
Land Use	Zoning District												Additional Use Regulations (See footnotes)		
	RE—Rural Estate	R-1A—River Residential	R-1—Low Density Single Family	R-2—Medium Density Residential	R-3—High Density Residential	B-1-General Business	B-2-Business Park/Office Wareh		I-1—Light Industrial	I-2—General Industrial	I-S—Industrial Storage	MX-1—Downtown Mixed Use		MX-2—Commercial Mixed Use	MX-3 – Transit-Oriented Mixed Use
Mobile Home Sales						P									Please see Section 1350.12 (B) for allowed uses in the MX-3 District
Manufactured Home Sales						P									
Automobile Parts/accessories retail sales and installation						P	C					C	C		
Automobile painting and body work									C						
Gas, diesel or other motor fuel retail sales						P	P					C	C		
Storage Mini-storage/cold storage											P				
Salvage yard (auto or scrap iron)										C					

Land Use Classification														NP Not Permitted P Permitted PUD Planned Unit Developments C Conditional Use Permit (CUP) required A Permitted Accessory Use CC Certificate of Compliance		
Land Use	Zoning District													Additional Use Regulations (See footnotes)		
	RE—Rural Estate	R-1A—River Residential	R-1—Low Density Single Family	R-2—Medium Density Residential	R-3—High Density Residential	B-1-General Business	B-2-Business Park/Office Wareh		I-1—Light Industrial	I-2—General Industrial	I-S—Industrial Storage	MX-1—Downtown Mixed Use	MX-2—Commercial Mixed Use		MX-3 – Transit-Oriented Mixed Use	
Animal Kennel for more than 6 animals	C					C	C								Please see Section 1350.12 (B) for allowed uses in the MX-3 District	
Agricultural operations, row cropping, tree farming (excluding livestock)	P															No on-premises sales
Commercial Greenhouse operations	C					C			P							Outside storage or sales requires a CUP. No on-premise sales permitted in RE district.
Veterinarian Clinic, animal hospital						C	C		P			C	C			
Industrial																

Land Use Classification														NP Not Permitted P Permitted PUD Planned Unit Developments C Conditional Use Permit (CUP) required A Permitted Accessory Use CC Certificate of Compliance	
Land Use	Zoning District													Additional Use Regulations (See footnotes)	
	RE—Rural Estate	R-1A—River Residential	R-1—Low Density Single Family	R-2—Medium Density Residential	R-3—High Density Residential	B-1-General Business	B-2-Business Park/Office Wareh		I-1—Light Industrial	I-2—General Industrial	I-S—Industrial Storage	MX-1—Downtown Mixed Use	MX-2—Commercial Mixed Use		MX-3 – Transit-Oriented Mixed Use
Manufacturing						C	C		P	P					Please see Section 1350.12 (B) for allowed uses in the MX-3 District
Warehousing							C		P	P					
Storage and Distribution of Bulk Petroleum Products, Oil and Gasoline											C				
Storage and distribution of bulk liquid fertilizer, chemicals or similar materials										C	C				
Retail Sale, Installation and remanufacturing of vehicle parts and accessories.									P						

1330.05 Performance Standards

Subd. 1 Intent. It shall be the intent of this section to promote high standards of design and construction in the City. These standards are set forth in order to enhance the visual appearance of the built environment within the City, to preserve the taxable value, to implement the goals and policies of the Comprehensive Plan and to promote the public health, safety, and welfare of the general public.

Subd. 2 General Scope. Except in the RE, R-1, and R-1A districts, any construction or alteration of buildings, structures, property or exterior equipment in the City which requires a building permit under the provisions of this Chapter shall be reviewed by the Zoning Administrator and shall comply with the standards set in Subds. 3 through 19 inclusive. If the Zoning Administrator determines that the plans comply with the intent and standards contained herein, a building permit may be issued. All decisions of the Zoning Administrator may be appealed to the City Council as provided for in this Chapter.

Subd. 3 Building Materials. Exterior building materials of all structures shall be one of, or a combination of, the following materials:

A. Permitted materials:

- 1) Face brick, stone, or glass;
- 2) Decorative concrete block with a color and texture theme that is directly related to the building material, if not more than 50% of the building elevation faces any public roadway. Plain, flat unpainted concrete block is not allowed, nor is any type of painted concrete block;
- 3) Architecturally treated concrete or cast-in-place or precast concrete panels;
- 4) Stucco or other cement like coating applied in a manner so as to create a harmonious design with other exterior materials;
- 5) Metal panels with interlocking, concealed, or tongue-and-groove seams, and concealed fasteners, if the exterior surface finish is warranted by the manufacturer for twenty years against blistering, peeling, cracking, flaking, checking, or chipping, if not more than 50% of the building elevation faces any public roadway;
- 6) Wood, wood siding, metal siding, or vinyl siding, but only in the R-2 and R-3 districts, and only on buildings with eight (8) or fewer units.

B. Conditional materials. Other exterior building materials may be approved by Conditional Use Permit, if it is determined that:

- 1) The materials are similar to or better than the permitted materials listed above;
- 2) The materials are high quality, long-lasting, attractive, reasonably maintenance-free, and;
- 3) The materials are integrated harmoniously into the building design and with neighboring uses.
- 4) The materials are approved by the building official.

- 4) Potted shrubs shall be in a 5 gallon pot or larger.
- 5) Evergreen shrubs used for screening purposes shall be at least 3 feet in height at planting. Evergreen shrubs will have a minimum spread of 24 inches.
- I. Landscape plans and screening plantings shall be completed within one year from the date a building permit is issued.

Subd. 15 Fences. Except in the RE, R-1, R-1A, MX-1, MX-2, and MX-3 districts, fences shall comply with the following standards:

- A. A fence may be placed along a property line provided no physical damage of any kind results to the abutting property.
- B. That side of the fence considered the face (the finished side as opposed to the structural supports) shall face the abutting property.
- C. A fence shall be of one color or pattern, may not contain or support pictures, signage or lettering, and must be maintained in good condition and appearance.

D. A fence shall only be constructed of the following materials:

- 1) Treated wood, cedar, or redwood
- 2) Simulated wood
- 3) Decorative brick or stone
- 4) Wrought iron or aluminum designed to simulate wrought iron
- 5) Coated or non-coated chain link
- 6) Split rail

~~E.~~ A fence may be no more than twelve (12) feet in height.

~~F.~~ A fence shall not visually screen or interfere with streets, sidewalks, or vehicular traffic.

~~G.~~ In the I-S district, a fence at least six (6) feet in height shall be required around all storage tanks.

~~H.~~ No fence shall be constructed on public rights-of-way.

Subd. 16 Noxious Matter. The emission of noxious matter shall be controlled so that no such emission crosses the lot line of the property from which it originates. Noxious matter shall mean any solid, liquid or gaseous material, including but not limited to gases, vapors, odor, dusts, fumes, mists, or combinations thereof, the emission of which is detrimental to or endangers the public health, safety, comfort or general welfare, or causes damage to property. The operator of the facility shall comply with a regular inspection schedule as approved by the City and shall submit reports of such inspections to the City.

Subd. 17 Restricted Operations. Uses which because of the nature of their operation are accompanied by an excess of noise, vibration, dust, dirt, smoke, odor, noxious gases, glare or wastes shall not be permitted. Noise, odors, smoke and particulate matter shall not exceed Minnesota Pollution Control Agency standards. Glare, whether direct or reflected, such as from spotlights or

- 3) For the purposes of this section, adding one inch or more of new material to an existing parking lot surface shall be considered an increase of one hundred (100) percent of the area involved.

Subd. 20 Performance Standards in RE, R-1, and R-1A districts. All construction or alteration of buildings, structures, or property in the RE, R-1, and R-1A districts shall comply with the standards set in Subds. 21 through 23 inclusive, as interpreted by the Zoning Administrator. All decisions of the Zoning Administrator may be appealed to the City Council as provided for elsewhere in this Code.

Subd. 21 Fences in the RE, R-1, R-1A, MX-1, MX-2, and MX-3 districts.

- A. A fence may be placed along a property line provided no physical damage of any kind results to the abutting property.
- B. That side of the fence considered being the face (the finished side as opposed to the structural supports) shall face the abutting property.
- C. A fence in the front yard shall be of one color or pattern, and may not contain or support pictures, signage or lettering visible to a public street or to adjacent properties.
- D. A fence may be no more than four (4) feet in height in the front yard.
- E. A fence may be no more than six (6) feet in height in a side or rear yard, unless the side or rear lot line is common with the front yard of an abutting lot, in which case the portion of the side or rear lot line equal to the required front yard of the abutting lot may have a fence no more than four (4) feet in height.
- F. Except in the RE district, barbed wire may not be used for fences.
- G. A fence shall not visually screen or interfere with streets, sidewalks, or vehicular traffic.
- H. All fences shall be maintained in good condition and appearance.

I. A fence shall only be constructed of the following materials:

- 1) Treated wood, cedar, or redwood
- 2) Simulated wood
- 3) Decorative brick or stone
- 4) Wrought iron or aluminum designed to simulate wrought iron
- 5) Coated or non-coated chain link
- 6) Split rail

J. Except in the RE District, welded wire may not be used for fences

K. Welded wire may only be used in the following locations:

- 1) Rear yard
- 2) Small enclosures in the front yard

L. Except in the RE District, snow fences may not be used for fences.

M. Snow fences may be erected in the RE District for controlling snow between November 1 and April 15. All snow fences must be removed by April 16.

H.N. No fence shall be constructed on public rights-of-way.

Subd. 22 Exterior Storage and Screening in RE, R-1, and R-1A districts.

- A. All waste, refuse, garbage and containers shall be kept in a building or in a fully screened area, except as allowed before a scheduled collection.
- B. All non-operating vehicles or equipment shall be kept within a fully enclosed building.
- C. No exterior storage shall be allowed in the front yard, except parking of operable vehicles, subject to the following conditions and exceptions:
 - 1) All vehicles parked in the front yard shall be on concrete, blacktop, or similar durable hard surface free of dust.
 - 2) No more than three (3) vehicles may be parked in the front yard at any one time, only one of which may be over six thousand (6,000) pounds gross vehicle weight or over twenty (20) feet in length.
 - 3) Additional operable vehicles above the limit of three (3) may be parked in the front yard on a temporary basis, for no more than forty-eight (48) consecutive hours.
- D. All exterior storage in the street side yard of a corner lot shall be fully screened from the street and adjacent properties.

Subd. 23 Lighting in the RE, R-1, and R-1A districts. Lighting used to illuminate any exterior area or structure shall be arranged so as to direct the light away from any adjoining property or from the public street.

Subd. 24 Landscaping in the RE, R-1 and R-1A Districts. All areas of land not covered by structures or pavement shall be landscaped with sod, mulch, or rock materials, and landscaped according to the provisions of this section:

- A. At least one (1) overstory tree shall be provided in the front yard for each fifty (50) feet of lot frontage.
- B. There shall be a minimum of one (1) tree for every one thousand (1,000) square feet of non-impervious surface area on the lot.
- C. All landscape materials shall be appropriate to the physical characteristics of the site in terms of hardiness, salt-tolerance, and sun or shade tolerance.
- D. All areas of land not covered by structures, pavement, or landscaping may be covered by natural characteristics, when appropriate.
- E. All areas not otherwise improved in accordance with approved site plans shall be sodded. Exceptions shall be as follows:

- 1) Seeding of future expansion areas as shown on approved plans.
 - 2) Undisturbed areas containing existing viable natural vegetation that can be maintained free of foreign and noxious plant material.
 - 3) Areas designated as open space or future expansion areas properly planted and maintained with native prairie grass.
 - 4) Use of mulch material such as rock or wood chips in support of shrubs and foundation plantings.
- F. Slopes and Berms. Final slope grades steeper than the ratio of 3:1 shall not be permitted without special landscaping treatments such as terracing, retaining walls, or ground cover.
- G. Plant Size Requirements. Plant size requirements for landscaping areas shall be as follows:
- 1) Deciduous trees shall be at least 2 ½ inches in diameter.
 - 2) Ornamental trees shall be a minimum of 1 ½ inches in diameter.
 - 3) Evergreen trees shall have a minimum height of 6 feet.
 - 4) Potted shrubs shall be in a 5 gallon pot or larger.
 - 5) Evergreen shrubs used for screening purposes shall be at least 3 feet in height at planting. Evergreen shrubs will have a minimum spread of 24 inches.
 - 6) Except when a property's topsoil depth is less than 24 inches, the plant size requirement may be reduced by 50% or to 1 ¼ inches and doubling the number of trees.
- H. Landscape plans and screening plantings shall be completed within one year from the date a building permit is issued.

1330.06 Off-Street Parking

Subd. 1 General.

- A. Standards. Off-street parking, loading, and service areas shall be improved with a durable and dustless surface, and shall be graded and drained so as to dispose of all surface water accumulation within the parking area. Acceptable surfaces may include crushed rock and similar treatment for parking accessory to single family and duplex residential structures, all other uses shall utilize asphalt, concrete or substitute as approved by the Zoning Administrator. All surfacing shall be completed prior to occupancy of the structure, unless specific approval otherwise has been granted by the City. Parking areas for three (3) vehicles or fewer shall be exempt from the requirements of this paragraph.
- B. Dimensions. Each off-street parking space shall be a minimum of nine (9) feet wide by eighteen (18) feet deep. Access drives and aisles shall be a minimum of twenty-four (24) feet wide for two-way traffic, and eighteen (18) feet wide for one-way traffic. Parking space dimensions for angled parking shall be approved by the Zoning Administrator, based on acceptable planning standards.

- C. Compact Car Parking. Parking spaces for compact cars may be included within a parking lot plan approved by the Zoning Administrator provided the spaces comprise no more than forty (40) percent of the spaces for the entire use or project, and provided they shall be clearly identified on the site and their location shall be designed carefully into the overall site plan. The spaces shall be a minimum of eight (8) feet wide by sixteen (16) deep.
- D. Handicapped Parking. Parking for handicapped persons shall be provided in accordance with State and Federal regulations.
- E. Access. All off-street parking spaces shall have access from a private driveway and shall not access directly onto a public street.

Subd. 2 Number of Off-street Parking Spaces. The number of off-street parking spaces required for ~~various~~ uses in the Residential, Non-Residential, and MX-1 and MX-2 Districts shall be as follows. Section 1350.12 prescribes the number of off street parking spaces required for uses in the MX-3 District.

- A. Single and Two-family Dwellings: Two (2) spaces per unit, at least one of which shall be enclosed.
- B. Residential Dwellings up to Eight (8) Units per structure: Two (2) spaces per unit, at least one each of which shall be enclosed, plus one half (0.5) space per unit of visitor parking, apart from individual garages or reserved resident spaces, within one hundred (100) feet of the entrance to each private unit entrance or to the building entrance if there is a common entrance. Visitor spaces may be further away if they have enclosed access to the building.
- C. Residential Dwelling with more than Eight (8) Units: One and one-half (1-½) spaces per unit for each efficiency or one bedroom unit, at least one each of which shall be enclosed, and two (2) spaces per unit for each unit with two or more bedrooms, at least one each of which shall be enclosed. In addition, there shall be one-half (½) space per unit of visitor parking, apart from individual garages or reserved resident spaces, within two hundred (200) feet of the entrance to each private unit entrance or to the building entrance if there is a common entrance. Visitor spaces may be further away if they have enclosed access to the building.
- D. Driveway Space: Driveway space immediately in front of a garage door, blocking normal access to the garage, may not be counted as part of the required parking space for any residential use.
- E. Retail Sales and Service Uses: One (1) space for each two hundred fifty (250) square feet of gross floor area.
- F. Hotel or Motel: One (1) space per unit, plus one (1) space per employee on the largest shift.
- G. Medical or Dental Clinic: Six (6) spaces per doctor or dentist.
- H. Vehicle or Equipment Service and Repair: Two (2) spaces plus three (3) spaces for each service stall
- I. Restaurants, Taverns, Clubs, and Similar Uses: One (1) space for each two and one half (2.5) seats, based on maximum design capacity.

- J. Offices, Other than Medical or Dental: One (1) space for each two hundred fifty (250) square feet of gross floor area.
- K. Churches, Theaters, Auditoriums, Funeral Homes, and Other Places of Assembly.: One (1) space for each three (3) seats or for each five (5) feet of pew or bleacher length, based on the maximum design capacity.
- L. Warehouse, Storage, Handling of Bulk Goods, Industrial Storage: One (1) space for each two (2) employees on the largest shift, or one (1) space for each two thousand (2,000) square feet of gross floor area, whichever shall be greater.
- M. Manufacturing, Light Industrial, Processing, and Fabrication: One (1) space per five hundred (500) square feet of gross floor area.
- N. Uses Not Specifically Mentioned: As shall be determined by the Zoning Administrator.

Subd. 3 Residential Districts.

- A. No more than twenty-five (25) percent of the required yard area shall be surfaced or utilized for driveway space or vehicle storage.
- B. All parking spaces shall be on the same lot as the principal use for which they are intended.

Subd. 4 Shared Parking in Non-residential Districts. The standards for shared parking spaces for uses in all-non-residential districts are as follows:

- A. Required parking facilities serving two or more uses may be located on the same lot or in the same structure, provided that the total number of parking spaces furnished shall not be less than the sum of the separate requirements for each use.
- B. A shared parking plan for two or more uses involving fewer than the total number of parking spaces required in paragraph (1) above may be approved by Conditional Use Permit, if at least the following conditions shall be met:
 - 1) No more than fifty (50) percent of the required parking spaces for a given use may be shared with another use.
 - 2) The applicant shall show that there is no substantial conflict between the principal operating hours of the uses, which will share parking spaces.
 - 3) A properly drawn legal instrument covering access easements, cross parking arrangements, maintenance, or other pertinent issues, executed by the parties involved, and approved by the City Attorney, shall be filed with the City Clerk-Administrator.
 - 4) Proof of available parking can be made available should a more intensive use be proposed for the site at a later time.

Subd. 5 Location of Parking. Unless otherwise provided, required parking for all uses shall be within four hundred (400) feet of the entrance to the use.

Section 1350 - Non-residential Districts**1350.01 Scope.**

Except as otherwise provided, this division applies to all nonresidential and mixed-use districts in the City.

