

## Chapter 30 - COMMERCIAL DISTRICTS

### 30.00 - NEIGHBORHOOD BUSINESS (B-1)

#### 30.01 - Intent.

The purpose of this district is to allow small commercial areas to serve principally residential neighborhoods. These areas are generally located along or at the intersection of collector streets and arterials with a minimum lot size of one (1) acre.

(Ord. No. 87-1016, added 4-2-1987)

#### 30.02 - Permitted uses.

- (a) Grocery—Convenience store.
- (b) Beauty shop, barber shop.
- (c) Laundry, dry cleaning.
- (d) Business and professional offices as permitted in Section 30.32(a). (Ord. No. 97-1691, amended 1-8-1998)

#### 30.03 - Accessory uses.

- (a) Signs as regulated in Section 34.07(b).

#### 30.04 - Conditional uses.

- (a) ~~Gas pumps. Gasoline station without auto repair. Location must be a minimum of one thousand (1,000) feet from public school buildings that serve students primarily in grades 6th through 12th and a minimum of four hundred (400) feet from public school buildings that serve students primarily in grades kindergarten through 5th grade. (Ord. No. 09-2189, amended 8-20-2009; Ord. No. 89-1136, amended 4-20-1989)~~
- (b) Specialty shops.
- (c) Day care centers—Commercial. (Ord. No. 89-1140, amended 5-18-1989)

#### 30.05 - Standards.

- (a) Minimum lot area—One (1) acre.
- (b) Minimum frontage—One hundred fifty (150) feet.
- (c) Minimum depth—One hundred fifty (150) feet.
- (d) Front yard setback—Forty (40) feet.
- (e) Side yard setback—Ten (10) feet, corner lot—Forty (40) feet.
- (f) Rear yard setback—Thirty (30) feet.
- (g) Maximum building height shall not exceed two (2) stories or thirty (30) feet, whichever is less.
- ~~(h) Maximum lot coverage by building shall not exceed forty percent (40%).~~
- (i) Parking and driveways may be constructed to within the following minimum setbacks of property line: (Ord. No. 85-898, amended 8-15-1985)
  - (1) Front yard/corner side yard ..... 30 feet

(2) Side yard ..... 10 feet

(3) Rear yard 10 feet

For additional parking requirements, refer to Section 33.14. When a B-1 zoning district is located adjacent to any residentially zoned property, the side yard and rear yard parking/driveway setback shall be a minimum of twenty-five (25) feet.

(j) Off-street loading—Refer to Section 33.15.

#### 30.06 - Landscaping.

(a) All open areas of any lot not used for parking, driveways, or storage shall be landscaped with trees, shrubs, berms, and planted ground covers.

~~(b) All trees shall be staked and guyed.~~

(c) It shall be the owners responsibility to see that the landscaping is maintained in an attractive and well maintained condition. The owner shall also replace any dead or damaged trees or shrubs with a similar species. Any dead or damaged sod shall also be replaced.

(d) All vacant lots or portions of lots shall be maintained in an orderly manner, free of litter and junk.

(e) All lots in this district shall provide a landscaped yard. This yard shall be kept clear of all structures, storage and off-street parking. Except for driveways, the yard shall extend along the entire boundaries of the site. This yard shall have a minimum width of not less than ten (10) feet.

(f) For additional landscaping requirements, refer to Section 33.08.

(g) Underground irrigation shall be required for all ~~front yards and corner side~~ yards. Such irrigation shall extend to include public boulevards and into landscaped parking islands, except natural areas to be preserved. (Ord. No. 89-1177, added 1-4-1990)

(Ord. No. 88-1075, amended 3-17-1988)

#### 30.07 - Screening.

(a) On a lot adjacent to a lot in a residential district ~~there shall be an opaque screen made up of trees and/or berms and a six foot high fence constructed of maintenance free materials. ,there shall be a minimum of a twenty-foot landscape strip, consisting of one (1) or more of the following:~~

~~(1) Shrubs;~~

~~(2) Berms;~~

~~(3) Trees.~~

~~The screen shall be opaque.~~

~~(b) On a lot adjacent to a lot in a residential district, there shall be a six-foot-high solid fence abutting the residential property. In addition, the fence shall be located in such a way that the entire fence shall be on the property of the owner. Posts and frame work shall be placed within the property lines of the owner and the actual fencing material shall be placed on the side of the fence which faces the street or adjacent property. For additional fencing requirements, refer to Section 33.09.~~

(c) All screening within thirty (30) feet of any driveway or street intersection shall not be over thirty-six (36) inches in height above the curb or center line of the street.

#### 30.08 - Storage.

(a) Garbage receptacles, except individual containers for public use, refuse areas, or incinerators must be in the rear or side yards, and must be screened from public view by a six-foot-high solid fence constructed of maintenance free materials. (Ord. No. 02-1948, amended 6-20-2002)

- (b) No outdoor storage of any materials is permitted except as provided for in Section 30.081. (Ord. No. 02-1948, amended 6-20-2002)

30.081 - Outside display.