1350.02 Purpose of Business Districts.

Business districts shall be established to accomplish the general purpose of this Chapter and the Comprehensive Plan and for the following specific purposes:

- A. To group compatible business uses which will tend to draw trade that is naturally interchangeable and so promotes the business prosperity and public convenience:
- B. To provide an adequate supply of businesses and professional services to meet the needs of the residents;
- C. To promote a high quality of total commercial development and design that produces a positive visual image and minimizes the effects of traffic congestion noise, odor, glare, and similar problems.

1350.03 Specific intent of the B-1 General Business District.

The specific intent of the B-1 General Business District shall be to provide the opportunity for diverse businesses to take advantage of the visibility and access to the Highway 61 corridor. The district is intended to serve the business needs of the region and may include automobile and highway-oriented businesses. The district requires a full range of public utilities and services, as well as excellent access to at least a collector level roadway and nearby access to Highway 61.

1350.031 Specific intent of the B-2 Business Park/Office/Warehouse District.

The Business Park/Office/Warehouse District is intended to create high quality places to work in the community. This land use should focus on bringing in quality jobs and a high tax base. Some accessory commercial services may also be a part of this land use type to serve the large employment base. The Business Park/Office/Warehouse District is also intended to accommodate development, which does not rely on high visibility from a major roadway to survive.

1350.04 Purpose of the Industrial Districts.

The industrial districts shall be established to accomplish the general purpose of this Chapter and the [Comprehensive Plan](#) and the following specific purposes:

- A. To provide employment opportunities;
- B. To group industrial uses in locations accessible to rail [lines](#) and highways, [and to allow efficient so that the](#) movement of raw materials, finished products and employees ~~can be carried on efficiently~~;
- C. To separate traffic, noise, and other obtrusive characteristics of intense industrial activity from the more sensitive commercial, residential, and open space areas of the City.

1350.05 Specific intent of the I-1 Light Industrial District.

The specific intent of the I-1 Light Industrial District shall be to provide areas for the development of research laboratories, small-scale processing, fabricating, storage, manufacturing, and assembly of

products. Such uses are non-polluting, not excessively noisy or dirty, limited traffic producers, and do not produce hazardous waste-as by-products.

1350.06 Specific intent of the I-2 General Industrial District.

The specific intent of the I-2 General Industrial District shall be to provide areas adjacent to major thoroughfares and in areas where public utilities are available for the express use of industrial developments. Designation of industrial districts will help attract industry, thereby stabilizing the tax base and increasing employment in the City.

1350.07 Specific intent of the I-S Industrial Storage District.

The specific intent of the IS Industrial Storage District shall be to provide areas ~~bordering City limits and in areas that are~~ adequately buffered and separated from residential, commercial, and business uses with open land to permit storage of petroleum products and other similar storage uses.

1350.08 Purpose of the Mixed-Use Districts.

The mixed-use districts shall be established to accomplish the general purposes outlined in the Comprehensive Plan and more specifically to foster a transit-oriented development pattern that serves as a place to live, shop, work and play. The Mixed-use districts are intended to help shape Newport's downtown and small town identity. Each of the districts as an unique purpose, as follows:

~~1350.09 Specific intent of the MX-1 Downtown District.~~

A. MX-1 Downtown Mixed Use District. The specific intent of the MX-1 Downtown District is to foster a dense, focused, downtown business district with a mix of residential, office, commercial, retail and service uses. "Big box" uses are not allowed. The area should be pedestrian and bicycle-friendly in scale and in design.

~~The specific intent of the MX-1 Downtown District shall be to provide sites for small scale retail and service commercial uses to support a mix of residential and office type uses in an aesthetically pleasing and dense but safe and walkable development pattern. This district generally includes the area around Glen Road and 16th Street on both sides of TH 61. In order to build and strengthen a pedestrian oriented environment, this district is primarily intended for more pedestrian oriented uses such as specialty retail stores, professional services, sit down restaurants, coffee shops, floral shops, etc... These uses should compliment each other to promote the idea of one stop shopping in a district as opposed to one stop shopping in a 'big box' store. This district shall serve as the center for financial, commercial, professional and entertainment activities. Inclusion of high density housing above commercial uses in this district helps support commercial and entertainment uses and supports public transit services.~~

B. MX-2 Commercial Mixed Use District. The specific intent of the MX-2 Commercial District is to include a mix of land uses including residential, commercial, and other compatible uses. Commercial uses should serve the Newport community, and may serve the immediate region as well.

C. MX-3 Transit-Oriented Mixed Use District. The specific intent of the MX-3 Transit-Oriented District is to encourage a mixture of residential, commercial, office and civic uses in proximity to transit facilities at densities and intensities that support and increase transit use. Development should encourage a safe and pleasant pedestrian environment, maximize access to transit, provide parking in an efficient and unobtrusive manner, and encourage a sense of activity and liveliness on local streets.

~~1350.10 Specific intent of the MX-2 Mainstreet District.~~

~~The specific intent of the MX-2 Mainstreet District shall be to provide a pedestrian friendly land use pattern that enables existing residential uses to coexist on a busy City street with small scale specialty~~

~~retail uses and small offices that may locate in structures with a residential appearance. Development is intended to be compatible with the scale of surrounding residential areas. Parking areas are restricted in this zone in order to limit the impact on the neighborhood. Government services are encouraged as a part of this district.~~

1350.1409 Dimensional provisions for lots and structures.

The following lot dimension, lot coverage, building dimensions and setback provisions shall apply in nonresidential and mixed-use districts:

Provision	Districts							
	MX-1	MX-2	MX-3	B-1 & B-2	I-1	I-2	IS	
<i>Lot dimension and coverage provisions</i>								
<u>Minimum lot area in square feet</u>	<u>2,400</u>	<u>4,000</u>	<u>None</u>	<u>15,000</u>	<u>30,000</u>	<u>30,000</u>	<u>30,000</u>	
<u>Minimum lot depth in feet</u>	<u>80</u>	<u>100</u>	<u>None</u>	<u>150</u>	<u>200</u>	<u>200</u>	<u>200</u>	
<u>Minimum lot width in feet</u>	<u>30</u>	<u>40</u>	<u>None</u>	<u>100</u>	<u>100</u>	<u>100</u>	<u>100</u>	
<u>Maximum lot coverage by all buildings (%)</u>	<u>80%</u>	<u>50%</u>	<u>None</u>	<u>30%</u>	<u>40%</u>	<u>50%</u>	<u>50%</u>	
<i>Structure setback standards***</i>								
<u>Minimum front yard setback in feet</u>	<u>0</u>	<u>10**</u>	<u>10</u>	<u>20</u>	<u>20</u>	<u>20</u>	<u>50</u>	
<u>Minimum front yard if across collector or minor street from any residential district in feet</u>	<u>10</u>	<u>10**</u>	<u>10</u>	<u>50</u>	<u>50</u>	<u>50</u>	<u>100</u>	
<u>Maximum front yard setback in feet</u>			<u>15</u>					
<u>Minimum side yard if adjacent to mixed-use or non-residential uses in feet</u>	<u>0</u>	<u>5</u>	<u>5</u>	<u>10</u>	<u>20</u>	<u>20</u>	<u>50</u>	
<u>Minimum side yard if adjacent to any residential district in feet</u>	<u>10</u>	<u>10</u>	<u>10</u>	<u>50</u>	<u>50</u>	<u>50</u>	<u>100</u>	
<u>Minimum rear yard in feet</u>	<u>20</u>	<u>20</u>	<u>20</u>	<u>20</u>	<u>20</u>	<u>20</u>	<u>50</u>	
<u>Minimum rear yard if adjacent to any residential district in feet</u>	<u>20</u>	<u>20</u>	<u>20</u>	<u>50</u>	<u>50</u>	<u>50</u>	<u>100</u>	
<i>Parking and driving aisle setback in feet:</i>								
<u>Minimum front yard in feet</u>	<u>Not allowed</u>	<u>Not allowed</u>	<u>Not allowed</u>	<u>20</u>	<u>20</u>	<u>20</u>	<u>20</u>	
<u>Minimum front yard</u>	<u>Not</u>	<u>Not</u>	<u>Not</u>	<u>50</u>	<u>50</u>	<u>50</u>	<u>50</u>	

<u>Provision</u>	<u>Districts</u>							
	<u>MX-1</u>	<u>MX-2</u>	<u>MX-3</u>	<u>B-1 & B-2</u>	<u>I-1</u>	<u>I-2</u>	<u>IS</u>	
<u>if across collector or minor street from any R district in feet</u>	<u>allowed</u>	<u>allowed</u>	<u>allowed</u>					
<u>Minimum side yard in feet</u>	<u>5</u>	<u>5</u>	<u>5</u>	<u>5</u>	<u>5</u>	<u>5</u>	<u>5</u>	
<u>Minimum side yard if adjacent to any R district in feet</u>	<u>5</u>	<u>5</u>	<u>5</u>	<u>30</u>	<u>30</u>	<u>30</u>	<u>30</u>	
<u>Minimum rear yard in feet</u>	<u>5</u>	<u>5</u>	<u>5</u>	<u>5</u>	<u>5</u>	<u>5</u>	<u>5</u>	
<u>Minimum rear yard if adjacent to any R district in feet</u>	<u>10</u>	<u>10</u>	<u>10</u>	<u>50</u>	<u>50</u>	<u>50</u>	<u>50</u>	
<u>Other Provisions</u>								
<u>Maximum building height in feet*</u>	<u>40</u> <u>3-sty</u>	<u>28</u> <u>2-sty</u>	<u>See table in Section 1350.12(D)</u>	<u>40</u>	<u>40</u>	<u>40</u>	<u>40</u>	
<u>Maximum height of storage tank in I-S district in feet</u>							<u>55</u>	
<u>Public utilities required, including sewer</u>	<u>Yes</u>	<u>Yes</u>	<u>Yes</u>	<u>Yes</u>	<u>Yes</u>	<u>Yes</u>	<u>Yes</u>	

* Maximum height may be increased upon issuance of a Conditional Use Permit. The setback requirements in Section F(2)e apply for increases in height adjacent to single-family residential uses.

** See Section 1300.09 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 the Planned Development District process in Section 1360 of the Zoning Code.

1350.1210 Parking standards.

Parking requirements shall be governed by Section 1330.06 except as otherwise stated below:

A. In the MX-1 District parking requirements shall be 1 space for every 350 square feet of office or retail gross floor area. ~~On-Street~~ parking spaces that are adjacent to the parcel in which the parking is being calculated for may be included in the calculation. The maximum number of off street parking spaces permitted shall not exceed 1 space per 250 square feet of office or retail uses except in the case of restaurants which shall be allowed one space per 200 square feet if shared parking facilities are unavailable.

B. Parking standards for the MX-3 District are included in Section 1350.12(I)

B-C. Additional reductions in parking requirements in the ~~Mixed-Use~~ MX-1 and MX-2 Districts shall be permitted with demonstration of proof of parking or a parking management

strategy acceptable to the Zoning Administrator. Allowances for reductions in parking requirements in the MX-3 District are included in Section 1350.12(I).

~~C~~D. _____ Surface Parking Lots in the MX-1 or MX-2 District shall be located at the side or rear of buildings and not in the front yard area. Surface parking lot or driveway access may not make up more than 25% of lot frontage.

1350.131 Additional Performance Standards for ~~Mixed-Use~~the MX-1 and MX-2 Districts.

Additional performance standards for ~~Mixed-Use~~the MX-1 and MX-2 Districts:

- A. Exterior Storage: No materials, product or equipment shall be stored outside of an enclosed building except for daily display (during store hours) of merchandise.
- B. All refuse and recycling containers must be stored inside of the principle structure or a fully enclosed accessory structure.
- C. All roof equipment must be screened from public view unless designed as an integral part of the building and is compatible with the site lines of the building, as determined by the Zoning Administrator.
- D. All developments (except for improvements to a single-family detached housing unit or construction of a new single-family detached housing unit) conducted within the MX-1 or MX-2 district must be completed through the Planned Unit Development District process as outlined in Section 1360 of the Zoning Code.

1350.12 Additional Standards for the MX-3 Transit-Oriented Mixed Use District

A. The specific intent of the MX-3 Transit-Oriented Mixed Use District is to:

- 1. Encourage a mixture of residential, commercial, office, and civic uses in proximity to the commuter rail station at densities and intensities that support and increase transit use.
- 2. Encourage a safe and pleasant pedestrian environment near the rail station, and limit conflicts between pedestrians and vehicles.
- 3. Maximize access to transit.
- 4. Encourage use of transit infrastructure.
- 5. Provide parking in an efficient and unobtrusive manner
- 6. Reduce parking requirements by encouraging shared parking and alternative modes of transportation.
- 7. Encourage a sense of activity and liveliness along the street level of building facades.

B. Allowed Uses:

<u>USE</u>	<u>PERMITTED</u>	<u>CONDITIONAL USE</u>	<u>NOT PERMITTED</u>
<u>Residential Uses</u>			
<u>Multifamily Residential— townhomes, condos, cooperatives</u>	<u>P (eight units or less per building)</u>	<u>C (more than 8 units per building)</u>	
<u>Mixed-Use (dwelling units above ground floor)</u>	<u>P</u>		
<u>Planned Unit Development</u>		<u>PUD</u>	
<u>Live-work building</u>		<u>C</u>	
<u>Congregate housing for senior populations</u>	<u>P</u>		
<u>Residential care facility (7-16 persons)</u>		<u>C</u>	
<u>Public and Semi-Public Uses</u>			
<u>Churches, synagogues and associated facilities, except schools</u>		<u>C—10,000 square feet or less</u>	<u>N—more than 10,000 square feet</u>
<u>Day care centers in a mixed-use building</u>	<u>P</u>		
<u>Government Offices</u>		<u>C</u>	<u>N—more than 50,000 square feet</u>
<u>Public parks and outdoor recreation facilities</u>	<u>P</u>		
<u>Parking garage (as a principle use), park-and-ride lot</u>		<u>C</u>	
<u>Public Utilities</u>		<u>C</u>	
<u>Schools – trade, vocational, dancing, music, arts, or fitness</u>	<u>P—10,000 square feet or less</u>	<u>C—more than 10,000 square feet and less than 50,000 square feet</u>	<u>N—more than 50,000 square feet</u>
<u>Transit stations, related parking, park-and-ride facilities</u>		<u>C</u>	
<u>Commercial Uses</u>			
<u>Auto services (not including body repair or major repair)</u>		<u>C—maximum of 4 bays</u>	
<u>Club or lodge, private</u>	<u>P—10,000 square feet or less</u>		
<u>Conference center</u>	<u>P—10,000 square feet or less</u>	<u>C—more than 10,000 square feet and less than 50,000 square feet</u>	<u>N—more than 50,000 square feet</u>
<u>Convenience retail, including gas, diesel and motor fuel retail sales</u>		<u>C</u>	
<u>Financial services</u>	<u>P</u>		

<u>Fitness and recreation centers, in a mixed-use building</u>		<u>C</u>	
<u>Grocery and produce sales</u>	<u>P—10,000 square feet or less</u>	<u>C—more than 10,000 square feet and less than 50,000 square feet</u>	<u>N—more than 50,000 square feet</u>
<u>Hotel</u>		<u>C</u>	
<u>Learning studio (martial arts, visual/performing arts, fitness)</u>	<u>P</u>		
<u>Medical, dental, and veterinary clinics and laboratories</u>		<u>C—10,000 square feet or less</u>	<u>N—more than 10,000 square feet</u>
<u>Offices— general, medical, professional, free-standing or mixed-use building</u>	<u>P—10,000 square feet or less</u>	<u>C—more than 10,000 square feet</u>	
<u>Printing, publishing, bookbinding, blueprinting</u>		<u>C</u>	
<u>Research, development and testing facilities</u>		<u>C</u>	
<u>Restaurants, including sidewalk cafes, freestanding or mixed-use buildings, bakeries, delicatessens, coffee shops, catering services</u>	<u>P--no liquor served</u>	<u>C—liquor served</u>	
<u>Retail businesses, free-standing or mixed-use building</u>	<u>P—10,000 square feet or less</u>	<u>C—more than 10,000 square feet and less than 50,000 square feet</u>	<u>N—more than 50,000 square feet</u>
<u>Service businesses--such as beauty shops, barbershops, dry-cleaning (drop-off/pickup only, no on-site processing)</u>		<u>C—10,000 square feet or less</u>	<u>N—more than 10,000 square feet</u>
<u>Small scale manufacturing, assembly, and artisans</u>	<u>P--5,000 square feet or less</u>	<u>C—more than 5,000 square feet and less than 10,000 square feet</u>	<u>N—more than 10,000 square feet</u>
<u>Structured parking facilities</u>	<u>P</u>		
<u>Accessory Uses</u>			
<u>Drive up facilities</u>		<u>C</u>	
<u>Gazebo, arbor, play equipment in public or private open space area</u>	<u>P</u>		
<u>Renewable energy system</u>	<u>P</u>		
<u>Parking lot</u>	<u>P</u>		
<u>Swimming pool</u>	<u>P</u>		
<u>Uses that are not permitted in MX-3</u>			
<u>Auto body painting, repair and body work, towing services</u>			<u>N</u>
<u>Single-family dwellings</u>			<u>N</u>
<u>Manufactured single-family</u>			<u>N</u>

<u>dwelling</u> s			
<u>Mobile Homes</u>			<u>N</u>
<u>Outdoor sales in conjunction with a permitted use</u>			<u>N</u>
<u>Parking lots as a principle use</u>			<u>N</u>
<u>Storage, mini-storage, cold storage</u>			<u>N</u>
<u>Manufacturing</u>			<u>N</u>
<u>Warehousing and Industrial uses</u>			<u>N</u>

C. Administrative Procedure for Development

1. Preliminary Review. Anyone planning to develop or redevelop property in an MX-3 District shall meet with the City Administrator (1) during the conceptual design process in order that the staff may offer input into meeting the ordinance requirements and design standards and (2) during the design development stage to ensure that the plans meet the minimum MX-3 District Standards.