- (a) Outside display area is limited to a maximum of thirty percent (30%) of the width of a building frontage and is not to exceed a total of one hundred fifty (150) square feet of area for buildings under 40,000 square feet and not to exceed 400 square feet for buildings over 40,000 square feet. Building frontage is defined as the dimension or width of a store front occupied by the retailer establishing the outside display. For purposes of this ordinance a frontage must contain a public or customer entrance or exit and no space is allowed more than two (2) frontages.
- (b) Outside display to be located immediately adjacent to and within the dimensions of the building frontage and shall not extend from the front building edge more than fifty (50) inches.
- (c) Outside display shall not exceed a height of sixty (60) inches.
- (d) Vending machines or cabinets for items such as beverages, ice and propane are exempt from the height and area restrictions provided they are limited to a maximum of three (3) machines or cabinets per frontage.
- (e) Outside display shall not be located so as to block pedestrian walkways, doorways, parking stalls, drive aisles (including access for emergency services). Thirty-six (36) inches is the minimum width required to maintain pedestrian access.
- (f) Outside display to be maintained in an orderly and attractive manner that does not detract from the image of the community or adjacent businesses.
- (g) Outside display should be a representation of the products sold on site, not a storage area for inventory on pallets.
- (h) Products shall be able to be sold from the display.

(Ord. No. 02-1948, added 6-20-2002)

30.09 - Lighting.

- (a) ~~Any lighting used to illuminate an off-street parking area, sign or structure, shall be arranged so as to deflect light away from any adjoining residential zone or from public streets. All lighting to meet the standards listed in 33.02.~~

30.091 - Architectural control.

~~All buildings within this district shall be of masonry construction, its equivalent or better. Front walls of such buildings facing on streets must be finished with face brick, stone, modern metal paneling, glass, wood or their aesthetic equivalent as determined by the Zoning Administrator. Other walls shall be faced with a common brick or its equivalent. Any building wall facing a residential district shall not be finished with exposed plain-faced poured concrete or concrete block.~~

- (a) At least fifty percent (50%) of all exterior wall finishes on any building shall be comprised of a combination of at least three (3) of the following materials with all materials present on each elevation.
- a. Brick
  - b. Natural or cultured stone
  - c. Glass
  - d. Stucco or EIFS
  - e. Cementitious siding

f. Architectural metal

g. Integrally colored rock faced block

(b) The remaining portion of all exterior wall finishes shall be comprised of any combination of decorative, rock faced concrete block and textured concrete panels or other comparable or superior materials as approved by the zoning administrator. All materials subject to Zoning Administrator approval.

(c) Buildings may be constructed of primarily one of the materials listed in subsection (a) if the design meets or exceeds the intent of the ordinance.

(d) All buildings to incorporate four sided design

(e) Gasoline canopies support columns shall be constructed of masonry materials consistent with the principle building to a minimum height of 5 feet.

### 30.10 - COMMUNITY COMMERCIAL (B-2)

#### 30.11 - Intent.

Intended to provide retailing and services of both a convenience and durable nature to shoppers, such as apparel, furniture, food, banking and financial services for a trade area of nearby residential neighborhoods.

#### 30.12 - Permitted uses.

(a) General retail, except when specifically listed elsewhere in the ordinance

(b) Banks

(c) Restaurants

(d) Brew Pubs

(e) Personal services, including massage, hair salons, and similar businesses

(f) Dry cleaning and laundry

(g) Repair services, excluding repair of vehicles and small engines

(h) Business and professional offices, including medical offices

(i) Non-classroom personalized instructional services, total floor area limited to 4,000 square feet without a conditional use permit.

(j) Portrait or art studio

~~\_(a) Retail sales of goods and services including:~~

~~Antique shops~~

~~Automotive accessory stores~~

~~Bakeries~~

~~Banks and financial institutions~~

~~Barber shops~~

Beauty shops

Bicycle sales

Book/stationary stores

Camera and photographic supply stores

Catering services

Clothing and apparel stores

Computer and computer accessory stores

Candy and ice cream stores

Carpeting stores

China and glassware stores

Coin stores

Custom dress making

Drug stores

Dry cleaning and laundry

Electrical and houseware appliance stores

Flower shops

Furniture and home furnishings stores

Garden supply stores (Ord. No. 86-947, amended 6-5-1986)

Grocery stores

Hobby shops

Jewelry stores

Leather goods and luggage stores

Locksmiths

Meat markets

Musical instrument stores

Nurseries (plants) (Ord. No. 86-947, amended 6-5-1986)

Office supply stores

Optical goods stores

Paint and wallpaper stores

Photo studios

~~Picture frame shops~~

~~Pet grooming shops~~

~~Pet stores~~

~~Post offices~~

~~Public libraries~~

~~Restaurants (Class I and II), provided they do not offer live entertainment~~

~~Schools for music and dance~~

~~Sewing machine shops~~

~~Shoe stores~~

~~Sporting goods stores~~

~~Tailor shops~~

~~Tobacco shops~~

~~Travel bureaus~~

~~(b) — Repair services including:~~

~~Bicycles~~

~~Calculators~~

~~Cameras~~

~~Clock~~

~~Computers~~

~~Electrical and service shops~~

~~Electrical supplies~~

~~Heating and plumbing equipment~~

~~Household appliances~~

~~Jewelry~~

~~Radios~~

~~Reupholstery~~

~~Shoes~~

~~Stereos~~

~~Television~~

~~Watches~~

~~(c) Uses not explicitly enumerated in this section as permitted uses, but closely similar thereto, provided that these uses are not explicitly mentioned as permitted or conditional uses elsewhere in this ordinance.~~

~~(d) Business and professional offices as permitted in Section 30.32(a). (Ord. No. 84-850, amended 11-15-1984)~~

### 30.13 - Accessory uses.

(a) Signs as regulated in Section 34.07(c).