2. Station Area Plan Procedure. No new development or redevelopment on the Station Area Site (“Old Knox Site”) may occur, and no building permit will be issued, without approval of a Station Area Plan conforming to the requirements of this section. Approval of individual site plans must conform to the Station Area Plan. Upon the submission of the Station Area Plan, the Planning Commission will conduct a public hearing and make a recommendation to the City Council, which shall approve, modify, or deny the Station Area Plan. The Station Area Plan shall include the following:
 - a. A drawing showing existing conditions such as property boundaries, generalized contours, site features such as wetlands and wooded areas, and surrounding land uses and development.
 - b. A conceptual development plan showing public and private open space, and general site data such as potential parcel boundaries and building locations, density, setbacks, ponding areas, parking areas and generalized screening, buffering, and landscape concepts.
 - c. Generalized traffic information including proposed new streets and alley connections, proposed improvements to existing roads, and an analysis of expected traffic generation and the adequacy of the proposed transportation infrastructure.
 - d. An elements plan that includes, but is not limited to, lighting, public art, planters, fountains, litter receptacles, benches or seating areas.
 - e. The findings necessary for approval of the Station Area Plan include, but are not limited to, the following:
 - i. The Station Area Plan is consistent with the intent of the MX-3 District.
 - ii. The Station Area Plan reflects development that:
 - A. Is not detrimental to the public health, safety, or general welfare
 - B. Is not hazardous, detrimental or disturbing to surrounding land uses, or that creates pollution, vibration, general unsightliness, electrical interference, or other nuisances
 - C. Does not create traffic congestion, unsafe access, or parking needs that will cause inconvenience to adjoining properties
 - D. Is served adequately by essential public services such as streets, police, fire protection, utilities, and parks

- E. Does not create excessive additional requirements at public cost for public facilities and services, and is not detrimental to the economic welfare of the City
 - F. Causes minimal adverse environmental effects
 - G. Each phase or stage of the Station Area Plan can exist as an independent unit.
3. Site Plan Approval Required. A site plan approval is required for all new construction in the MX-3 District. Application for a site plan review shall be made to the City on forms provided by the City, and shall be accompanied by the following:
- a. A survey or plat of the property
 - b. Evidence of ownership or interest in the property
 - c. The fee specified in the City's fee schedule
 - d. Information regarding project phasing and timing
 - e. Complete development plans as specified under Section 1360.08 of the Zoning Code, signed by a registered architect, civil engineer, landscape architect, or other appropriate design professional, as required by the State Building Code
 - f. Architectural plans showing the following:
 - i. Colored elevations of all sides of the building
 - ii. Type, color, and samples of exterior building materials
 - iii. Typical floor plans
 - iv. Dimensions of all structures
 - v. The location of exterior trash storage areas and of exterior electrical, heating, ventilation, and air conditioning equipment
 - vi. Utility plans including water, sanitary sewer, and storm sewer
 - vii. A plan showing landscaping, lighting, and signs that meet code requirements
 - viii. Illustrations that show adjacent building elevations to show the scale of adjacent buildings and landscaping
 - ix. Such other information as may be required by the City to process the application
4. Public hearing and approvals. Upon receipt of a completed site plan application, a date shall be set for a public hearing before the Planning Commission. The hearing will be held no less than 10 days after mailed notice is sent to the owners of property located wholly or partially within 350 feet of the site. The Planning Commission shall submit its recommendation to the City Council. Following appropriate review, the Council shall make a decision regarding the application.
5. Administrative Approval. To offer some degree of flexibility, the City Administrator has the authority to administratively increase any of the development and urban design standards by five percent (5%) in an MX-3 District. If administrative approval is required for parking or an item normally approved by the Planning Commission and City Council, the City Administrator shall only grant approval after consultation with other City staff (public works, building inspections, fire chief, etc.).
- a. On matters that do not involve quantitative measurements, the City Administrator may also make minor alterations if he/she determines that such changes would be an acceptable design approach to development and would be in keeping with the general intent of the MX-3 District. Any such approval shall meet the following criteria:
 - i. Incorporates existing buildings, trees, topographic features, or other existing elements consistent with the intent of the MX-3 District; and
 - ii. Provides urban open space, seating, fountains, accent landscaping, or other similar urban pedestrian amenities consistent with the intent of the MX-3 District.

D. Dimensional standards and densities.

1. The following requirements apply to all buildings or uses in an MX-3 District:

<u>Height and Setbacks</u>	<u>Residential Townhouse</u>	<u>Residential Apt., Condo, Cooperative</u>	<u>Mixed-Use Building</u>	<u>Commercial, Civic, not in mixed-use building</u>
<u>Height</u>	<u>3 stories or 36 feet maximum, whichever is less</u>	<u>2 stories (24') minimum; 4 stories or 48' maximum*, whichever dimension is less</u>	<u>2 stories (24') minimum; 4 stories or 48' maximum*, whichever dimension is less</u>	<u>No minimum; 4 stories (48') maximum</u>

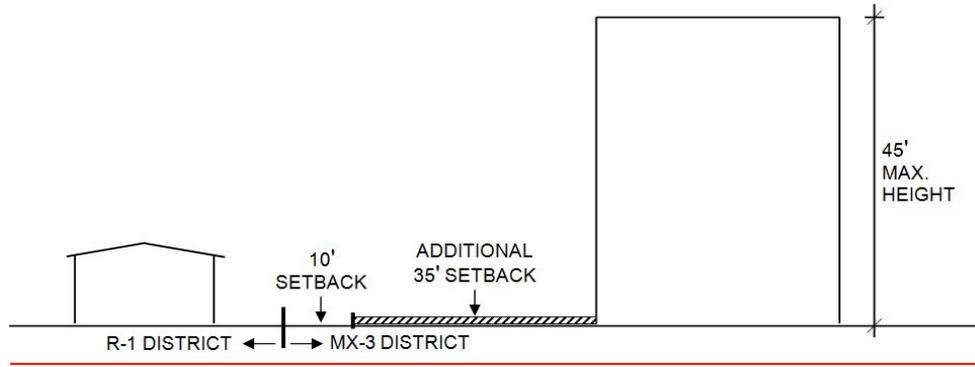
*Maximum height may be increased upon issuance of a Conditional Use Permit. The setback requirements in Section 1350.5 F (2) e apply for increases in height adjacent to single-family residential uses.

E. Densities

1. The maximum residential density in the MX-3 District shall be 50 units/acre
2. The minimum residential density in the MX-3 District shall be 30 units/acre
3. The minimum net FAR (Floor Area Ratio) for residential and non-residential uses shall be 0.5 FAR

F. Height and Setback Standards

1. General setback standards for the MX-3 District are indicated on the table in Section 1350.11.
2. Additional setback and building height standards for the MX-3 District include the following:
 - a. If new construction incorporates an existing structure located within a minimum setback, the City Administrator may allow the setback for the building addition to be reduced to the established setback.
 - b. All above-ground utility structures associated with electric, natural gas, telecommunications, cable television distribution lines, pipes, conduits, or other public utilities shall be located behind the minimum setback unless otherwise approved as part of the site plan approval. This applies to air vents, utility boxes, and back-flow preventers.
 - c. Driveways may cross the front setback, but shall be as near as perpendicular to the street for pedestrian safety and to minimize the intrusion into any landscaped area.
 - d. Balconies may project up to two feet (2') over the right-of-way, subject to an approved sidewalk encroachment agreement. Balconies shall have a minimum clearance of ten feet (10') from grade.
 - e. The permitted maximum height of structures adjacent to single-family residential uses shall be determined by the distance of the structure to the boundary line of the nearest single-family residential district. In the MX-3 District, applicable side and/or rear yard setbacks adjacent to single-family residential areas shall be increased by one foot (1') for each additional foot (1:1 ratio) of building height greater than the setback distance.



G. Open Storage Prohibited. Outside storage shall be prohibited in the MX-3 District.

H. Open Space Requirement. Developers shall be expected to work with the City to provide a minimum of ten percent (10%) of residential project sites and five percent (5%) of commercial and mixed-use sites as open space. The open space may be designed as a square, plaza, terrace, or green, with a variety of landscaped and paved surfaces and seating areas. This requirement may be waived in cases where the City’s master plan specifies the location and design of open space within the development.

1. All required open space for commercial and mixed-use sites shall be accessible to the users of the building and shall be improved with seating, plantings, and amenities, and be visible from the street or pedestrian areas.
2. Floor area ratio credits are allowed for all new developments when the pedestrian space is available for use by the public, including widened sidewalk areas.

I. Parking Requirements. For purposes of this section, new use within the MX-3 District shall be required to meet the minimum/maximum parking spaces as shown in the following chart. All square footage is measured as ‘gross footage.’

<u>USE</u>	<u>PARKING MINIMUM</u>	<u>PARKING MAXIMUM</u>
<u>Residential</u>	<u>1.5 spaces per dwelling unit, plus 10% for guest parking</u>	<u>2.5 spaces per dwelling unit, plus 10% for guest parking</u>
<u>Commercial, Retail, Service</u>	<u>1 space per 400 SF</u>	<u>1 space per 200 SF</u>
<u>Office</u>	<u>1 space per 400 SF</u>	<u>1 space per 300 SF</u>
<u>Restaurant</u>	<u>1 space per 200 SF</u>	<u>1 space per 75 SF</u>
<u>Hotel</u>	<u>.75 per room, plus 10% guest and staff parking</u>	<u>1.5 spaces per room, plus 10% guest and staff parking</u>
<u>Clinic</u>	<u>1 space per 300 SF</u>	<u>1 space per 100 SF</u>
<u>Community Center and similar uses</u>	<u>1 space per 400 SF</u>	<u>1 space per 200 SF</u>
<u>Theater</u>	<u>1 space per 6 seats, plus 5% for staff</u>	<u>1 space per 3 seats, plus 10% for staff</u>

1. The required/permitted number of parking spaces of any building within the MX-3 District, including mixed-use buildings, shall be the sum total of the requirements for each use in the building.
2. Parking maximums may be exceeded, if one or more of the following is provided:
 - a. If structured or underground parking is provided on site, parking maximum may be exceeded by 25%.
 - b. If a shared parking agreement is executed, parking maximum may be exceeded by 20%.
 - c. If all parking spaces are located behind the building and are not visible from the public right-of-way, parking maximum may be exceeded by 10%.
 - d. If driveways and access points are shared by at least two adjacent properties, parking maximum may be exceeded by 10%.
 - e. If a provision is made for combining or interconnecting adjacent parking lots and pedestrian access points, parking maximum may be exceeded by 10%.
 - f. In no case shall the cumulative increase in parking exceed the maximum by more than 25%.
 - g. A 25% parking reduction in the minimum number of parking spaces required is allowed if the principle use is located within 800 feet of a parking facility with public spaces available to the general public or within 800 feet of a public transit park-and-ride facility with an approved joint use agreement.
3. No surface parking or maneuvering space shall be permitted within a required setback or between the primary structure and the front yard, except that driveways providing access to the parking area may be installed across these areas. It is the intent that these driveways be as nearly perpendicular to the street right-of-way as possible for pedestrian safety and to minimize intrusion into the landscaped areas.
4. Parking requirements may be met on-site or off-site at a distance of up to 800 feet from the permitted use. Off-site parking to meet the requirements of this section may be provided through a lease, subject to the review and approval of the City.
5. Parking that is located to the rear of the primary structure may extend the entire width of the lot, with the exception of any required screening or landscaped areas. Parking that is located to the side of the primary structure shall not cover more than thirty-five percent (35%) of the total lot width.
6. Shared parking shall be permitted and encouraged.
7. Bicycle parking shall be provided as a component of all parking facilities at a ratio of one bicycle space per 20 automobile spaces, or a minimum of two bicycle parking spaces, whichever is greater. Bicycle parking must be provided within view of each business front entrance. Adjoining businesses may share common bicycle parking areas.
8. All surface parking areas for more than ten (10) motorized vehicles shall provide screening. If a wall is provided, then the area devoted to the wall shall be wide enough to allow for its maintenance. The screening may be eliminated if abutting parking lots are combined or interconnected with vehicular and pedestrian access. Walls shall meet the performance standards for structures and screening included in Section 1330.05 and in this Section, Item L(2) f.
9. Structured parking shall meet the following additional requirements:
 - a. At least fifty percent (50%) of the linear street level frontage of structured non-municipal parking facilities shall be devoted to retail, office, civic, institutional, or residential uses. If seventy-five percent (75%) or more of the linear street frontage is devoted to such uses, then the total square footage of these uses shall be credited one hundred percent (100%) toward the required FAR minimums.
 - b. If retail, office, civic, institutional, or residential uses are constructed on the rear or side of the facility or above the ground floor on the street frontage of the facility, then the total

square footage of these areas shall be credited one hundred percent (100%) toward the required FAR minimums.

- c. Underground parking structures are permitted. Subsurface parking located in the minimum setback shall be permitted with an eight foot (8') clearance from the top of the subsurface structure to the sidewalk, subject to an approved encroachment agreement. No ventilation shall be permitted in the setback.
- d. A minimum nine foot (9') clearance shall be maintained on the first level and any additional level that provides disabled parking spaces. A minimum seven-foot (7') clearance shall be maintained throughout the remainder of the parking deck to ensure the safe movement of vans and emergency vehicles.

J. Loading Standards.

- 1. Non-residential buildings and structures, excluding parking structures, subject to the provisions of this Section, shall provide a minimum number of off-street service/delivery loading spaces. The loading spaces shall be designed and constructed so that all parking maneuvers can take place entirely within the property lines of the premises and shall not interfere with the normal movement of vehicles and pedestrians on the public rights-of-way. The loading spaces shall be a minimum of ten feet (10') by twenty-five feet (25') and shall be provided in accordance with the following:

Non-residential uses with gross floor area:

<u>Less than 50,000 square feet</u>	<u>None required</u>
<u>50,000-150,000 square feet</u>	<u>One (1) space</u>
<u>Each additional 100,000 square feet</u>	<u>One (1) space</u>

Existing buildings are exempt from these standards.

- 2. No loading spaces shall be permitted within any required or established setback, or between the primary structure and the required setback, except that driveways providing access to the loading area may be installed across these areas.

K. MX-3 District Design Standards

- 1. Connectivity and Circulation. Transit-oriented development uses shall be integrated with the surrounding area, easily accessible, and have a good internal circulation system for a variety of travel modes.

- a. A pedestrian sidewalk system shall meet the following standards:
 - i. Internal sidewalk connections are required between buildings and from buildings to all on-site facilities (parking areas, bicycle facilities, open space, etc.). All internal sidewalks shall be finished with a hard surface as required by the City Public Works Department.
 - ii. External sidewalk connections are required to provide direct connections from all buildings on-site to the existing and/or required sidewalk system and to adjacent multi-use trails, parks, and greenways. Sidewalks shall be constructed with a hard surface and of a width as required by the City Public Works Department.

2. Street Design

- a. Street walls
 - i. No blank walls are permitted to face public streets, walkways, or public open space.
 - ii. All non-residential buildings fronting directly on a street shall be designed so that the first floor street façade of the building(s) along all streets include clear glass window

- and doors to create pedestrian interest. These openings shall be arranged so that the uses are visible from and to the street on at least fifty percent (50%) of the length and at least forty percent (40%) of the area of the first floor street level frontage. At least fifty percent (50%) of the windows shall have the lower sill within three feet of the grade.
- iii. For all other uses, buildings shall be designed so that the first floor street façade along all streets includes the use of clear glass windows and doors arranged so that the uses are visible from and/or accessible to the street on at least twenty-five percent (25%) of the length of the first floor street frontage.
 - iv. Expanses of blank walls shall not exceed twenty (20) continuous feet in length. A blank wall is a façade that does not contain clear glass windows or doors or sufficient ornamentation, decoration, or articulation.
 - v. No reflective surfaces shall be permitted on street level exterior façades.
- b. Corner Building Placement
- i. At intersections, buildings shall have front and side facades aligned at or near the front property line.
- c. Top of buildings
- i. All rooftop mechanical equipment on buildings shall be screened from above or below (based on the type of mechanical equipment utilized) by integrating it into the building and roof design to the maximum extent feasible. Such equipment shall be screened with parapets or other materials similar to and compatible with exterior materials and architectural treatment on the structure being served. Horizontal or vertical slats of wood material shall not be utilized for this purpose. Solar and wind energy equipment is exempt from this provision if screening would interfere with system operations.
- d. Building entrances and orientation.
- i. Entrances shall be clearly visible and identifiable from the street and delineated with elements such as roof overhangs, recessed entries, landscaping or similar design features.
 - ii. At least one or more operable pedestrian entrances per building shall be provided. In a building where all three (3) of the circumstances below exist, only two (2) entrances shall be required:
 - A. When a lot abuts a public street right-of-way, at least one entrance shall be provided along all building façade(s) fronting all public rights-of-way.
 - B. When a lot abuts an existing or proposed public open space system, multi-use trail, or greenway, entrance(s) shall be provided on the building façade closest to the public open space, multi-use trail, or greenway.
 - C. When abutting a sidewalk in the rail station area, an entrance(s) shall be provided on the building façade closest to the station area sidewalk.
- e. Exterior Materials
- i. The primary exterior opaque materials on each elevation of a building, except for the service side, must be brick, stone, decorative masonry, or similar materials, or a combination thereof.
 - ii. The following materials are not allowed as exterior materials: painted or unpainted concrete block, aluminum, vinyl or fiberglass siding or roofing materials, precast concrete materials, unless specifically approved by the City Council for a new commercial building, painting of previously unpainted brick, wooden exteriors.
 - iii. Sustainability Standards. The City encourages the use of sustainable building materials and construction techniques through programs such as US Green Building Council's LEED (Leadership in Energy and Environmental Design), Minnesota Sustainable Building Guidelines, and similar programs.

- A. Poles and fixtures shall be architecturally compatible with structures and lighting on-site and on adjacent properties.
- B. Security lighting shall be adequate for visibility, but not overly bright.
- C. Metal halide lighting shall be used with a concealed light source of the “cut-off” variety to prevent glare and “light trespass” onto adjacent buildings and sites.
- D. Poles within landscaped areas and plazas shall have a maximum height of twenty feet (20’), measured from grade, and shall be coordinated with City standards.
- E. Poles in parking lots shall have a maximum height of twenty-four feet (24’) measured from finished grade.
- F. Lighting fixtures mounted directly on structures shall be permitted when utilized to enhance specific architectural elements or to help establish scale or provide visual interest.
- G. “Wall paks” shall be permitted only in loading and service areas and shall be down-lit and shielded from view.
- H. Shielded illumination or fixtures shall be permitted to light building mounted signage, building façades, or pedestrian arcades if they are integrated into a building’s architectural design.
- I. Lighting should highlight entrances, art, terraces, and special landscape features.
- J. Separate pedestrian scale lighting or other low-level fixtures, such as bollards, shall be incorporated for all pedestrian ways through parking lots and drop-off areas at entrances to buildings.
- K. All primary walkways, steps, or ramps along pedestrian routes shall be illuminated.

i. Light Intensity

- i. A photometric lighting plan is required for all proposed commercial developments to ensure that adequate and appropriate light levels are provided for each site condition.
- ii. Lighting shall not exceed 0.1 foot candle at residential property lines or 0.5 foot candle on non-residential property lines measured on a vertical plane.
- iii. The following minimum levels of illumination must be maintained for each of the specific locations:

<u>Building entrances</u>	<u>5.0 foot candles</u>
<u>Sidewalks</u>	<u>2.0 foot candles</u>
<u>Bikeways</u>	<u>1.0 foot candles</u>
<u>Courts/plazas/terraces</u>	<u>1.5 foot candles</u>
<u>Ramps</u>	<u>5.0 foot candles</u>
<u>Stairways</u>	<u>5.0 foot candles</u>
<u>Underpasses</u>	<u>5.0 foot candles</u>
<u>Waiting areas</u>	<u>1.0 foot candles</u>
<u>Parking lots</u>	<u>1.0 foot candles</u>

j. Signs, banners, flags, and pennants

- i. where signs, banners, flags, and pennants for identification or decoration are provided, they shall conform to the following:
- ii. Wall signs shall have a maximum of one-hundred fifty (150) total square feet or five percent (5%) of the building wall area occupied by the user, whichever is less. Wall signs may be increased by twenty (20) square feet per sign in lieu of a ground mounted or monument sign.

iii. Signs are permitted to project up to two feet (2') into the minimum setback as measured from the building. Under no circumstances shall a sign project more than four feet (4') from the back of the curb. A minimum overhead clearance of eight feet (8') from the sidewalk shall be maintained.

iv. Marquee signs are permitted.

v. Ground mounted or monument signs are permitted as follows:

A. Signs shall not exceed ten feet (10') in height and forty (40) square feet in area.

B. Signs shall be located behind the right-of way and out of any sight distance triangle.

C. Signs shall be setback five feet (5') from any property line.

D. No freestanding pole signs shall be permitted.

E. No off-premise signs shall be permitted.

vi. Signs shall also conform to Section 1380.02 and 1380.03 of this code.

k. Landscaping Standards

i. The plan for landscaping must include ground cover, bushes, trees, foundation plantings, sculpture, fountains, decorative walks, or other similar site design features or materials. Landscaping must conform to the requirements of the City Code, Section 1330.05, Subd. 14.

ii. Landscaping shall support the purpose and intent of the District, and be consistent with the Station Area Plan or adopted master plans for the District.

L. Design Manual

1. All design guidelines included in the City's Red Rock Transit District Design Guidelines shall apply. The Design Guidelines have been adopted as part of the City's Comprehensive Plan.

1350.131 Commercial, Industrial, and Mixed Use Districts: "The Code of Ordinances of the City of Newport, County of Washington, State of Minnesota," shall be amended by amending Chapter 13 Zoning Ordinance of the City Code, for purposes of adding the following:

Subd. 1 Every primary and accessory building in a Commercial, Industrial or Mixed Use District shall be uniform in design and materials on all sides of a structure facing a public street, having extensive visual exposure from a public street or is adjacent to a residential zoning district, unless modified herein.

- 1.) Exterior surfaces of all buildings shall be faced with or a combination of brick, stone (or better), decorating architecturally textured concrete products, wood veneer, glass, stone, decorative pre-cast panels, equivalent products or better.
- 2.) Primary and accessory buildings: facades or roofs in any Commercial District shall not be constructed of non-textured cinder concrete block, sheet aluminum, steel, corrugated aluminum or steel, or similar products.
- 3.) Primary or accessory building facades in any Industrial District not fronting on a public street, not having extensive visual exposure from a public street or is not adjacent to a Residential Zone may be constructed of non-textured cinder block, sheet aluminum, steel, corrugated block, corrugated aluminum or steel or similar products.
- 4.) Within an Industrial District a multi-tenant, mini-storage or trucking terminal with extensive use of garage doors on many sides of a building or groups of buildings may be constructed of

1370.09 River Redevelopment Overlay District.

Subd. 1 Findings. The City finds that the development of new transit facilities in the MX-3 Transit-Oriented Mixed Use District and redevelopment of the MX-3 District will benefit the general health and welfare of the residents of Newport by fulfilling needs for housing, transportation, and employment. Redevelopment in the MX-3 District may encourage redevelopment of adjacent industrial zoning districts in the long-term. Redevelopment in adjacent areas should be coordinated with the City's long-range plans for the MX-3 District to benefit the community and make the best use of public and private investment in the area.

Subd. 2 Purpose and Intent. The River Redevelopment Overlay District is created to coordinate future redevelopment in the overlay district with redevelopment in the adjacent MX-3 Transit-Oriented Mixed Use District.

Subd. 3 Objectives. The objectives of this district are to:

- A. Provide for City review of proposed new uses and redevelopment of parcels within the River Redevelopment Overlay District.
- B. Coordinate redevelopment within the Overlay District with redevelopment plans and activities in the adjacent MX-3 Transit-Oriented Mixed Use District.
- C. Implement the City's concept plans for redevelopment in and around the MX-3 District by creating connections to the Mississippi River.

Subd. 4 Establishment of the River Redevelopment Overlay District. A River Redevelopment Overlay District with its attendant regulations shall be hereby established as part of the Zoning regulations of Newport, Minnesota. This district shall overlay the existing I-1 and I-2 Zoning Districts so that any parcel of land lying in the overlay district shall also lie in the underlying established zoning district. Territory within the overlay district shall be subject to the requirements established in this Section, as well as restrictions and requirements established by other applicable Code Sections, the Subdivision Ordinance, and other ordinances and regulations of the City. Within the overlay district, all existing uses shall be permitted in accordance with the regulations for the underlying zoning district provided, however, parcels within the overlay district shall not be entitled to add new uses or redevelop their sites until they have first satisfied the additional requirements established in this Subsection.

Subd. 5 District Boundaries. This Subsection shall apply to the River Redevelopment Residential Overlay District which shall be delineated on the official zoning map of the City for purposes of determining the application of this Subsection to any particular parcel of land. The above-referenced map shall be on file in the office of the Zoning Administrator and shall be available for inspection and copying.

Subd. 6 Definitions.

- A. Redevelopment. "Redevelopment" is the construction of new buildings, facilities or uses on a site that has existing uses.

Subd. 7 New Uses Permitted. Permitted uses in the River Redevelopment Overlay District are those uses which are acceptable to any overall redevelopment plan adopted by the City and specific redevelopment plans approved by the City. Uses permitted in the MX-3 District are permitted within the River Redevelopment Overlay District. Upon approval of the specific redevelopment plans, the City shall determine the specific uses that are permitted within the development.

Sub. 8 New Uses Excluded. The following types of uses are not permitted in the River

Redevelopment Overlay District:

- A. Uses which may be dangerous, create annoying odors, noise disturbances or be otherwise detrimental to the general welfare of persons residing or working in the vicinity thereof or may impair the use, enjoyment or value of any property.
- B. Trucking terminals.
- C. Uses whose operation requires the outdoor storage of materials or equipment, including the outdoor manipulation of said materials or equipment.
- D. Uses whose principal operation requires the outdoor storage of motor vehicles, including the outdoor manipulation of said motor vehicles.

Subd. 8 Process for Approval of Redevelopment Plans. Plans for each new use or redevelopment project or combination of projects in the River Redevelopment Overlay District must be submitted to the City Administrator for concept plan review. Site plan approval is required for all new construction in the River Redevelopment Overlay District. Applications and process for site plan approval shall follow the requirements for site plan approval identified in Section 1350.14, Section C.

RED ROCK GATEWAY AREA DESIGN GUIDELINES



City of Newport, Minnesota

DRAFT--March 2012
Project No. 14861.000



TKDA

ENGINEERING • ARCHITECTURE • PLANNING

Introduction and Purpose of the Design Guidelines

The development of the Red Rock Corridor and its Station Area in Newport will bring opportunities for development and redevelopment of residential, commercial, and civic uses in the northwest portion of the City. The 30-mile Red Rock Transit Corridor will provide services between Saint Paul and Hastings. The transit services in the corridor will be developed over the next 20 years, beginning with a new bus Park and Ride facility in the near term, and including a commuter rail facility as ridership builds in the corridor.

Washington County purchased the 11-acre Station Area site (sometimes called the "Old Knox site") in 2011. The Red Rock Gateway Area, including the Station Area, includes approximately 40 acres. The Gateway Area has many owners, and includes existing commercial, residential, industrial and transportation uses. The Gateway Area and adjacent areas offer many opportunities for redevelopment with new uses that will benefit from and support the new Red Rock Corridor transit facilities.

Redevelopment of the Red Rock Gateway Area is likely to occur over an extended time period, and may involve numerous private developers and public entities. These Design Guidelines were developed to be used in tandem with the City's updated zoning ordinance, to guide and shape future development in the area to meet the City's goals and support transit use, and to communicate development standards and preferences to potential developers. The standards address issues such as site design, building massing and height, building location, parking design and environmental design.

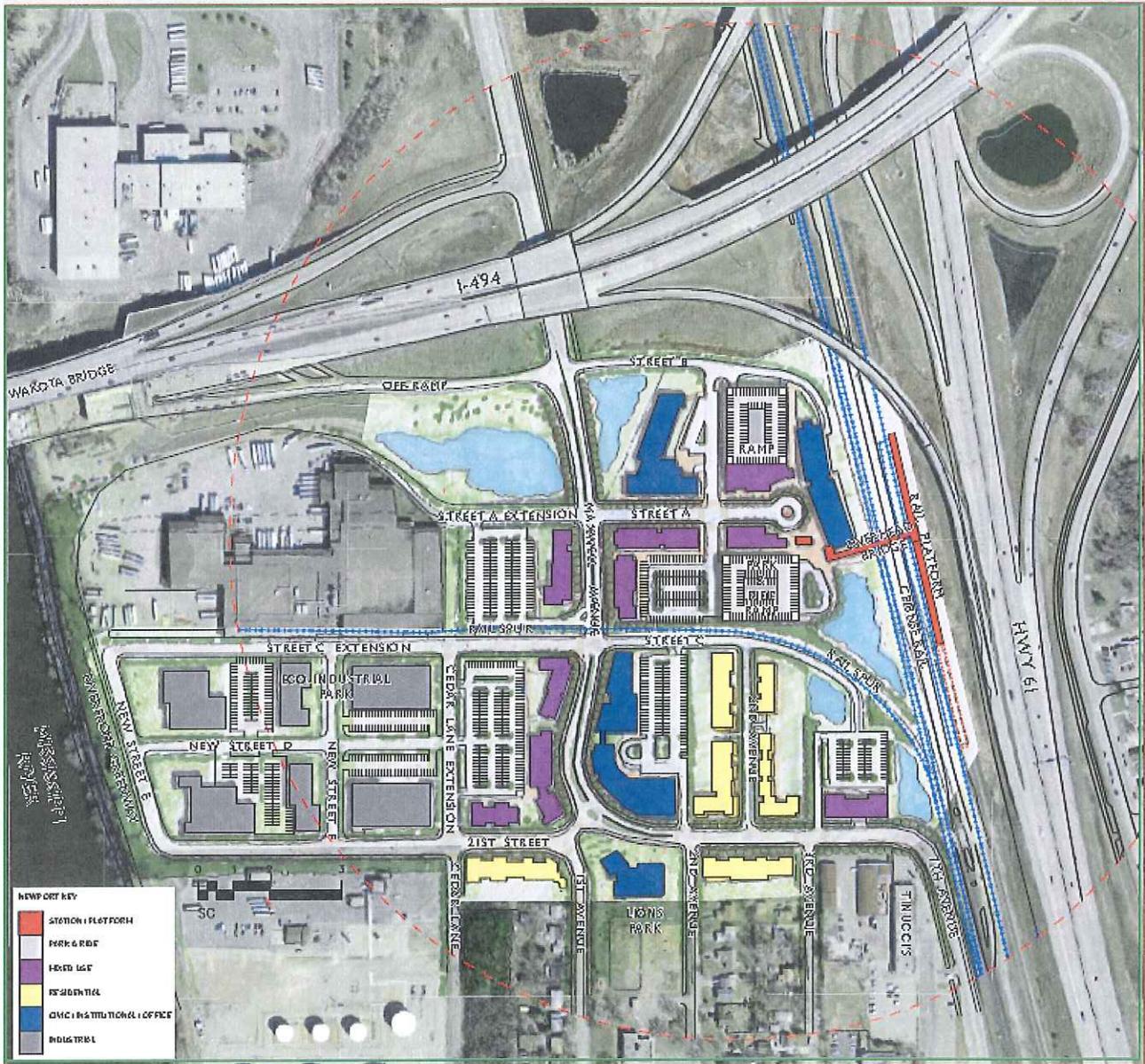
The city's zoning code regulations, zoning map, and Comprehensive Plan have legal standing related to future development in the Gateway Area. Development applications that are consistent with the City's regulations and guidelines and are approved by the City Council will form the basis of final agreements with successful developers. The zoning code takes precedence in cases where minimum requirements are not stated in this document, but are otherwise defined in the zoning code.

Prospective developers, residents, the Planning Commission and Council should consult these guidelines and consider them as additional criteria when reviewing and commenting on development proposals in the course of an open, iterative public process. The guidelines depict preferred conditions for new development, and as such they are the foundation of dialogue with development interests and will influence future development in the Red Rock Gateway Area.

Creating the Guidelines

The design guidelines included in this document were developed with the city's Planning Commission. The Commission developed the guidelines in tandem with the update of the city's zoning ordinance to include the new requirements and standards for development in the Gateway Area. The Commission's recommendations were recommended to the Council, and approved by the Council in _____, 2012.

The development of the Design Guidelines was funded by a Livable Communities Grant that the City received from the Metropolitan Council.



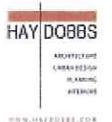
NEWPORT LONG TERM STATION AREA CONCEPT PLAN (YEAR 2040+)



NEWPORT STATION AREA

Red Rock Corridor Station Area Planning and Site Master Planning

www.RedRockRail.org



The Red Rock Gateway Area and Existing Conditions

The Red Rock Gateway Area is located at an important regional transportation interchange between I-494 and U.S. Highway 61. A major rail corridor runs along the eastern boundary of the area, with a spur line that runs east-west through the Area. Existing land uses in the area include commercial, industrial, transportation, and residential uses. The Mississippi River is approximately one-quarter mile to the west of the Red Rock Area.

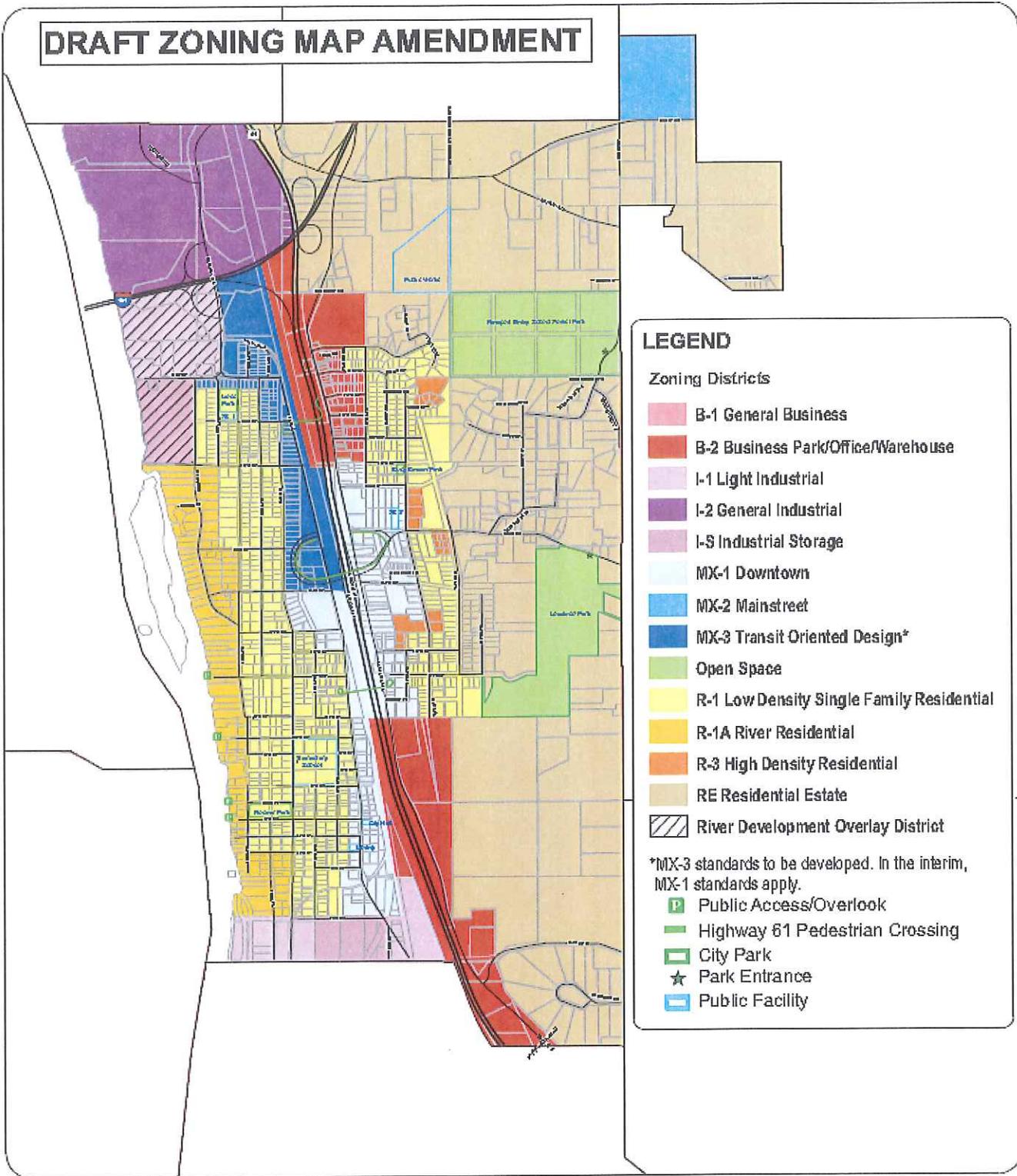
The future Red Rock Station Site ("Old Knox Site") is located at the north end of the Gateway Area. The station site is bordered to the south by the spur line and existing commercial and single-family residential areas. To the west and north, the site is bordered by industrial and transportation uses. Existing local transportation connections to the site include Maxwell Avenue (County Road 38), local streets and a pedestrian trail along Maxwell Avenue. Lions Park is located just to the south of the Gateway Area, across Maxwell Avenue.