~~(b) Dwelling for nursery operator and/or night watchman. (Ord. No. 86-947, amended 6-5-1986)~~

### 30.14 - Conditional uses.

(a) Animal hospitals.

(b) Amusement and recreation.

#### (c) Fitness center

~~(c) Gasoline Automobile service station and minor auto repair. Gasoline sales must be a minimum of one thousand (1,000) feet from public school buildings that serve students primarily in grades 6th through 12th and a minimum of four hundred (400) feet from public school buildings that serve students primarily in grades Kindergarten through 5th Grade. (Ord. No. 89-1136, amended 4-4-1989; Ord. No. 89-1162, amended 9-21-1989; Ord. No. 09-2189, amended 8-20-2009)~~

#### (d) Minor auto repair

~~(d) Car wash.~~

(e) Construction and contractor's offices.

(f) Day care centers—Commercial. (Ord. No. 89-1140, amended 5-18-1989)

(g) Educational uses not meeting the requirements of 31.12.

(h) Small equipment rental; moving van rental and minor repair. Moving vans are limited to single rear axle vans and trucks up to thirty-three (33) feet in total overall length. Repair activities are limited to moving vans owned or leased by the equipment rental facility. (Ord. No. 95-1575, amended 9-21-1995)

(i) Meeting/assembly halls.

(j) ~~Motels/hotels~~Hotels.

(k) Open sales lot.

(l) Private clubs.

(m) Restaurants with live entertainment or outdoor dining. (Ord. No. 95-1573, amended 9-21-1995)

(n) Theaters.

(o) Vocation, technical, and trade schools.

(p) Zero lot line splits, shared access, and shared parking.

(q) Off-Sale Liquor Stores. (Ord 86-928, amended 2-20-1986)

~~(r) Mini-storage without outdoor storage of any kind, including vehicles. Self storage facility, indoor with no outside storage of any kind.~~ (Ord. No. 86-971, amended 8-7-1986)

(s) Two (2) or more buildings on same lot. (Ord. No. 88-1087, amended 6-16-1988)

(t) Churches. (Ord. No. 91-1266, amended 10-3-1991)

- (u) Adult Uses-Principal. As defined and licensed under Article VI - Blaine Municipal Code. (Ord. No. 93-1320, amended 1-7-1993)
- (v) Domestic animal indoor kennel and training facilities. (Ord. No. 93-1479, amended 11-18-1993)
- (w) Major automobile repair for passenger vehicles. (Ord. No. 94-1534, amended 8-18-1994 9-1-1994)
- (x) Funeral Homes. (Ord. No. 03-1983, added 6-26-2003; Ord. No. 03-1990, Amended 8-21-2003)
- (y) Vehicle Rental Agency with up to 15 vehicles on site. (Ord. No. 05-2063, added 10-20-2005; Ord. No. 18-2407, amended 6-21-2018)
- (z) Pawn shop. (Ord. No. 09-2179, added 2-19-2009)
- (aa) Indoor vehicle sales associated with and on the same property as major automobile repair. (Ord. No. 14-2295, added 10-16-2014)
- (bb) Medical cannabis distribution facility. (Ord. No. 15-2309, added 3-19-2015)

### 30.15 - Standards.

- (a) Minimum area to be zoned B-2—Ten (10) acres, with minimum size of lot—One (1) acre.
- (b) Front yard setback—Fifty (50) feet. (Ord. No. 93-1491, amended 12-16-1993)
- (c) Side yard setback—Twenty (20) feet when adjacent to commercial or industrial districts; corner lot fifty (50) feet; when adjacent to residential districts—One hundred (100) feet. (Ord. No. 93-1491, amended 12-16-1993)
  - (1) A reduction in the required setback buffer may be requested by following the requirements of Section 33.21, Buffer Yard Flexibility. (Ord. No. 86-937, amended 4-3-1986)
- (d) Rear yard setback—Twenty (20) feet when adjacent to commercial or industrial districts; when adjacent to residential districts—One hundred (100) feet.
- (e) In the event where front, side or rear setback requirements from a differing adjacent district fall within a public street or highway right-of-way, the minimum setback shall be twenty (20) feet from the property line but not less than the required setback from the adjacent differing district boundary.
- (f) Maximum building height shall not exceed ~~two and one-half~~ three (32½) stories, or ~~thirty-six~~ fifty (3650) feet in height, whichever is less.
- ~~(g) Maximum lot coverage by building shall not exceed forty percent (40%).~~
- (h) Parking and driveways may be constructed to within the following minimum setbacks of property line: (Ord 85-898, amended 8-15-1985)
  - (1) Front yard/corner side yard ..... 30 feet
  - (2) Side yard ..... 10 feet
  - (3) Rear yard 10 feet

For additional parking requirements—Refer to Section 33.14.

When a B-2 zoning district is located adjacent to any residentially zoned property, the side yard and rear yard parking/driveway setback shall be a minimum of twenty-five (25) feet.