Zoning

The city updated its zoning map and ordinance in 2012 to be consistent with the uses and goals identified for the Gateway Area in the City's 2030 Comprehensive Plan. The Gateway Area is included in the **MX-3 Transit-Oriented Mixed Use Zoning District and the River Redevelopment Overlay District**. The intent of the districts is to encourage a mixture of residential, commercial, office, and civic uses in proximity to the commuter rail station that support transit use and redevelopment of the area over the long-term.

The MX-3 District allows for a wide range of residential, commercial, and civic uses within the Gateway Area. New industrial uses are not allowed within the District. The City has updated its Zoning Ordinance to include the uses, dimensional standards, and performance standards for the MX-3 District.

DRAFT ZONING MAP AMENDMENT



Uses in the MX-3 District

The uses allowed in the MX-3 District include the following:

Residential: Townhomes, mixed-use (residential and commercial in the same building), live-work building, senior housing, apartments and condominiums.

Civic and Semi-Public: Parks and public recreation facilities; transit stations and related parking or park-and-ride facilities; public utilities; day care centers; trade and arts schools; and government offices.

Commercial: A variety of retail and service businesses, financial services, offices, hotels and conference centers, restaurants, research and development facilities, small-scale assembly businesses, fitness centers, and similar uses.

River Development Overlay District

The City has established the River Development Overlay District for the area to the west of the MX-3 Zoning District. The Overlay District includes an area that is currently occupied by industrial uses. The Overlay District requires that any proposed change in use or redevelopment in this area submit a Master Plan to the City. The City anticipates that as the Gateway Area is developed, the existing industrial uses in adjacent areas may be replaced by other uses.

Planning and Design Principles

The following principles articulated in the 2030 Comprehensive Plan and by the Planning Commission and Council describe the rationale behind the design guidelines for the Red Rock Gateway Area:

1. **A mix of uses.** The area will include a mix of land uses. The land uses, densities and design of the area should take advantage of the transit services that will be provided on the site, and support the use of transit.
2. **Efficient use of land.** The design of the area should provide for efficient use of land. Parking should be provided in an efficient and unobtrusive manner. Buildings should make efficient use of the site.
3. **Connectivity and Circulation.** The uses in the Gateway Area should be well-connected with each other, with adjacent neighborhoods and the rest of the City. The area should comfortably and safely accommodate pedestrians, bicyclists, autos, and transit users.
4. **Architectural interest at a human scale.** Building design should demonstrate creative, modern interpretation of traditional architectural principles such as articulated base, middle and top of buildings. This will assist in retaining the human scale in the new buildings.
5. **Sensitivity to adjacent neighborhoods.** New development should be sensitive to the existing single-family neighborhoods to the south. Building heights and setbacks and connections to these areas should be managed so that new uses are compatible with adjacent neighborhoods.
6. **Facilities for pedestrians and bicycles; lively public spaces and streets.** New development should include trails, public gathering spaces, park areas, and streetscape elements that encourage a sense of activity and liveliness throughout the area.

7. **Respect for local ecology.** Development should respect and improve the ecology of the site, through integration of sustainable building and site design principles, responsible stormwater management and provision of landscaped green areas.

Engineering Standards

The City has adopted a Public Works Design Manual. The manual provides the standards that should be used for grading and erosion control, street design, storm sewer design, and the design of other infrastructure in the Red Rock Station Area. Development in the Red Rock Gateway Area should be consistent with the City's adopted standards.

RED ROCK GATEWAY DESIGN GUIDELINES

A. Area-wide Design Guidelines

1. Connectivity and Circulation

The uses in the MX-3 District should be well-connected with each other, with adjacent neighborhoods and the City. The area should comfortably and safely accommodate pedestrians, bicyclists, autos, and transit users. Facilities for pedestrians and bicyclists should include the following:

- Internal sidewalk connections are required between buildings and from buildings to all on-site facilities (parking areas, bicycle facilities, open spaces, etc.)
- Bicycle lanes should be provided on all streets, and bicycle facilities such as bike racks or lockers should be provided by all uses, including the transit station.
- All new development shall include sidewalk and trail connections that provide direct connections from all buildings to the sidewalk system and to adjacent multi-use trails, parks, and greenways. Sidewalks or trails are required along all street frontages.
- Sidewalks shall be a minimum 5 feet wide. The City will identify design and material requirements for sidewalks in the District. Sidewalks and streets shall meet the standards identified in the City's Public Works Design Manual.
- All crosswalks across public or private drives shall be a minimum of 5 feet wide and shall be constructed with a distinctive paving color, pattern or material, as approved by the city.
- The on-site pedestrian circulation system shall be well-lighted so that employees, residents, and transit users are able to safely use the sidewalk and trail system at night.



2. Building Placement and Relationship to Streets

Buildings should be oriented toward the street to improve the attractiveness, legibility, and walkability of the area near the Red Rock Station. Building design should include features that create pedestrian interest. Building design should include the following characteristics:

- No blank walls are permitted to face public streets, walkways, or open spaces. Buildings should have a well-defined front façade and entry that faces the primary street. Building alignment should parallel the street.
- Buildings should occupy at least 60 percent of the lot frontage.
- The first floor of non-residential buildings fronting directly on a street shall include clear glass windows and doors to create pedestrian interest. At least 50% of the length and 40% of the area of the first floor shall be window openings.
- The first floor should include design elements that enhance the street, such as changes in materials and color, lighting, street furniture, and landscaping.
- At intersections, buildings shall have front and side facades aligned at or near the front property line.



These buildings have well-defined entries on the street, ample window openings, and are aligned at the property line.



Building design includes windows, canopies and landscaping that enhances the street. Front and side facades are aligned at the property lines.

3. Public and Common Spaces

New residential developments are required to provide a minimum of 10% of the project site as public open space, to provide places for recreation and gathering for residents, workers, and transit users in the Gateway area. Requirements for public open space include the following:

- Commercial and mixed use site must provide a minimum of 5% of the project site as open space. The open space may be designed as a square, plaza, terrace or green, and should include elements such as landscaped and paved surfaces, seating, and other amenities.
- Public open spaces shall be accessible to the users of the building and the area, and must be visible and easily accessible from the street or pedestrian areas.
- Open spaces shall including landscaping, seating, and other amenities. Pictorial examples of potential open space types and amenities include the following;



4. Transit Facilities

Transit facilities should be visible, safe, comfortable and attractive, and support a variety of transportation modes. The facilities should include connections and facilities that encourage use by pedestrians, bicyclists, and drivers.

- Transit shelters and station facilities should include amenities that encourage transit use, such as benches, lights, way-finding and informational signage, and heat.



5. Parking Areas and Structures

Parking areas should utilize land efficiently, and blend with surrounding uses. Detailed parking requirements are included in the ordinance. The visual impact of parking lots should be minimized, and structured parking should be consistent with the architectural design and materials of buildings in the station area.

Parking lots

- Parking may not be located in the front of buildings or within setback areas.
- Parking lot frontage on major streets should be minimized, and the lots should be screened with a combination of hedges, ornamental fences, trees or similar elements.
- Internal parking lot landscaping should be included to meet the City's standards. Parking lots should incorporate storm water practices that provide green amenities when feasible.
- Shared parking is encouraged between adjacent uses. Shared parking may be considered based on peak and off-peak timing, business hours and special events.



Structured parking facilities

- Structured parking facilities should be designed to encourage and complement pedestrian-scale interest and activity and surrounding buildings. Active uses such as shops should be included when possible on the ground floor. Motorized vehicles parking on inside levels of the facility should be screened from the street, the commuter rail station, and from adjacent residential properties.
- Entrances (pedestrian and vehicular) should be clearly defined.



This new building in Minneapolis integrates parking on the lower and middle levels with office space on the upper levels.

The structured parking facility at the right is a good example of relating the building to pedestrian facilities and surrounding buildings. Vehicles are screened from the street view and adjacent apartments.



6. Landscaping and Site Improvements

Healthy, attractive landscape areas should complement the buildings, facilities and common spaces in the MX-3 District. The areas include native and non-invasive tree, shrub, grass, and flower species in arrangements that do not require intensive maintenance. Landscape areas should provide multiple benefits, including providing shade, relief from hard surfaces, and incorporate storm water management practices when feasible.

- Boulevard trees should be incorporated along streets, sidewalks, and trails throughout the district. A variety of native species or cultivars that are non-invasive and hardy in Minnesota should be utilized. The list of recommended species includes the following:
 - American elms (*Ulmus Americana*)—cultivars that are resistant to Dutch Elm disease
 - Basswood (*Tilia Americana*)
 - Bur oak (*Quercus macrocarpa*)
 - Corktree (*Phellodendron* species)
 - Maple cultivars (*Acer*) such as Autumn Blaze (*A. jeffersred*) and Celebration (*A. Celzam*)
 - Kentucky coffeetree (*Gymnocladus dioicus*)
 - Northern pin oak (*Quercus ellipsoidalis*)
 - Ohio buckeye (*Aesculus glabra*)
 - Red oak (*Quercus rubra*)
 - Swamp white oak (*Quercus bicolor*)
 - White oak (*Quercus alba*)
- Landscape areas should incorporate seating, walkways, and sculpture, fountains, or public art where feasible.
- Appropriate landscape design is shown on many of the images included in this document, and in the examples below:



7. Screening

Utility areas should be screened from view and designed to minimize the noise impacts of related activities.

- All service entrances, utility structures associated with a building, and loading docks and/or spaces should be screened from public view as required in the zoning ordinance, and located at the side or rear of the building. Dumpsters, recycling containers, trash compactors, and solid waste handling areas are not permitted in any setback or yard and shall be screened from adjacent property and from public view with a six-foot (6') high solid and finished masonry wall with closeable gates.
- Any fences or walls used for screening or other purposes shall be constructed of durable materials, such brick, stone and other masonry materials specifically designed as fencing materials. Chain link, wood, vinyl, or barbed wire fences are not permitted.
- The maximum height for walls and fences shall be 6 feet or whatever is sufficient to visually screen the use but not less than 4 feet.
- Landscaping used for screening should be evergreen and at least 4 feet tall with a minimum spread of 2 feet.



8. Lighting

Exterior lighting should provide illumination for safety and security at entry drives, parking areas, service and loading areas, on pathways, courtyards, plazas and other public spaces. Lighting should comply with the Zoning Code requirements, including the following design standards:

- Light fixtures should be compatible with the City's preferred design and the architecture of surrounding buildings. Pedestrian-scale lighting, not exceeding 20 feet in height, should be located adjacent to walkways and entrances to buildings.
- Lighting should meet the requirements of the City's ordinance to be down-cast and minimize impacts on adjacent properties.
- Parking lot lighting should include both commercial-grade lighting and pedestrian style fixtures. Pedestrian fixtures should be used for lighting internal parking lot walkways. Low-level fixtures such as bollards shall be incorporated to light parking lots, drop-off areas at building entries, and other pedestrian ways.
- All primary walkways, steps, or ramps along pedestrian routes shall be illuminated.



This table includes the lighting standards in the Red Rock Gateway area:

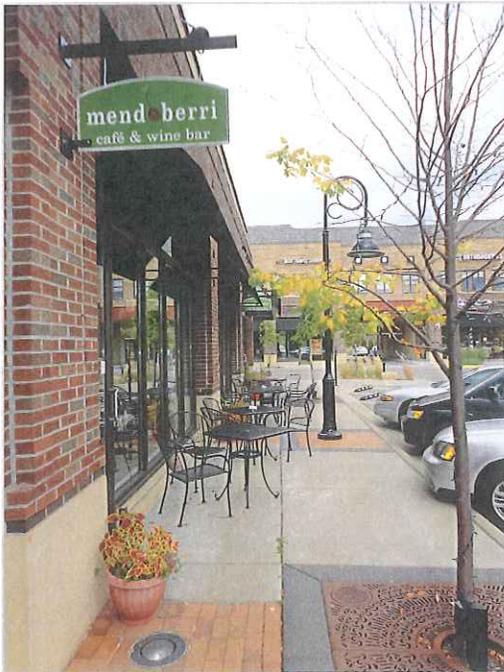
Location	Minimum Level of Illumination
Building entrance	5.0 foot candles
Sidewalks	2.0 foot candles
Bikeways	1.0 foot candles
Courts, plazas, and terraces	1.5 foot candles
Ramps	5.0 foot candles
Stairways	5.0 foot candles
Waiting areas	1.0 foot candles
Parking lots	1.0 foot candles

9. Signs

Signs should be compatible with the architectural character of the buildings in the Gateway Area, assist in way-finding, and enhance the appearance of the area.

Signs must meet the requirements included in Section 1350.14 (K) item j, and in Section 1380 of the Zoning Ordinance.

- Wall sign should be positioned so they are integral to the design of the building and complement its features. Signs may be placed in the horizontal lintel above windows or doors, projecting from the building, or as part of an awning.
- Ground or monument signs are encouraged rather than pylon signs. Sign materials and colors should be similar to those of the principle building. The area around the base of the sign should be landscaped.
- Sign illumination is required to meet the requirements of the City's zoning ordinance.



10. Stormwater Facilities

New development in the Red Rock Gateway area must meet the City and Watershed District requirements for managing storm water rate, volume, and quality. These facilities should address goals for using sites efficiently and creating an attractive area by designing stormwater facilities as amenities where possible.

- A variety of stormwater management strategies may be utilized, and creativity in design is encouraged. Stormwater treatment strategies should be designed to meet multiple goals, such as serving as amenities or enhancements to landscaping and common spaces.
- Stormwater facility design should consider the following
 - Minimize total impervious areas—this may be accomplished by using multi-story parking structures and buildings, and by using porous and pervious pavement materials.
 - Minimize direct connections between impervious surfaces—sidewalks, trails and other surfaces may be sloped to drain to lawns or vegetated swales.
 - Plant trees, shrubs, native grasses, and flowers to capture and infiltrate runoff.



The photos above show approaches to infiltrating surface water runoff that are attractive and effective.



The planting around the stormwater pond filters runoff, discourages geese, and adds to the attractiveness of the open space area nearby.

B. Building Design

6. Dimensional standards and densities

The Zoning Code includes the following dimensional and density standards for uses in the Red Rock Station Area:

Dimensional Standards:

<i>Height and Setbacks</i>	<i>Residential Townhouse</i>	<i>Residential Apt., Condo, Cooperative</i>	<i>Mixed-Use Building</i>	<i>Commercial, Civic, not in mixed-use building</i>
<i>Height</i>	<i>3 stories or 36 feet maximum, whichever is less</i>	<i>2 stories (24') minimum; 4 stories (48') maximum*; whichever dimension is less</i>	<i>2 stories (24') minimum, 4 stories (48') maximum*; whichever dimension is less</i>	<i>No minimum, 4 stories (48') maximum</i>

The maximum residential density allowed in the MX-3 District is 50 residential units per acre. The minimum residential density in the MX-3 District shall be 30 units/acre.

The minimum net FAR (Floor Area Ratio) for residential and non-residential in the MX-3 District is 0.5 FAR.

Examples of mixed-use developments in Twin Cities communities that meet these standards include:



2. Building Arrangement-- Residential Buildings

Residential building relationships to the street should reinforce the design objectives of the district, while providing well-designed open space that serves the residents and provides an attractive setting for these buildings.

- Townhouses and rowhouses may be arranged along the street without a common open space. For buildings organized in this way, open space should be provided on individual lots or on privately defined spaces to the rear of attached buildings.
- Multifamily buildings may be arranged around a common courtyard that faces the street, with parking areas taking access off a shared drive to the side and rear of the buildings. The area of the courtyard shall be counted towards the overall density, toward lot coverage calculations, and as part of the lot area per unit.
- Townhouses and multifamily buildings may be arranged along the street with a common open space area to the rear or side of the building(s). The open space area designated for resident use shall be counted towards the overall density, toward lot coverage calculations, and as part of the lot area per unit.



3. Building Facades

The exterior of new buildings should be designed with visual breaks through the use of decorative tile work, masonry (but not flat concrete block), belt courses of a different texture and color, projecting cornices, medallions, opaque or translucent glass, artwork, vertical articulation, lighting fixtures, or other architectural elements.

- A building more than forty-five feet (45') in width should be divided into increments of no more than twenty feet (20') through articulation of the façade. This can be achieved through combinations of the following: division or breaks in materials, window bays, special treatment of entrances, subtle variations in rooflines and parapet detailing, building setbacks, awnings, or repetitive elements.
- Multi-story buildings should have a well-defined base, middle, and top. The base or ground floor should be visually distinct from the upper stories. This may be achieved through a change in building materials, window shape or size, awnings, cornice lines, or similar techniques. The ground floor of the building should include elements that relate to human scale, such as cornices, molding, ornamentation, recessing, architectural lighting, and other elements that add special interest to the ground floor.
- The first floor of all buildings, including structured parking facilities, shall be designed to encourage and complement pedestrian scale interest and activity.
- Building design shall provide consistent architectural treatment on all building walls. All sides of a building must display compatible materials, although decorative elements and materials may be concentrated on street-facing facades.