- (i) Off-street loading—Refer to Section 33.15.
- (j) Major Automobile Repair Standards. (Ord. No. 94-1534, amended 9-1-1994)
  - (1) No outside storage of vehicle that have exterior damage or are dismantled.
  - (2) No air quality or noise impact to adjacent properties shall be permitted.



- (3) Additional screening as determined by the Zoning Administrator.
- (4) A seventy-five-foot landscaped buffer between a major automobile repair facility and all residential zoning districts. (Ord. No. 94-1539, amended 11-17-1994)

#### 30.16 - Landscaping.

- (a) All open areas of any lot not used for parking, driveways, or storage, shall be landscaped with trees, shrubs, berms, and planted ground covers.
- ~~(b) All trees shall be staked and guyed.~~
- (c) It shall be the owners responsibility to see that the landscaping is maintained in an attractive and well maintained condition. The owner shall also replace any dead or damaged trees or shrubs with a similar species. Any dead or damaged sod shall also be replaced.
- (d) All vacant lots or portions of lots shall be maintained in an orderly manner, free of litter and junk.
- (e) All lots in this district shall provide a landscaped yard. This yard shall be kept clear of all structures, storage and off-street parking. Except for driveways, the yard shall extend along the entire boundaries of the site. This yard shall have a minimum width of not less than ten (10) feet.
- (f) For additional landscaping requirements, refer to Section 33.08.
- (g) Underground irrigation shall be required for all ~~front yards and corner side~~ yards. Such irrigation shall extend to include public boulevards and into landscaped parking islands, except natural areas to be preserved. (Ord. No. 89-1177, added 1-4-1990)

(Ord. No. 88-1075, amended 3-17-1988)

#### 30.17 - Screening.

- (a) On a lot adjacent to a lot in a residential district, there shall be an opaque screen made up of trees and/or berms and a six foot high fence constructed of maintenance free materials. there shall be a minimum of a twenty-five-foot landscape strip, consisting of one (1) or more of the following: (Ord. No. 85-898, amended 8-15-1985)
  - ~~(1) Shrubs;~~
  - ~~(2) Berms;~~
  - ~~(3) Trees.~~

~~The screen shall be opaque.~~
- ~~(b) On a lot adjacent to a lot in a residential district, there shall be a six-foot-high solid fence abutting the residential property. In addition, the fence shall be located in such a way that the entire fence shall be on the property of the owner. Posts and frame work shall be placed within the property lines of the owner and the actual fencing material shall be placed on the side of the fence which faces the street or adjacent property. For additional fencing requirements, refer to Section 33.09.~~
- ~~(c) All screening within thirty (30) feet of any driveway or street intersection shall not be over thirty-six (36) inches in height above the curb or center line of the street.~~

#### 30.18 - Storage.

- (a) Refuse facilities shall be located only in the side yards or rear yards. Such facilities must be constructed of materials consistent with the principal building(s). If refuse facility entrance is visible from public view such as from parking lots or street, such facilities shall have solid gates. Garbage receptacles, except individual containers for public use, refuse

~~areas, or incinerators must be in the rear or side yards, and must be screened from public view by a six-foot-high solid fence. (Ord. No. 02-1948, amended 6-20-2002)~~

- (b) No outdoor storage of any materials is permitted except as provided for in Section 30.181. (Ord. No. 02-1948, amended 6-20-2002)
- (c) Employee service vehicles, associated with a commercial retail business that is specifically mentioned in this zoning district, may be parked outside under conditions as approved by the Zoning Administrator. (Ord. No. 91-1267, amended 10-3-1991)

#### 30.181 - Outside display.

Outside display in B-2 retail sites is allowed provided the following standards are met:

- (a) Outside display area is limited to a maximum of thirty percent (30%) of the width of a building frontage and is not to exceed a total of one hundred fifty (150) square feet of area for buildings under 40,000 square feet and not to exceed 400 square feet for buildings over 40,000 square feet. Building frontage is defined as the dimension or width of a store front occupied by the retailer establishing the outside display. For purposes of this ordinance a frontage must contain a public or customer entrance or exit and no space is allowed more than two (2) frontages.
- (b) Outside display to be located immediately adjacent to and within the dimensions of the building frontage and shall not extend from the front building edge more than fifty (50) inches.
- (c) Outside display shall not exceed a height of sixty (60) inches.
- (d) Vending machines or cabinets for items such as beverages, ice and propane are exempt from the height and area restrictions provided they are limited to a maximum of three (3) machines or cabinets per frontage.
- (e) Outside display shall not be located so as to block pedestrian walkways, doorways, parking stalls, drive aisles (including access for emergency services). Thirty-six (36) inches is the minimum width required to maintain pedestrian access.
- (f) Outside display to be maintained in an orderly and attractive manner that does not detract from the image of the community or adjacent businesses.
- (g) Outside display should be a representation of the products sold on site, not a storage area for inventory on pallets.
- (h) Products shall be able to be sold from the display.

(Ord No. 02-1948, added 6-20-2002)

#### 30.09 - Lighting.

(a) All lighting to meet the standards listed in 33.02.