These buildings have facades that illustrate the design guideline requirements to include visual breaks in the façade, appropriate window design, and relate the building to the street and pedestrian scale.

b. Window and Door Design (example photos on previous page)

- No blank walls are permitted to face public streets, walkways, or public open space. Expanses of blank walls shall not exceed twenty (20) continuous feet in length.
- All non-residential buildings fronting directly on a street should be designed so that the first floor street façade of the building(s) along all streets include clear glass window and doors to create pedestrian interest. These openings shall be arranged so that the uses are visible from and to the street on at least forty percent (40%) of the area of the first floor street level frontage for commercial and mixed-use buildings.
- For multifamily residential buildings, a minimum of twenty percent(20%) of the primary (street-facing) facades and fifteen percent (15%) of each side or rear façade shall consist of window and door openings.
- Mirrored glass or glass block should to be used on street-facing facades. Glazing in windows and doors should be clear or slightly tinted, allowing views into and out of the interior.
- Window shape, size, and patterns should emphasize the intended organization of the façade and definition of the building.

c. Entries

- Primary building entrances should face the primary abutting public street or walkway, or link to that street by a clearly defined and visible walkway or courtyard. Secondary entrances may be oriented to a parking area or secondary street. The main entrance should be placed at sidewalk grade. Entrances shall be designed with one or more of the following:
 - Canopy, portico, overhang, or arch above the entrance, or similar design element
 - Recesses or projections in the building façade surrounding the entrance
 - Peaked roof or raised parapet over the door
 - Architectural detailing such as tile work or ornamental moldings
 - Permanent planters or landscape elements
- Multifamily residential buildings shall include elements such as porches, steps, roof overhangs, or similar architectural elements to define the primary entrance.



d. Corner Building Placement

- At intersections, buildings shall have front and side facades aligned at or near the front property line.



e. Canopies

- Canopies, awnings, cornices, and similar architectural accents are permitted on exterior building walls. Such features shall be constructed of rigid or flexible material designed to complement the streetscape of the area. Any such feature may extend from the building no more than four feet (4'). Canopies should not extend over or interfere with the growth or maintenance of any required tree plantings. Ground supports for these features are not permitted in the minimum setback, sidewalk, or public right-of-way.



The canopies shown on buildings above and to the left are consistent with the design guidelines for the Red Rock Gateway Area.



MEMO

TO: Newport Planning Commission
Brian Anderson, City Administrator

FROM: Renee Helm, Executive Analyst

DATE: April 30, 2012

SUBJECT: Banning of Coal Tar-Based Sealants

BACKGROUND

At the April 12, 2012 Planning Commission meeting the members discussed establishing an ordinance prohibiting the use of coal tar-based sealants for driveways and parking lots. City staff provided a draft ordinance that was provided by the Minnesota Pollution Control Agency (MPCA) and has been used in Maplewood, White Bear Lake and Inver Grove Heights. The Planning Commission requested that the ordinance be brought back for a public hearing with a couple amendments.

DISCUSSION

At the Planning Commission's request, staff removed the exemption clause from the draft ordinance. It was also requested that staff research undiluted vs. diluted coal tar-based sealant. Staff contacted the MPCA and found that there is no information available to determine what an acceptable level of dilution for public safety is. Additionally, the MPCA informed staff that the term "undiluted" was added to the draft ordinance to be consistent with the State legislature that passed in 2009. Upon further examination, staff found that the municipalities mentioned above do not distinguish between undiluted and diluted coal tar-based sealant and instead ban any type of coal tar-based sealant. Based on this information, the attached resolution bans any type of coal tar-based sealant.

RECOMMENDATION

It is recommended that the Planning Commission approve Resolution No. P.C. 2012-3 recommending that the City Council approve a zoning amendment to Chapter 1300, Section 1371, Stormwater Management.

**South Washington County Bulletin/Woodbury Bulletin
AFFIDAVIT OF PUBLICATION**

STATE OF MINNESOTA)
)SS.
COUNTY OF WASHINGTON)

Julie M. Klecker being duly sworn, on oath says that he/she is an authorized agent and employee of the publisher of the newspaper, known as *The South Washington County Bulletin and/or The Woodbury Bulletin*, and has full knowledge of the facts which are stated below:

(A) The newspaper has complied with all of the requirements constituting qualification as a legal newspaper, as provided by Minnesota Statutes 331A.02, 331A.07 and other applicable laws, as amended.

(B) The printed **CITY OF NEWPORT -- P.H. STORM WATER MANAGEMENT**

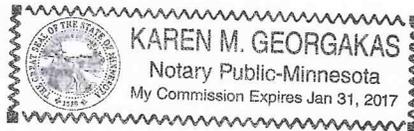
which is attached was cut from the columns of said newspaper, and was printed and published once each week for **1** successive weeks; it was first published on Wednesday, the **25th** day of **April**, 2012 and was thereafter printed and published on every Wednesday, to and including Wednesday, the **25th** day of **April**, 2012.

SOUTH WASHINGTON COUNTY BULLETIN
AND/OR WOODBURY BULLETIN

BY: *Julie M. Klecker*
TITLE: **Legal Notice Clerk**

Subscribed and sworn to before me on this **25th** DAY OF **April** **2012**

Karen M. Georgakas
Notary Public



	Client #	255364
FEES:	Order #	1445951
File #		
Publication Fee	\$	71.19

**CITY OF NEWPORT
PLANNING COMMIS-
SION**

NOTICE OF PUBLIC HEARING TO CONSIDER AN ADDITION TO SECTION 1371 STORM WATER MANAGEMENT, OF THE CITY OF NEWPORT CODE OF ORDINANCES

Notice is hereby given that the Newport Planning Commission will hold a Public Hearing on Thursday, May 10, 2012, at 7:00 P.M., in the City Hall Council Chambers at Newport City Hall, 596 7th Ave., Newport, MN, to consider an addition to Section 1371, Storm Water Management, of the City of Newport Code of Ordinances. The amendment regulates the use of coal tar-based sealants for driveways and parking lots. Information on this Amendment can be reviewed at Newport City Hall. The purpose of this hearing is to provide citizens the opportunity to comment on the Amendment either at, or in writing prior to, the Public Hearing. Dated this 18th day of April.

Brian Anderson
City Administrator

Published in the Washington County Bulletin April 25, 2012

PLANNING COMMISSION RESOLUTION NO. P.C. 2012-3

A RESOLUTION RECOMMENDING CITY COUNCIL APPROVE A ZONING AMENDMENT TO CHAPTER 1300, SECTION 1371 STORM WATER MANAGEMENT OF THE CITY OF NEWPORT CODE OF ORDINANCES.

WHEREAS, Scientific studies have shown that coal tar-based sealant products are a primary source of contaminants in bodies of water; and

WHEREAS, the City of Newport has over 17 acres of stormwater ponds and the Mississippi River to protect from these contaminants; and

WHEREAS, the State passed legislature in 2009 banning State agencies from using coal tar-based sealants for driveways and parking lots; and

WHEREAS, The Planning Commission held a public hearing on this Zoning Amendment at its regularly scheduled meeting of Thursday, May 10, 2012; and

NOW, THEREFORE, BE IT RESOLVED, That the Newport Planning Commission recommends Newport City Council approval of a Zoning Amendment to amend the present language found in *Chapter 1300, Section 1371, Stormwater Management*, of the *Newport City Code of Ordinances*. They will read as follows:

1371.11 Regulating the Use of Coal Tar-Based Sealer Products

Subd. 1 Purpose. The City of Newport understands that rivers, streams and other bodies of water are natural assets which enhance the environmental, recreational, cultural and economic resources and contribute to the general health and welfare of the community. The use of sealers on asphalt driveways is a common practice. However, scientific studies on the use of driveway sealers have demonstrated a relationship between stormwater runoff and certain health and environmental concerns. The purpose of this ordinance is to regulate the use of sealer products within the City of Newport, in order to protect, restore, and preserve the quality of its waters.

Subd. 2 Definitions

- A. **Asphalt-Based Sealer.** A petroleum-based sealer material that is commonly used on driveways, parking lots, and other surfaces and which does not contain coal tar.
- B. **Coal Tar.** A byproduct of the process used to refine coal.
- C. **Coal Tar-Based Sealer.** A sealer material containing coal tar that has not been mixed with asphalt and which is commonly used on driveways, parking lots and other surfaces.
- D. **MPCA.** The Minnesota Pollution Control Agency.
- E. **PAHs.** Polycyclic Aromatic Hydrocarbons. A group of organic chemicals formed during the incomplete burning of coal, oil, gas, or other organic substances. Present in coal tar and believed harmful to humans, fish, and other aquatic life.

Subd. 3 Prohibitions.

- A. No person shall apply any coal tar-based sealer to any driveway, parking lot, or other surface within the City.
- B. No person shall contract with any commercial sealer product applicator, residential or commercial developer, or any other person for the application of any coal tar-based sealer to any driveway, parking lot, or other surface within the City.

C. No commercial sealer product applicator, residential or commercial developer, or other similar individual or organization shall direct any employee, independent contractor, volunteer, or other person to apply any coal tar-based sealer to any driveway, parking lot, or other surface within the City.

Subd. 4 Asphalt-Based Sealcoat Products. The provisions of this ordinance shall only apply to use of coal tar-based sealer in the City and shall not affect the use of asphalt-based sealer products within the City.

Subd. 5 Penalty. Any person violating any provision of this ordinance shall be guilty of a misdemeanor.

Subd. 6 Severability. If any provision of this ordinance is found to be invalid for any reason by a court of competent jurisdiction, the validity of the remaining provisions shall not be affected.

Adopted this 10th day of May 2012 by the Newport Planning Commission.

VOTE: Lindoo	_____
Lund	_____
Anderson	_____
McElwee-Stevens	_____
Prestegaard	_____

Signed: _____
Susan Lindoo, Chairperson

ATTEST: _____
Brian Anderson, City Administrator



MEMO

TO: Newport Planning Commission
Brian Anderson, City Administrator

FROM: Renee Helm, Executive Analyst

DATE: May 1, 2012

SUBJECT: Red Rock Corridor Redevelopment Plan

BACKGROUND

Over the last couple months, the City has been establishing a redevelopment plan for the Red Rock Corridor. The Plan is part of the Livable Communities grant that the City received back in 2011 to help redevelop the Red Rock Gateway Area.

DISCUSSION

Attached for the Planning Commission's review is a draft of the Red Rock Corridor Redevelopment Plan. The Plan will be discussed at the May 10 Planning Commission meeting. It is anticipated that this will be brought forth at a June City Council meeting for final approval.

Executive Summary

The City of Newport, in cooperation with the Washington County Housing and Redevelopment Authority (WCHRA), recently commissioned a redevelopment plan for the commercial, industrial and residential properties located in the area commonly referred to as the “Red Rock Gateway.” The Red Rock Gateway is a 40.5- acre area located at the northern tip of the City at the intersection of I-494 and Highway 61. The area includes a variety of uses and vacant sites, and for many years has been an aging, isolated industrial and commercial area. The purpose of this plan is to provide a framework for coordinated redevelopment that will foster a transit oriented development pattern around the new transit station and provide an area for residents to live, shop, work, and play.

What has happened?

Aging Area. Industrial development in the Red Rock Gateway area began in the late nineteenth century, utilizing the Mississippi River and new rail lines for transportation. A small residential community and commercial uses (including Tinucci’s Restaurant) developed in the 1920’s and 1930’s, when the area was known as “Little Chicago.” After World War II, auto-oriented uses dominated the sites along Highway 61. The existing buildings in the area today date from the early and mid-twentieth century. The current land uses include a trucking business, industrial businesses with significant outdoor storage areas, a variety of local businesses, and single-family detached homes. Immediately adjacent to the study area is a cold storage facility, above ground fuel tank storage facilities, Lion’s Park, and residential neighborhoods. Overall the Red Rock Gateway area is in decline, with significant underutilized land areas and buildings. Many of the structures are outdated and in need of significant repair reinvestment has been limited.

Highway 61 Reconstruction. Highway 61 was rebuilt beginning in 2000 in conjunction with the construction of the new Wacota Bridge and Highway 61 interchange. While these improvements benefitted traffic operations in the region, the impact of the reconstruction in Newport was devastating. The new roadway design divided the City of Newport, and blocked visibility and easy access for the highway-oriented businesses to the Highway 61 corridor. The new design restricted the access in and out of the City to two entry points at Maxwell Avenue and Glen Road. Two pedestrian bridges were added to the project as a result of City involvement, but Highway 61 is a significant barrier dividing the “Old Town” area of Newport from the Hastings Avenue commercial area and newer neighborhoods to the east of Highway 61. As a result of changes to Highway 61 and the Wacota Bridge, a significant portion of the City’s tax base that relied on highway visibility and easy access was lost and many businesses declined or closed along the Highway 61 corridor.

New Opportunities

Transportation Services. In 2007, the Red Rock Corridor Commission completed an alternatives analysis study that identified a commuter rail line running from Hastings through downtown Saint Paul and on to Minneapolis as the best long-term transit solution for the Red Rock Corridor. A strategic stop in the City of Newport was identified as well as a phased approach to transit service, starting with expanded bus service and construction of a new park and ride. In 2009, the Washington County Regional Railroad Authority (WCRRA) acquired the former Knox Lumber site in the immediate southwest corner of the Highway 61 interchange with I-494 for the transit station and formed a partnership with the City to look at broader redevelopment opportunities around the station. A Station Area Planning study was commissioned that established a long-term vision for the station area based on input from the community and a market analysis. The WCRRA will perform engineering and design work in 2012 and construction in 2013. Once open, the transit facility will initially be served by Metro Transit express bus service to downtown St. Paul. An initial surface parking lot would eventually be transformed to a structured facility with capacity to handle future demand from transit users and the surrounding development.

New transportation facilities will provide a significant opportunity for transformative change in the Red Rock Gateway. The city will build on the area's assets, including its location on the regional transit, roadway and rail networks, visibility of key sites, close proximity to St. Paul and regional employment centers, and proximity to the Mississippi River, parks and trails

Redevelopment Plan. In 2011, the City and the WCHRA received a "Livable Communities Demonstration Account" (LCDA) Pre-Development grant from the Metropolitan Council in order to complete the redevelopment plan and to fund two other supporting studies. The goal of the first study was to create a new land use plan and vision for the area and to amend the zoning map and ordinance to guide development around the transit site. The goal of the second study was to identify the potential commercial and residential market opportunities that not only supported transit but also would recover tax base and create new housing stock for the City. The goal of the third study was to create a redevelopment plan that incorporated the findings from the previous two studies to outline realistic development patterns and to set out strategies to accomplish them. As a result of these studies, the City obtained critical research from its land use, market, and development consultants, as well as from private sector developers, local citizens and business representative, to guide the redevelopment of the area.

Why Redevelop?

Based on the input and findings of these studies, a market exists to transform the Red Rock Gateway into a transit-oriented mixed-use area that provides new homes and jobs. The City and WCHRA have concluded that conditions in the area warrant public intervention, and that it is imperative to proactively promote and to redevelop the area. The combined factors of underutilized land, vacant and/or obsolete buildings, a mixture of land uses organized by old plats, and the lack of a cohesive plan for development are barriers to economic redevelopment. The public purposes for redeveloping the area are several and include, but are not limited to, creating opportunities for increased tax base, job growth, new housing stock, replacement and upgrading of infrastructure services. Creating connections to the Mississippi River, regional trails, and nearby City parks will support new housing and commercial development. In the long term, the redevelopment of the Red Rock Gateway area will ameliorate the impacts from the recent regional highway construction, help connect this portion of Newport with the remainder of the City, and foster new growth and a stronger, more diverse tax base.

In order to effect change in the area, the City and WCHRA have identified their roles as the guiding entities for the future transformation of the Red Rock Gateway. Change is likely to be incremental in nature, but the City and the WCHRA realize that a vision is needed for the area, complimented by a redevelopment framework that guides redevelopment for the long-term. The redevelopment framework for the Red Rock Gateway includes the following five goals:

1. Create new mixed-use transit oriented development that provides places to live, shop, work, and play;
2. Support the development of a variety of high density multi-family units including senior and market rate apartments, owner-occupied town homes and senior cooperative;
3. Provide opportunities for development of employment opportunities including office, small assembly business and retail uses around the transit center;
4. Create significant river park amenity and create pedestrian trails to establish strong links between the

River, Newport Island, Lion's Park, regional trails and the community; and

5. Upgrade streets and public utilities in concert with the timing and financing of redevelopment.

The redevelopment of Red Rock Gateway presents the City with the unique opportunity to achieve its objective of creating a transit oriented neighborhood where people will want to live, work and patronize the retail and recreational opportunities. This Plan is designed to serve as a template for change within the area and to provide the City and the WCHRA with direction to move forward in negotiating public/private agreements to assure these ends.

Introduction

The Red Rock Gateway is a 40.5- acre area located at the northern tip of the City at the intersection of I-494 and Highway 61. The area includes a variety of uses and vacant sites, and for many years has been an aging, isolated, industrial and commercial area. Industrial development in the Red Rock Gateway area began in the late nineteenth century, utilizing the Mississippi River and new rail lines for transportation. A small residential community and commercial uses (including Tinucci's Restaurant) developed in the 1920's and 1930's, when the area was known as "Little Chicago." After World War II, auto-oriented uses dominated the sites along Highway 61. The existing buildings in the area today date from the early and mid-twentieth century. The current land uses vary greatly from a trucking business to industrial businesses with significant outdoor storage areas, a variety of local businesses, and single-family detached homes. Immediately adjacent to the study area is a cold storage facility, above ground fuel tank storage facilities, Lion's Park, and residential neighborhoods. Overall the Red Rock Gateway area is in decline and underutilized. Significant areas are vacant and underutilized land, and reinvestment is limited. Many of the structures are outdated, at or near the end of their life cycle, and in need of significant repair.

In 2007, the Red Rock Corridor Commission completed an alternatives analysis study that identified commuter rail line running from Hastings through downtown Saint Paul and on to Minneapolis as the best long-term transit solution for the Corridor. A strategic stop in the City of Newport was identified as well as a phased approach to transit service, starting with expanded bus service and construction of a new park & ride. In 2009, the Washington County Regional Railroad Authority (WCRRA) acquired the former Knox Lumber Site in the immediate southwest corner of the Highway 61 interchange with I-494 for the transit station and formed a partnership with the City to look at broader redevelopment opportunities around the station. A Station Area Planning study was commissioned that established a long-term vision for the station area based on input from the community and a market analysis.

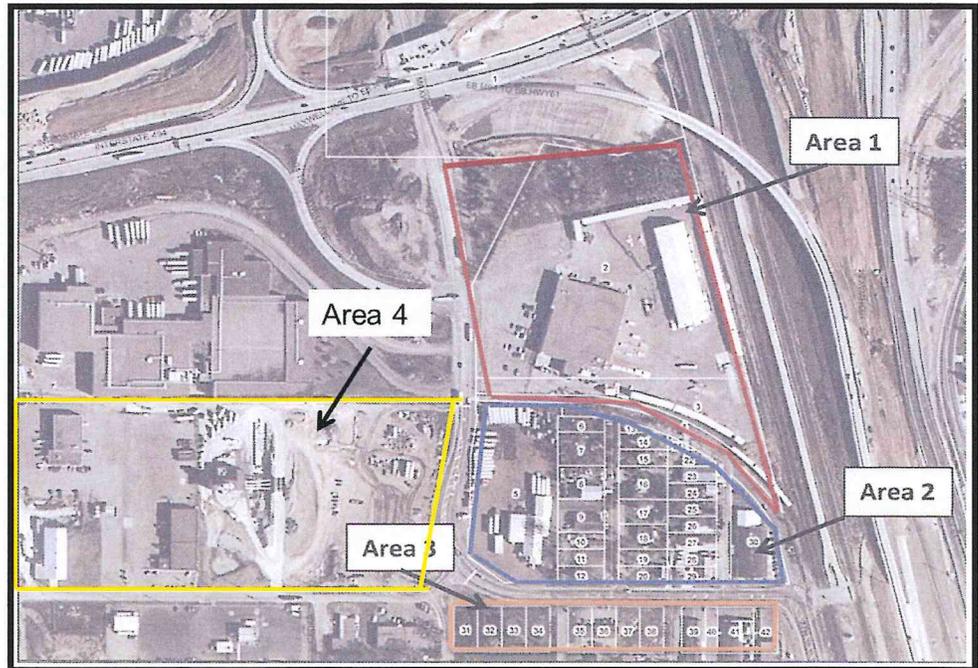
The study was completed in 2011 and suggested reconnecting the Station and the Red Rock Gateway area to the Mississippi riverfront with mixed-use developments and a new 450-stall parking deck. The City and WCHRA, as a result of the Pre-Development LCDA Grant, commissioned a land use and zoning analysis for the Red Rock Gateway, complimented by a market analysis of the City. As a result of these studies, the City obtained critical research from its land use, market, and development consultants, as well as from private sector developers, local citizens and business representatives, to prepare realistic redevelopment scenarios for the area. Based upon their input, the goal of this Plan is to provide a framework for coordinated redevelopment that will foster a transit oriented development pattern around the new transit station and provide an area for residents to live, shop, work, and play. The Red Rock Gateway affords the City its largest opportunity for transformative change due to its location, visibility and access to a multi-modal transportation system.

Study Area Defined

The Red Rock Gateway is roughly defined by the geographical boundaries of I-494 on the north, 21st Avenue on south, Highway 61 on the east and the Mississippi River on the west. The redevelopment is divided into four (4) distinct areas as noted on the map.

Site Analysis

The Red Rock Gateway is an example of post-World War II highway-oriented development. Planning and development in that era focused on maximizing the development potential of new freeway and highway corridors. Little attention was given to pedestrian facilities or other forms of transportation. Land-uses were segregated, with single-family and multifamily housing developed in neighborhoods that were separated from commercial uses and employment.



New transportation trends and community values are making highway-oriented strip malls and Euclidean zoning obsolete. With increasing gas prices, an aging population, strains on local and regional infrastructure, and a new interest in healthier lifestyles, the Metro Region and its communities are redefining how they develop and redevelop. Cities are redeveloping with multi-modal transportation options, higher densities, new amenities and place making elements.

The Market Study completed in August 2011 stated that the largest barrier to redevelopment is the strong industrial character of the area. Additional challenges include the lack of connection to nearby shops, public open spaces or connection to the Mississippi River. Nevertheless, the size and location of the Red Rock Gateway area, near a major regional interchange and the Mississippi River, provides ample opportunity for higher intensity developments with place making opportunities.

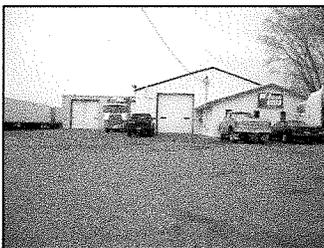
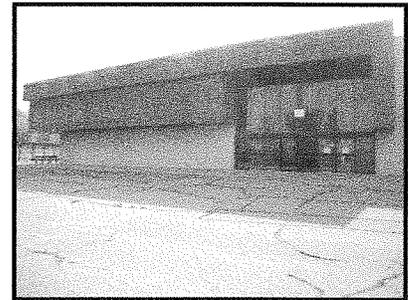
Physical Characteristics:

As can be seen on the map on the previous page, the Red Rock Gateway area is comprised of a variety of land uses as illustrated in the following table:

End Use	Redevelopment Area	# of Parcels	# of Acres	Total Acres By area
Big Box - Single User	1	2	11.64	11.64
Single-Family	2	8	1.60	8.69
Single- Family Rental		3	0.47	
Strip Mall/Multi-Tenant		2	1.26	
Trucking		2	3.20	
Car Repair		2	0.46	
Vacant Land		7	1.46	
Commercial Business		1	0.23	
Restaurant & Bowling	3	2	0.61	2.61
Commercial Business		1	0.42	
Vacant Land		8	1.58	
Industrial	4	6	17.56	17.56
TOTAL	N/A	44	40.50	40.50

Note: As a supplement to the information presented in the above table, the Appendix includes additional tables which indicate property name and address, owner, building square footage, acreage, land use and valuation.

Predominate uses include a vacant big box user and industrial and commercial businesses. The industrial users are the largest component for the area (Area 4), with the big box user being the second largest user located in Area 1. Area 4 contains a majority of the industrial uses, and approximately half of the area is needed for outdoor storage of materials. Area 2 contains a mixture of residential and commercial uses (car repair and small strip mall), and a trucking business. The street layout, lot design, land use arrangement and building improvements are organized by obsolete older plats with small lot sizes and street alignments that reflect outdated subdivision and site planning requirements.



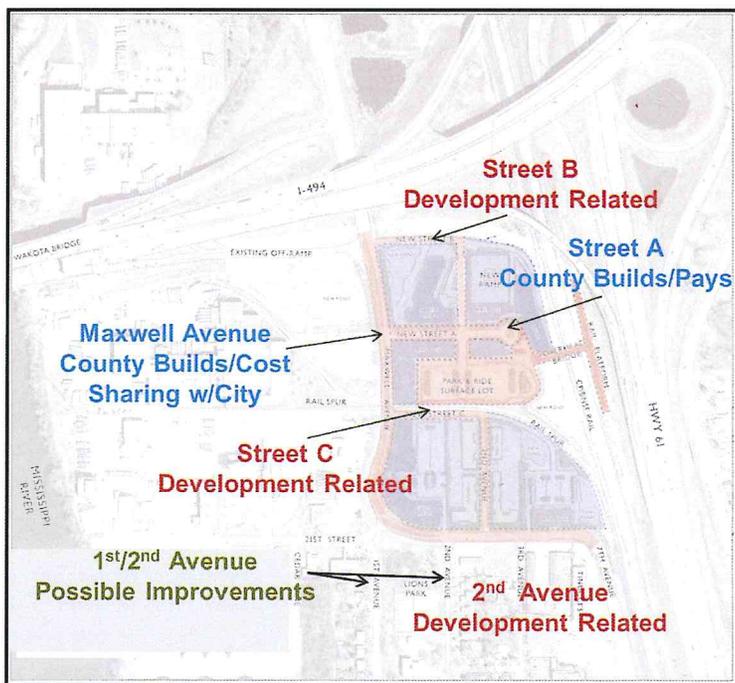
A majority of the buildings in the Red Rock Gateway were built over forty years ago. In Areas 1, 2, and 3, approximately 524,000 square feet is vacant out of the 812,860 square feet of commercial land. The mixture of land uses in Area 2 is inappropriate for the long term. The multi-tenant commercial building however, along 21st Avenue, has a number of tenants (including the Post Office) and can remain viable. About half of the land area in Area 3 is vacant, some of which is adjacent to Lion’s Park. Tinucci’s Restaurant, the bowling alley, “Newport Center”, and a block building containing a woodworking and masonry business are located in this area as well. With the exception of Tinucci’s, the remaining structures have dated construction.

The homes in the Red Rock area have lower value than most of the homes in the community. Most of the single family homes located within the Red Rock Gateway are valued around \$100,000, ranging from \$80,000 to \$136,000. The average home value in 2012 was \$106,220. Of the ten (10) homes, three (3) are rental and the remaining seven (7) are owner occupied. One of the residential properties recently went through the foreclosure process and is currently vacant. The median home value in Newport for the timeframe between October 1, 2010 and September 30, 2011 was \$143,800 and \$195,200 in Washington County.



The Mississippi River is less than one-half mile from the Red Rock Gateway area, but it is currently invisible, and not utilized as an amenity. The river is hidden by major industrial developments and is not accessible for public enjoyment. However, the City recognizes that there is potential for redevelopment along the river, and is working to create new parks, access points, and trail connections that would serve new residents and businesses in the Red Rock area. In the near term, the City is discussing the acquisition of Newport Island and adjacent properties with the current owners, the Minnesota DNR and the U.S. Army Corps of Engineers. Homes in the area have been impacted by flooding issues and will continue to be impacted in the future. Purchasing the seven homes from willing sellers as funds become available and creating a new park may be a better investment than repairing the aging levy along the river. In the long-term, redevelopment adjacent to the new transit station may encourage redevelopment of the areas west of Maxwell with residential, employment and commercial uses that will take advantage of the proximity to the river.

Traffic/Transit Consideration:



Both I-494 and Highway 61 are important elements of the regional and local traffic network. Daily traffic volume along these routes is 87,000 and 59,000 vehicles/day respectively.

Another important roadway is Maxwell Avenue which is classified as a County A Minor Arterial which are defined as, "streets that connect important locations within the City with access points on the metropolitan highway system and with important locations outside the City." Traffic volume along Maxwell Avenue is currently 7,000 vehicles/day. This street is a vital access road to the Red Rock Gateway and the City and is expected to carry additional traffic when redevelopment is complete. An existing pedestrian and bicycle trail parallels Maxwell Avenue from the Wacota Bridge to City Hall, with links to the pedestrian bridges over Highway 61.

Maxwell Avenue, which merges with 21st Street and 7th Avenue south of the Red Rock Gateway area, is the major thoroughfare for the area. Maxwell Avenue should be strengthened as a gateway to the City and the

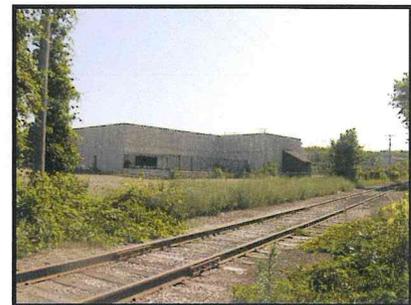
Red Rock Gateway. The redevelopment plan proposes to reconstruct Maxwell Avenue as a 4-lane divided roadway with a planted median, streetscape improvements and sidewalks on each side. The City's Comprehensive Plan encourages a significant buffer on the west side of Maxwell Avenue, to separate the redevelopment in Red Rock Gateway area from the industrial uses to the west.

Other existing streets within the area will need to be redeveloped and some new roadways will need to be constructed to assist in providing an effective roadway network to serve redevelopment. 2nd Avenue will connect the area with Lion's Park and parks and neighborhoods to the south, and will require reconstruction to replace utilities and provide curb and gutter. The layout of new roadways will depend upon the proposed end developments and will be cited at the time of platting of the area (Streets B and C).

AREAS 1-3							Timing
Street	Type	Responsible Entity	Cost	30% Contingency	30% Professional Fees	Total Cost	
Street B	2 Lane	County	\$120,858	\$36,257	\$47,135	\$204,250	2020
Maxwell Avenue	4 Lane w/median and 6' sidewalks on both sides	City/County	\$ 1,423,701	\$427,110	\$555,243	\$2,406,055	
Street C	2 Lane w/parking on both sides	City	\$ 224,092	\$67,228	\$87,396	\$378,715	
2nd Avenue	2 Lane w/parking on both sides	City	\$ 453,219	\$135,966	\$176,755	\$765,940	
TOTAL	N/A	N/A	\$2,221,870	\$666,561	\$866,529	\$3,754,960	N/A

Rail Spur

An existing rail spur dissects the redevelopment area and is located just south of the vacant Knox Lumber site. This spur services the large cold storage facility that is located west of Maxwell Avenue and South of I-494. The rail spur currently accommodates 1-2 trains per week and crosses over Maxwell Avenue at grade. This at grade crossing is the only access point for cars and pedestrians to cross over the rail spur and will likely be the only place that this can happen in the future.



As redevelopment commences, the City will need to work with the railroad to try to integrate the rail spur into the development. One option may include designing a buffer that provides green space for adjacent development. Long-term plans may consider potential use of the rail corridor if it is abandoned in the future.

Redevelopment:

In 2003, Tinucci's relocated within the area as part of the Highway 61 reconstruction. This has been the only significant private reinvestment in the area.

In 2009 the WCRRA purchased the vacant Knox Lumber site in preparation of its plans to construct the first phase of the commuter rail stop in the City. It is anticipated that the building will be demolished in 2012 and that the WCRRA will begin construction in 2013 of its transit facility for buses. Once open, the transit facility will initially be served by Metro Transit express bus service to downtown St. Paul. An initial surface parking lot would eventually be transformed to a structured facility with capacity to handle future demand

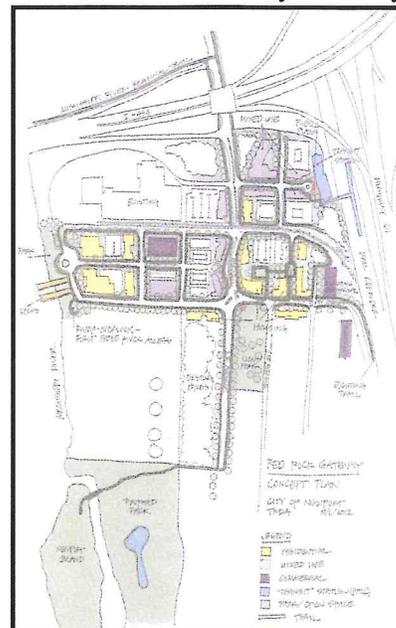
from transit users and the surrounding development.

Parks and Trails

Lion's Park is a neighborhood park in close proximity to the Red Rock Gateway. The Park is located at the intersection of Maxwell and 21st Avenues, and bordered by 1st and 2nd Avenues. The Park offers the recreation and green space for the surrounding neighborhoods, and provides an opportunity to highlight the Red Rock Gateway at this intersection with a monument, signage or other feature. The City recently completed concept master plans for Lion's Park that include the option to add the vacant parcels along 21st Avenue to the Park. The plans also indicate the need to create a pedestrian connection from the Red Rock Gateway to the Park. The Park offers a variety of facilities for year round recreation, including a multi-use shelter and picnic areas, lawn for open play in the summer and skating in the winter; a hockey rink that may be used for rollerblading and basketball in the summer, and play equipment.

The area is well connected with existing trails along Maxwell Avenue that extend south to Glen Road and north to the Mississippi River Regional Trail. Future trail connections will need to be incorporated from this area to the west to provide the necessary linkages to the Mississippi River.

The design of the redevelopment area will incorporate new parks or plaza areas to serve new residents, and will include new trails and sidewalks to link the area with the community's trail system.



Summary

Overall the Red Rock Gateway area is in decline, with significant underutilized land areas and buildings. Many of the structures are outdated and in need of significant repair reinvestment has been limited. The City and WCHRA realizes that left to the private market, redevelopment will only occur in a piecemeal fashion, if at all. Scattered site redevelopment only provides a partial solution to the issues the Red Rock Corridor area faces. Piecemeal redevelopment will not take advantage of the significant public investment that is being made in new transit facilities in the area. These new facilities offer a change for the area to begin anew, with a new vision and new plan to take advantage of the area's location, connections, and nearby amenities.

The City and the WCHRA have determined that public intervention is required to assemble the area for redevelopment and to provide the funding mechanisms for the required public infrastructure. The Red Rock Gateway Redevelopment Plan establishes a vision for a comprehensive redevelopment effort as appropriate funding and reinvestment become available. This Plan serves as a strategic framework to address comprehensive revitalization efforts such as environmental issues, land use, infrastructure, public safety, new housing niches and public improvements as the long-term community solution.

RATIONALE FOR REDEVELOPMENT

The City and WCHRA have determined that the Red Rock Gateway has several characteristics of a blighted area, as defined by State Law, and therefore examination of public intervention is needed to consider The Red Rock Gateway as a Redevelopment Project. *Minnesota Statute 469.002 Subd. 11*, defines a Blighted Area as:

Any area with buildings or improvements which, by reason of dilapidation, obsolescence, overcrowding, faulty arrangement or design, lack of ventilation, light, and sanitary facilities, excessive land coverage, deleterious land use, or obsolete layout, or any combination of these or other factors, are detrimental to the safety, health, morals, or welfare of the community.

These are the fundamental elements which must be considered in the determination of whether or not the City and the WCHRA should intervene in an area. The combined factors of underutilized land, vacant and/or obsolete buildings, a mixture of land uses organized by old plats, and the lack of a cohesive plan for development are barriers to economic redevelopment. The public purposes for redeveloping the area are several and include, but are not limited to, creating opportunities for increased tax base, job growth, new housing stock, replacement and upgrading of infrastructure services. Creating connections to the Mississippi River, regional trails, and nearby City parks will support new housing and commercial development. In the long term, the redevelopment of the Red Rock Gateway area will ameliorate the impacts from the recent regional highway construction, help connect this portion of Newport with the remainder of the City, and foster new growth and a stronger, more diverse tax base.

Essentially a Redevelopment Project means any work or undertaking:

1. To acquire blighted areas and other real property for the purpose of removing, preventing, or reducing blight, blighting factors, or the causes of blight.
2. To clear any areas acquired and install, construct or reconstruct streets, utilities and site improvements essential to the preparation of sites for uses in accordance with the redevelopment plan.
3. To sell or lease land so acquired for uses in accordance with the redevelopment plan.
4. To prepare a redevelopment plan and to incur initiation, planning, survey and other administrative costs of redevelopment project, and to prepare technical and financial plans and arrangements for buildings, structures, and improvements and all other work in connection therewith; or
5. To conduct an urban renewal project.

The City and WCHRA have created the Red Rock Gateway Plan to address the major conditions which contributed to the deterioration of the area, and create a new landscape that looks to the future. The Plan, when implemented, will create a transit-oriented neighborhood that will serve as a place to live, shop, work, and play. It will bring new residents and new jobs to the City, add life and value, and increase and diversify the local tax base.

Relevant City and WCHRA Goals and Policies:

The City and WCHRA have taken a holistic approach to revitalization of the Red Rock Gateway.

The principle objectives of the Plan is to redefine this area of the community and redevelop it in a more efficient and economically-sustainable manner, recognize and assume a proactive stance to the market and

transportation system changes, and to increase the tax base of the community.