#### 30.091 - Architectural control.

- (a) At least fifty percent (50%) of all exterior wall finishes on any building shall be comprised of a combination of at least three (3) of the following materials with all materials present on each elevation.
  - a. Brick
  - b. Natural or cultured stone
  - c. Glass
  - d. Stucco or EIFS
  - e. Cementitious siding

f. Architectural metal

g. Integrally colored rock faced block

(b) The remaining portion of all exterior wall finishes shall be comprised of any combination of decorative, rock faced concrete block and textured concrete panels or other comparable or superior materials as approved by the zoning administrator. All materials subject to Zoning Administrator approval.

(c) Buildings may be constructed of primarily one of the materials listed in subsection (a) if the design meets or exceeds the intent of the ordinance.

(d) All buildings to incorporate four sided design

(e) Gasoline canopies support columns shall be constructed of masonry materials consistent with the principle building to a minimum height of 5 feet.

### ~~30.19 - Lighting.~~

~~(a) Any lighting used to illuminate an off-street parking area, sign or structure, shall be arranged so as to deflect light away from any adjoining residential zone or from public streets.~~

### ~~30.191 - Architectural control.~~

~~All buildings within this district shall be of masonry construction, its equivalent or better. Front walls of such buildings facing on streets must be finished with face brick, stone, modern metal paneling, glass, wood or their aesthetic equivalent as determined by the Zoning Administrator. Other walls shall be faced with a common brick or its equivalent. Any building wall facing a residential district shall not be finished with exposed plain faced poured concrete or concrete block.~~

### 30.20 - REGIONAL COMMERCIAL (B-3)

#### 30.21 - Intent.

Intended to provide retailing and services of both a convenience and durable nature to shoppers, such as apparel, furniture, food, banking and financial services for a regional trade area.

(Ord. No. 93-1491, amended 12-16-1993)

#### 30.22 - Permitted uses.

(a) General retail, except when specifically listed elsewhere in the ordinance

(b) Banks

(c) Restaurants

(d) Brew Pubs

(e) Personal services, including massage, hair salons, and similar businesses

(f) Dry cleaning and laundry

(g) Repair services, excluding repair of vehicles and small engines

(h) Business and professional offices, including medical offices

(i) Non-classroom personalized instructional services, total floor area limited to 4,000 square feet without a conditional use permit.

(j) Portrait or art studio

~~.(a) — Retail sale of goods and services including:~~

~~Antique shops~~

~~Automotive accessory stores~~

~~Bakeries~~

~~Banks and financial institutions~~

~~Barber shops~~

~~Beauty shops~~

~~Bicycle sales~~

~~Book/stationary stores~~

~~Camera and photographic supply stores~~

~~Catering services~~

~~Clothing and apparel stores~~

~~Computer and computer accessory stores~~

~~Candy and ice cream stores~~

~~Carpeting stores~~

~~China and glassware stores~~

~~Coin stores~~

~~Custom dressmaking~~

~~Drug stores~~

~~Dry cleaning and laundry~~

~~Electrical and houseware appliance stores~~

~~Flower shops~~

~~Furniture and home furnishings stores~~

~~Garden supply stores~~

~~Gift shops~~

~~Grocery stores~~

~~Hobby shops~~

~~Jewelry stores~~

~~Leather goods and luggage stores~~

~~Locksmiths~~

~~Major department stores~~

~~Meat markets~~

~~Musical instrument stores~~

~~Nurseries (plants)~~

~~Office supply stores~~

~~Optical goods stores~~

~~Orthopedic sales and supply stores~~

~~Paint and wallpaper stores~~

~~Photo studios~~

~~Picture frame shops~~

~~Pet grooming shops~~

~~Pet stores~~

~~Post offices~~

~~Public libraries~~

~~Restaurants (Class I and II), provided they do not offer live entertainment~~

~~Schools for music and dance~~

~~Sewing machine shops~~

~~Shoe stores~~

~~Sporting goods stores~~

~~Tailor shops~~

~~Tobacco shops~~

~~Travel bureaus~~

~~(b) — Repair services including:~~

~~Bicycles~~

~~Calculators~~

~~Cameras~~

~~Clock~~

~~Computers~~

~~Electrical and service shops~~

~~Electrical supplies~~

~~Heating and plumbing equipment~~

~~Household appliances~~

~~Jewelry~~

~~Radios~~

~~Reupholstery~~

~~Shoes~~

~~Stereos~~

~~Television~~

~~Watches~~

~~(c) Uses not explicitly enumerated in this section as permitted uses, but closely similar thereto, provided that these uses are not explicitly mentioned as permitted or conditional uses elsewhere in this ordinance.~~

~~(d) Business and professional offices as permitted in Section 30.32(a).~~

(Ord. No. 84-850, amended 11-15-1984)

30.23 - Accessory uses.

(a) Signs as regulated in Section 34.07(a).

~~(b) Dwelling for nursery operation and/or night watchman.~~

(Ord. No. 93-1491, amended 12-16-1993)

30.24 - Conditional uses.

(a) Animal hospitals.

(b) Amusement and recreation.

Fitness Center

(c) Vehicle sales lot, for passenger vehicles only. (Ord. No. 86-936, amended 4-3-1986)

~~(d) Automobile serviceGasoline station and minor auto repair. Gasoline sales must be a minimum of one thousand (1,000) feet from public school buildings that serve students in grades 6th through 12th and a minimum of four hundred (400) feet from public school buildings that serve students in grades Kindergarten through 5th.~~ (Ord. No. 09-2189, amended 8-20-2009; Ord. No. 09-2189, amended 8-20-2009)

Minor auto repair

(e) Boat sales and display areas.