Second, the City and WCHRA realize that a major proponent of creating a stable neighborhood is to diversify its economic base. The City and WCHRA would like to provide housing opportunities that are not currently being offered in the City, in an effort to enhance diversity in the local economy and housing stock. The introduction of high density rental, senior cooperatives and owner-occupied townhomes will allow the City to fill new niches and attract residents that would not otherwise look at renting or purchasing in the City. In addition, development of some service oriented retail in the area will support and enhance the new transit facility as well as serve new residential units. The addition of office or light assembly uses within the area will strengthen the retail component and assist the City in reaching its objective of ensuring neighborhood stability through economic diversity.

Public Improvement/Redevelopment Goals and Strategies

The success of the redevelopment of the Red Rock Gateway will be realized with the implementation of the following goals and strategies. These goals and strategies were derived from the City Council, staff and residents, and were created to guide the decision making process for redevelopment of the Red Rock Gateway area.

Redevelopment and Land Use Goals and Strategies

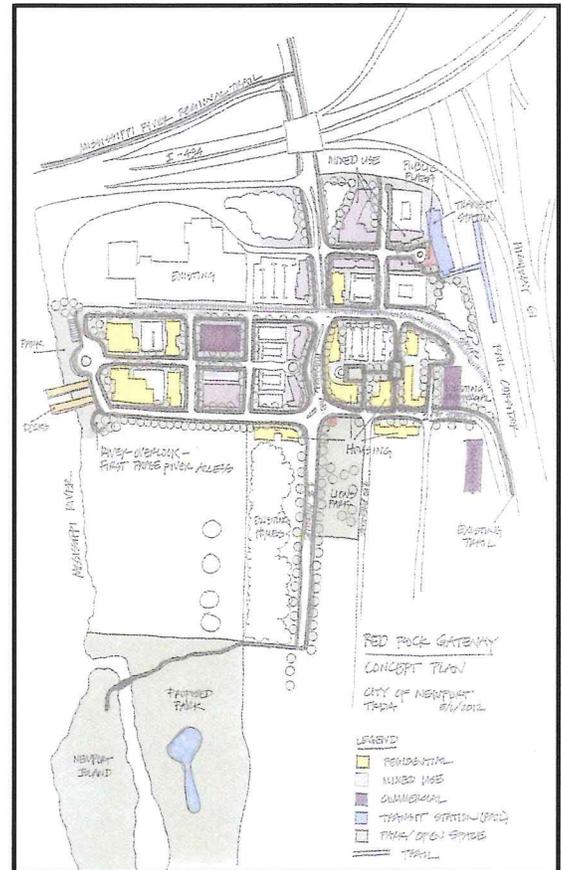
Goal #1: Create new mixed-use, transit oriented development that provides places to live, shop, work, and play.

Strategy #1: The City will coordinate its efforts with WCRRA and Washington County to coordinate redevelopment of the area with the new transit facility.

Strategy #2: The City and its partners will improve overall site access and visibility through reconfiguration of streets and block patterns. Infrastructure improvements will be timed to support redevelopment.

Strategy #3: The redevelopment plan will create clear, safe circulation routes for pedestrians, bicycles and vehicles. The plan will connect the area with park and river amenities by developing key streets as parkways and developing new trails and sidewalks.

Strategy #4: Redevelopment will be phased and flexible to meet the changing needs of users and markets.



Goal #2: Support the development of a variety of high-density multi-family units including senior and market rate apartments, owner-occupied town homes and senior cooperatives.

Strategy #1: Facilitate the necessary infrastructure and amenity improvements that will support and encourage new housing.

Strategy #2: Encourage the development of Class A higher density housing that will provide a housing niche not currently available in the City.

Strategy #3: Impart a residential character to Maxwell and 21st Avenues, create pedestrian elements/amenities, and buffer the industrial areas to the west.

Strategy #4: Link the housing developments to the Mississippi River, and local and regional park and trail amenities.

Goal #3: Provide opportunities for development of employment opportunities including office, small assembly business and retail uses around the transit center

Strategy #1: Locate retail development adjacent to transit facility for ease of access by transit riders.

Strategy #2: Encourage mixed-use buildings and developments that incorporate housing, commercial and office uses in close proximity.

Strategy #3: Provide amenities and services that attract new jobs and new residents.

Goal #4: Create a significant river park amenity and create pedestrian trails to establish strong links between the Mississippi River, Newport Island, Lion's Park, regional trails and the community.

Strategy #1: Develop pedestrian trails and walkways along the River and introduce pedestrian and bicycles facilities throughout the redevelopment area that are linked to the local trail network.

Strategy #2: Bury power lines along 21st Avenue and provide screening to the east of the existing industrial businesses to soften the edges and enhance the view corridor to the River.

Strategy #3: Construct way finding signage and streetscape improvements to enhance the connections to Lion's Park and the River.

Strategy #4: Evaluate acquisition of Newport Island and adjacent homes affected by flooding to develop the area into a passive park area and to provide access to the River.

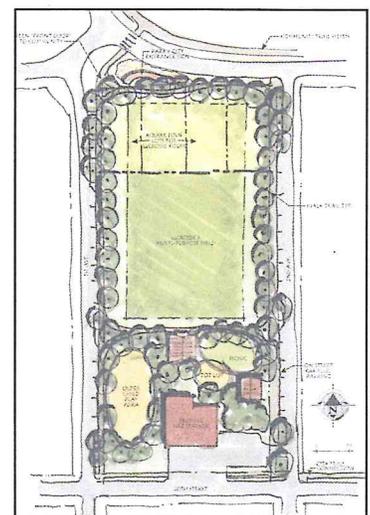
Goal #5: Develop Lion's Park into a community park that can act as a focal point for the area

Strategy #1: Acquire four vacant parcels along 21st Avenue to provide direct access to the park and an extended area for recreational amenities.

Strategy #2: Create substantial visual element at Lion's Park to create terminus to sightlines from I-494 and Maxwell Avenue.

Strategy #3: Upgrade the Park to a community park by adding additional facilities and new play areas.

Strategy #4: Enhance landscaping along 1st and 2nd Avenues and create trail linkages along both edges and to the future Newport Island Park.



Goal #6: Upgrade streets and utilities in concert with the timing and financing of improvements.

Strategy #1: Work with Washington County on plan and timing of redevelopment of Maxwell Avenue and financing of City's portion of the reconstruction.

Strategy #2: Bury overhead power lines within the Red Rock Gateway when roads are being reconstructed.

Strategy #3: Reconstruct 2nd Avenue to upgrade utilities and add curb and gutter.

Goal #7: Build upon and strengthen the Civic presence in the area.

Strategy #1: Review options to construct City Hall within the area.

Strategy #2: Integrate the existing Fire Station into the redevelopment by making façade and signage improvements, as a demonstration of the Design Guidelines.

Goal #8: Distribute a range of parking options throughout the Red Rock Gateway.

Strategy #1: Act to encourage development which reduces expanses of hard-surface parking to accommodate a more compact development.

Strategy #2: Residential parking needs should be met by developing underground parking, when possible.

Strategy #3: Provide on-street parking along 1st and 2nd Avenues adjacent to Lion's Park to provide ease of access for Park users.

Strategy #4: Short and long-term parking areas shall be located to the rear of commercial buildings.

Design and Regulatory Goals and Strategies

Goal #1: Assure the Red Rock Gateway redevelopment implements the City's Design Guidelines and serves as a basis for creative techniques for achieving functional as well as aesthetic excellence in design (see detailed Design Guidelines in Appendix B).

Strategy #1: Develop design guidelines which encourage connectivity and circulation, public spaces, integrates transit facilities and promotes high quality and visually significant building designs.

Strategy #2: Encourage the use of a variety of high quality building materials to break up building facades. Encourage interruptions in building massing to create interest through shadow, texture and site lines.

Goal #2: Promote and support building and development plans, programs and ordinances which encourage the mixing of uses in order to generate and maintain interest and diversity within the Red Rock Gateway.

Strategy #1: The City will create and adopt a new Zoning Map and Ordinance to encourage mixed use development, appropriate land uses, and performance standards for redevelopment of the Red Rock Gateway.

Goal #3: Integrate facilities which enable and/or enhance pedestrian circulation in order to simplify access to local services and to lend an atmosphere of activity to the Red Rock Gateway.

Strategy #1: The City will ensure that site designs accommodate pedestrian movements, both within the site and to adjoining properties.

Strategy #2: The City will create techniques for the identification of street crossing locations.

Strategy #3: The City will work with railroad and businesses to minimize the impact of the rail spur on redevelopment, and identify options for redesign of the rail spur area if the spur is abandoned in the future.

Economic Development Goals and Strategies

Goal #1: Encourage private investment in the Red Rock Gateway through public/private partnerships.

Strategy #1: The City shall encourage property owners to invest/reinvest in their properties and businesses to enhance the values with the Red Rock Gateway.

Strategy #2: The WCHRA shall create a Tax Increment Redevelopment District for the Red Rock Gateway. The WCHRA shall use Tax Increment Financing (TIF) as a means of leveraging private investment.

Strategy #3: The WCHRA shall use TIF for land acquisition, remediation, demolition, relocation, infrastructure and any other qualified costs within the Redevelopment District.

Strategy #4: The City and WCHRA will actively seek additional public and private funding sources/grants for redevelopment of the Red Rock Gateway.

Goal #2: Create a healthy environment for commerce.

Strategy #1: The City and WCHRA will work with the developer(s) to market and promote the Red Rock Gateway as a primary location for commerce within the City.

Strategy #2: The City will actively recruit businesses which would serve to enhance and diversify the business climate of the Red Rock Gateway.

Property Acquisition Goals and Strategies

Goal #1: Develop a land acquisition plan for Areas 2 and 3 within the Red Rock Gateway to coordinate land acquisition.

Strategy #1: Acquisition priority will be for Area 2, primarily along 2nd Avenue and second priority will be for Area 3.

Strategy #2: The WCHRA will act as the lead in land acquisition, relocation and demolition of the properties. The City will assist in acquiring key parcels depending on funding availability or other conditions arise as determined by the City or WCHRA.

Strategy #3: The acquisition and relocation activities will conform with the Uniform Relocation Act.

Strategy #4: First priority for acquisition will be vacant and foreclosed properties within these areas. After acquisition of these parcels, if any, the WCHRA will contact known willing sellers for the next phase of land acquisition.

Strategy #5: The City and WCHRA will meet and work with property owners that own more than one property within the area to coordinate acquisition.

Strategy #6: The first priority is to relocate businesses within the City, and second priority is to relocate businesses within the County. The City shall identify areas within the City for relocated businesses.

Goal #2: Identify acquisitions necessary to assure redevelopment happens in a timely fashion.

Strategy #1: The City and WCHRA will review the purchase of other key parcels on a case-by-case basis.

Strategy #2: The City and WCHRA will work with the WCRRA to deed to the City or WCHRA any excess land not needed for the transit facility in Area 1.

Strategy #3: The City shall work with the current owners of property along the Mississippi River to acquire needed property for public space and trail improvements.

Transit/Traffic Goals and Strategies

Goal #1: Create pedestrian friendly and transit oriented development standards to transform this area into an area more attractive for pedestrians and transit riders.

Strategy #1: Create design standards that encourage or allow for transit oriented developments in

the Red Rock Gateway.

Strategy #2: Whenever possible, construct building fronts near the sidewalk.

Strategy #3: Improve pedestrian access and circulation within the Red Rock Gateway. It is anticipated that some of the existing roads will be redesigned to increase pedestrian linkages and to promote a more urban village environment.

Goal #2: Enhance existing transit services.

Strategy #1: Build upon the ongoing cooperative efforts of the City and the WCRRA to improve bus service in the area. Look at feasibility to create new east/west routes to boost transit ridership.

Strategy #2: Work with WCRRA and Metropolitan Council to promote existing bus transit service.

Strategy #3: Provide safe and convenient pedestrian connections to transit routes from all areas of the Red Rock Gateway.

Strategy #4: Work with the Metropolitan Council and the WCRRA to define locations for transit amenities such as bus staging areas, passenger shelters and signage.

Rehabilitation Goals and Strategies

Goal #1: Encourage private reinvestment of existing homes and businesses surrounding the Red Rock Gateway.

Strategy #1: Promote housing rehabilitation programs available through the County and State to surrounding property owners.

Strategy #2: Review feasibility of providing financial incentives and/or programs to owners of existing commercial buildings/facilities within the area.

Strategy #3: Work with property owners immediately adjacent to the Red Rock Gateway to provide mechanisms to enhance the quality of their property, or provide appropriate buffers from the new development and uses.

Sources and Uses of Funds

The Red Rock Gateway Plan calls for an aggressive capital outlay of funds to assist in the stabilization of the area. The overall strategy is to leverage public funds with private resources, earmark capital outlays for specific public improvements and actively seek and identify other sources of funds. None of the funding sources are available in total at one time but are available over multiple years, which would require project phasing.

ADD CHART

Breakdown of Redevelopment Costs

ADD CHART

Conclusion and Recommendation

The City and WCHRA play important and complimentary roles in an ongoing effort to improve and to stabilize existing city neighborhoods and to enhance the overall image of the City. Since private investment alone cannot correct the issues the Red Rock Gateway faces, it is critical that the City and WCHRA continue to guide the revitalization of this area.

The public purpose of revitalization is to create a place that is economically strong, healthy, safe and attractive. The Red Rock Gateway will be an area where community and neighborhood residents will want to live, work and socialize. Many of the attributes necessary to assure that this happens are present in the Red Rock Gateway, although they have been neglected, unrecognized and underutilized in the past. The challenge of undertaking this redevelopment has been to define the area's assets and link them into a framework or pattern of connections in order to make the Red Rock Gateway a successful transit oriented development.

The main objective in revitalizing the area is to reconfigure the area for transit-oriented development, recognize the area's locational advantages, and incorporate the Mississippi River, local parks and trails as value-added amenities and utilize them as a catalyst to introduce housing options that are currently not available in the City. The City and WCHRA also seek to stabilize the surrounding neighborhoods that are declining due to the substandard conditions that exist in the Red Rock Gateway. By acquiring land within the area, developing the river and park and trail amenities and working with developers to privately finance new developments, it is anticipated that the area can be stabilized and its path to realizing its future expedited.

A significant underlying assumption to the revitalization of the Red Rock Gateway is that there will be a need for a strong relationship between the City, WCHRA, WCRRA and developers, to assure that the Plan is implemented as presented. It assumes a partnership that will encompass design, financing and implementation components and that the City and WCHRA will utilize Tax Increment Financing (TIF) and other supplemental redevelopment funds, to assist in relieving the high costs associated with redevelopment. It also assumes a financial commitment and a commitment to the vision from the developers, so they bring forth building designs and site plans that are consistent with the policies, goals and objectives set by the City within the Plan.

The City and WCHRA realizes that a comprehensive approach to addressing the factors which originally caused the Red Rock Gateway to decline is crucial to the Plan's success. This Plan defines the factors which precipitated the area's decline and contains detailed steps necessary to revitalize and stabilize this area of the City. The City and WCHRA are committed to seeing the Red Rock Gateway become an attractive area/center for the City as well as becoming a well-functioning transit oriented development through implementation of this Plan. The recommendation for adoption of the "the Red Rock Gateway Plan" is brought forward with the belief that it will truly transform this area and provide a long-term community solution.

PROCESS FOR REDEVELOPMENT OF THE RED ROCK GATEWAY

- June 9, 2011: Joint meeting with City Council, Planning Commission and developers to discuss redevelopment issues and opportunities
- August 18, 2011: Stantec Presentation of Draft Market Study to City Council and Planning Commission
- October 11, 2011: Joint meeting with City Council and Planning Commission to discuss financial feasibility of project
- November 10, 2011: Planning Commission begins discussion of Draft Zoning Map and potential uses in new Transit-Oriented District
- February 7, 2012 Meeting with City, WCRRA and WCHRA staff to discuss planning efforts to date
- February 9, 2012: Planning Commission completes Draft Zoning Map and continues development of Draft Ordinance
- February 21, 2012: Present preliminary redevelopment findings/options to WCHRA
- March 1, 2012: Joint meeting with City Council and Planning Commission to present preliminary redevelopment options
- March 8, 2012: Planning Commission completes Draft Ordinance and reviews Draft Design Manual
- April, 2012: Draft Ordinance reviewed by potential developers and by the City Attorney
- May 10, 2012: Planning Commission public hearing on Draft Zoning Map, Ordinance and Design Guidelines and review of preliminary Redevelopment Plan
- May 15, 2012: WCHRA review of Preliminary Redevelopment Plan
- June 7, 2012: City Council approval of Zoning and review of Preliminary Redevelopment Plan
- June 19, 2012: WCHRA approval of Redevelopment Plan and Joint Powers Agreement
- June 21, 2012: City Council approval of Zoning Map, Ordinance, Design Guidelines, Redevelopment Plan and Joint Powers Agreement
- July, 2012: City submits Comprehensive Plan Amendment to the Metropolitan Council for proposed zoning changes

Appendix A
Parcel Information

Appendix B

Design Guidelines

Appendix C Development Valuation and Assumptions

Area 1 - High Density

End Use	# of Units or Sq/Ft	Value Per Unit or Sq/Ft	TOTAL Development Valuation
Parking Ramp	N/A	N/A	\$0
Apartments	180	\$95,000	\$17,100,000
Apartments	120	\$95,000	\$11,400,000
Office	30,000	\$125	\$3,750,000
Retail	10,000	\$125	\$1,250,000
N/A	N/A	N/A	\$33,500,000

Area 2 - Medium Density

End Use	# of Units or Sq/Ft	Value Per Unit or Sq/Ft	TOTAL Development Valuation
Ponding	N/A	\$0	\$0
St. Apartments	62	\$85,000	\$5,270,000
Apartments/City Hall	80	\$95,000	\$7,600,000
Existing Commercial	N/A	N/A	\$364,200
Office	20,000	\$125	\$2,500,000
N/A	N/A	N/A	\$15,734,200

Area 3 - Medium Density

End Use	# of Units or Sq/Ft	Value Per Unit or Sq/Ft	TOTAL Development Valuation
Town Home	12	\$200,000	\$2,364,887
Park	N/A	\$0	\$0
Existing Tunucci	7,000	\$125	\$875,000
N/A	N/A	N/A	\$3,239,887

AREAS 1-3 GRAND TOTAL	N/A	\$52,474,087
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