(f) Bowling alleys.

(g) Car wash.

- (h) Construction and contractor's offices.
  - (i) Dance Hall.
  - (j) Day care centers—Commercial. (Ord. No. 89-1140, amended 5-18-1989)
  - (k) Educational uses.
  - (l) Meeting/assembly halls.
  - (m) ~~Mobile Manufactured~~ home sales lots.
  - (n) ~~Motel~~/hotels.
  - (o) Open sales lots.
  - (p) Private clubs.
  - (q) Recreational vehicle sales lots and showrooms.
  - (r) Restaurants with live entertainment or outdoor dining. (Ord. No. 95-1573, amended 9-21-1995)
  - (s) Skating rinks.
  - (t) Small equipment rental; moving van rental and minor repair. Moving vans are limited to single rear axle vans and trucks up to thirty-three (33) feet in total overall length. Repair activities are limited to moving vans owned or leased by the equipment rental facility. (Ord. No. 95-1575, amended 9-21-1995)
  - (u) Theaters.
  - (v) Vocational, technical, and trade schools.
  - (w) Zero lot line split, shared access, and shared parking.
  - (x) Off-Sale Liquor Stores. (Ord. No. 86-928, amended 2-20-1986)
  - (y) Self storage facility, indoor with no outside storage of any kind ~~Mini-storage without outdoor storage of any kind, including vehicles. (Ord. No. 86-935, amended 3-20-1986)~~
  - (z) Two (2) or more buildings on same lot. (Ord. No. 88-1087, amended 6-16-1988)
  - ~~(aa) Newspaper Distribution Center. (Ord. No. 90-1211, amended 5-21-1990)~~
  - (bb) Churches. (Ord. No. 91-1266, amended 10-3-1991)
  - (cc) Adult Uses—Principal. As defined and licensed under Article VI—Blaine Municipal Code. (Ord. No. 93-1320, amended 1-7-1993)
  - (dd) Domestic animal indoor kennel and training facilities. (Ord. No. 93-1479, amended 11-18-1993)
  - (ee) Major automobile repair for passenger vehicles. (Ord. No. 94-1534, amended 9-1-1994~~8-18-1994~~)
  - (ff) Funeral homes. (Ord. No. 03-1983, added 6-26-2003; Ord. No. 03-1990, amended 8-21-2003)
  - (gg) Vehicle Rental Agency with up to 15 vehicles on site. (Ord. No. 05-2063, added 10-20-2005; Ord. No. 18-2407, amended 6-21-2018)
  - (hh) Pawn shop. (Ord. No. 09-2179, added 2-19-2009)
  - (ii) Medical cannabis distribution facility. (Ord. No. 15-2309, added 3-19-2015)
- 30.25 - Standards.
- (a) Minimum area to be zoned B-3—Twenty-five (25) acres, with minimum size of lot—One (1) acre.
  - (b) Front yard setback—Fifty (50) feet.
  - (c) Side yard setback—Twenty (20) feet when adjacent to commercial or industrial districts.

- (d) Rear yard setback—Twenty (20) feet when adjacent to commercial or industrial districts.
- (e) In the event where front, side or rear setback requirements from a differing adjacent district fall within a public street or highway right-of-way, the minimum setback shall be twenty (20) feet from the property line but not less than the required setback from the adjacent differing district boundary.
- (f) Buildings exceeding three (3) stories or fifty (50) feet in height, whichever is less, must obtain a conditional use permit. (Ord. No. 90-1235, amended 10-18-1990)

~~\_(g) Maximum lot coverage by building shall not exceed forty percent (40%).~~

- (h) Parking and driveways may be constructed to within the following minimum setbacks of property line: (Ord. No. 85-898, amended 8-15-1985)
  - (1) Front yard/corner side yard ..... 30 feet
  - (2) Side yard ..... 10 feet
  - (3) Rear yard  
(Ord. No. 95-1553, amended 4-20-1995) ..... 10 feet

For additional parking requirements - refer to Section 33.14. When a B-3 zoning district is located adjacent to any residentially zoned property, the side yard and rear yard parking/driveway setback shall be a minimum of twenty-five (25) feet.

- (i) When a regional shopping center district is adjacent to any residential district, all building setbacks shall be one hundred (100) feet along any side adjacent to a residential district. (Ord. No. 85-898, amended 8-15-1985)
  - (1) A reduction in the required setback buffer may be requested by following the requirements of Section 33.21, Buffer Yard Flexibility. (Ord. No. 86-937, amended 4-3-1986)
- (j) Off-street loading—Refer to Section 33.15
- (k) Major Automobile Repair Standards: (Ord. No. 94-1534, amended 9-1-1994)
  - (1) No outside storage of vehicles that have exterior damage or are dismantled.
  - (2) No air quality or noise impact to adjacent properties shall be permitted.
  - (3) Additional screening as determined by the Zoning Administrator.
  - (4) A seventy-five-foot landscaped buffer between a major automobile repair facility and al residential zoning districts. (Ord. No. 94-1539, amended 11-17-1994)

### 30.26 - Landscaping.

- (a) All open areas of any lot not used for parking, driveways, or storage, shall be landscaped with trees, shrubs, berms, and planted ground covers.

~~\_(b) All trees shall be staked and guyed.~~

- (c) It shall be the owners responsibility to see that the landscaping is maintained in an attractive and well maintained condition. The owner shall also replace any dead or damaged trees or shrubs with a similar species. Any dead or damaged sod shall also be replaced.
- (d) All vacant lots or portions of lots shall be maintained in an orderly manner, free of litter and junk.

~~\_(e) All lots in this district shall provide a landscaped yard. This yard shall be kept clear of all structures, storage and off-street parking. Except for driveways, the yard shall extend along the entire boundaries of the site. This yard shall have a minimum width of not less than fifteen (15) feet.~~

- (f) For additional landscaping requirements, refer to Section 33.08.
- (g) Underground irrigation shall be required for all ~~front yards and corner side~~ yards. Such irrigation shall extend to include public boulevards and into landscaped parking islands, except natural areas to be preserved. (Ord. No. 89-1177, added 1-4-1990)



(Ord. No. 88-1075, amended 3-17-1988)

30.27 - Screening.

- (a) On a lot adjacent to a lot in a residential district, there shall be an opaque screen made up of trees and/or berms and a six foot high fence constructed of maintenance free materials. be a minimum of a twenty-five-foot landscape strip consisting of one (1) or more of the following: (Ord. No. 85-898, amended 8-15-1985)

~~(1) — Shrubs.~~

~~(2) — Berms.~~

~~(3) — Trees.~~

~~The \_\_\_\_\_ screen \_\_\_\_\_ shall \_\_\_\_\_ be \_\_\_\_\_ opaque.~~

30.28 - Storage.

- (a) Refuse facilities shall be located only in the side yards or rear yards. Such facilities must be constructed of materials consistent with the principal building(s). If refuse facility entrance is visible from public view such as from parking lots or street, such facilities shall have solid gates. Garbage receptacles, except individual containers for public use, refuse areas, or incinerators must be in the rear or side yards, and must be screened from public view by a six-foot-high solid fence. (Ord. No. 02-1948, amended 6-20-2002)
- (b) No outdoor storage of any materials is permitted except as provided for in Section 30.281. (Ord. No. 02-1948, amended 6-20-2002)
- (c) Employee service vehicles, associated with a commercial retail business that is specifically mentioned in this zoning district, may be parked outside under conditions as approved by the Zoning Administrator. (Ord. No. 91-1267, amended 10-3-1991)

30.281 - Outside display.

Outside display in B-3 retail sites is allowed provided the following standards are met:

- (a) Outside display area is limited to a maximum of thirty percent (30%) of the width of a building frontage and is not to exceed a total of one hundred fifty (150) square feet of area for buildings under 40,000 square feet and not to exceed 400 square feet for buildings over 40,000 square feet. Building frontage is defined as the dimension or width of a store front occupied by the retailer establishing the outside display. For purposes of this ordinance a frontage must contain a public or customer entrance or exit and no space is allowed more than two (2) frontages.
- (b) Outside display to be located immediately adjacent to and within the dimensions of the building frontage and shall not extend from the front building edge more than fifty (50) inches.
- (c) Outside display shall not exceed a height of sixty (60) inches.
- (d) Vending machines or cabinets for items such as beverages, ice and propane are exempt from the height and area restrictions provided they are limited to a maximum of three (3) machines or cabinets per frontage.
- (e) Outside display shall not be located so as to block pedestrian walkways, doorways, parking stalls, drive aisles (including access for emergency services). Thirty-six (36) inches is the minimum width required to maintain pedestrian access.
- (f) Outside display to be maintained in an orderly and attractive manner that does not detract from the image of the community or adjacent businesses.

- (g) Outside display should be a representation of the products sold on site, not a storage area for inventory on pallets.
- (h) Products shall be able to be sold from the display.

(Ord. No. 02-1948, added 6-20-2002)

### 30.29 - Lighting.

~~(a) Any lighting used to illuminate an off-street parking area, sign or structure, shall be arranged so as to deflect light away from any adjoining residential zone or from public streets.~~

### 30.291 - Architectural control.

(a) At least fifty percent (50%) of all exterior wall finishes on any building shall be comprised of a combination of at least three (3) of the following materials with all materials present on each elevation.

- a. Brick
- b. Natural or cultured stone
- c. Glass
- d. Stucco or EIFS
- e. Cementitious siding
- f. Architectural metal
- g. Integrally colored rock faced block

(b) The remaining portion of all exterior wall finishes shall be comprised of any combination of decorative, rock faced concrete block and textured concrete panels or other comparable or superior materials as approved by the zoning administrator. All materials subject to Zoning Administrator approval.

(c) Buildings may be constructed of primarily one of the materials listed in subsection (a) if the design meets or exceeds the intent of the ordinance.

(d) All buildings to incorporate four sided design

(e) Gasoline canopies support columns shall be constructed of masonry materials consistent with the principle building to a minimum height of 5 feet.

~~All buildings within this district shall be of masonry construction, its equivalent or better. Front walls of such buildings facing on streets must be finished with face brick, stone, modern metal paneling, glass, wood or their aesthetic equivalent as determined by the Zoning Administrator. Other walls shall be faced with a common brick or its equivalent. Any building wall facing a residential district shall not be finished with exposed plain faced poured concrete or concrete block.~~

### 30.30 - OFFICE PARK (B-4)

### 30.31 - Intent.

The intent of this district is to encourage contemporary, professional and research offices in a park like setting for both individually developed lots or planned parks within the district. This district serves to provide for professional services to immediate residential neighborhoods and the City as well.

(Ord. No. 97-1680, amended 10-16-1997)

30.32 - Permitted uses.

(a) Business and professional offices, including medical offices ~~(a) — Offices, business and professional, including:~~

~~Accounting, auditing, bookkeeping offices~~

~~Advertising offices~~

~~Business associations~~

~~Business and management consultant offices~~

~~Chiropractic offices~~

~~Civic/social and fraternal association offices~~

~~Consumer and mercantile credit reporting service offices~~

~~Dental offices~~

~~Detective and protecting agency offices~~

~~Educational and scientific research offices~~

~~Employment agency offices~~

~~Engineering and architectural offices~~

~~Finance offices~~

~~Governmental offices~~

~~Insurance offices~~

~~Investment offices~~

~~Labor unions~~

~~Laboratories, medical/dental with accessory researching and testing~~

~~Legal offices~~

~~Library and art galleries~~

~~Loan institutions~~

~~Medical offices~~

~~Medical/dental clinics~~

~~Office — Business, professional or public~~

~~Osteopathic offices~~

~~Optometry offices~~

~~Post-office~~

~~Professional membership organizations~~

~~Real estate offices~~

- (b) Uses not explicitly enumerated in this section as permitted uses, but closely similar thereto, provided that these uses are not explicitly mentioned as permitted or conditional uses elsewhere in this ordinance.

(Ord. No. 97-1680, amended 10-16-1997)

30.33 - Accessory uses.

- (a) Signs as regulated in Section 34.07.

(Ord. No. 97-1680, amended 10-16-1997)

30.34 - Conditional uses.

- (a) Restaurants meeting standards of [Section] 30.355.
- (b) Zero lot line split, ~~shared access, and shared parking.~~
- (c) Daycare—Commercial. (Ord. No. 91-1252, amended 6-20-1991)
- (d) Banks and financial institutions.
- (e) Churches.
- (f) General retail and service uses. (Ord. No. 98-1729, amended 6-25-1998)
- (g) Funeral homes. (Ord. No. 98-1729, amended 6-25-1998)
- (h) Animal clinics. (Ord. No. 98-1729, amended 6-25-1998)

(Ord. No. 97-1680, amended 10-16-1997)

30.35 - Standards.

- (a) Minimum area to be zoned B-4—Ten (10) acres; minimum lot size—One (1) acre.
- (b) Front yard setback—Fifty (50) feet.
- (c) Side yard setback—Twenty (20) feet when adjacent to commercial or industrial districts; corner lot—One hundred (100) feet.
- (d) Rear yard setback—Twenty (20) feet when adjacent to commercial or industrial districts.
- (e) In the event where front, side or rear setback requirements from a differing adjacent district fall within a public street or highway right-of-way, the minimum setback shall be twenty (20) feet from the property line but not less than the required setback from the adjacent differing district boundary.
- (f) Maximum building height shall not exceed two and one-half (2½) stories, or thirty-six (36) feet in height, whichever is less. Buildings exceeding three (3) stories or fifty (50) feet in height, whichever is less, must obtain a conditional use permit. (Amended 11-1-90. Ord. No. 90-1235)

~~\_(g)—Maximum lot coverage by building shall not exceed forty percent (40%).~~

(h) Parking and driveways may be constructed to within the following minimum setbacks of property line. (Ord. No. 85-898, amended 8-15-1985)

(1) Front yard/corner side yard ..... 30 feet

(2) Side yard ..... 10 feet

(3) Rear yard ..... 20 feet

For additional parking requirements—Refer to Section 33.14.

When a B-4 zoning district is located adjacent to any residentially zoned property, the side yard and rear yard parking/driveway setback shall be a minimum of twenty-five (25) feet.

(i) When an office park district is adjacent to any residential district, all building setbacks shall be one hundred (100) feet along any side adjacent to a residential district. (Ord. No. 85-898, amended 8-15-1985)

(1) A reduction in the required setback buffer may be requested by following the requirements of Section 33.21, Buffer Yard Flexibility. (Ord. No. 86-937, amended 4-3-1986)

(j) Off-street loading—Refer to Section 33.15.

(Ord. No. 97-1680, amended 10-16-1997)

#### 30.355 - Standards for restaurants.

(a) Freestanding restaurants shall have a minimum first floor building square of six thousand (6,000) square feet.

(b) Drive-up window or separate take-out facilities not permitted.

(c) No live entertainment permitted.

(d) Outdoor dining permitted as part of a Conditional Use Permit.

(e) Restaurants are permitted in a multi-tenant building if the multi-tenant building contains a minimum first floor area of not less than six thousand (6,000) square feet.

(Ord. No. 98-1729, amended 6-25-1998)

#### 30.36 - Landscaping.

(a) All open areas of any lot not used for parking, driveways, or storage shall be landscaped with trees, shrubs, berms, and planted ground covers.

~~(b) All trees shall be staked and guyed.~~

(c) It shall be the owners responsibility to see that the landscaping is maintained in an attractive and well maintained condition. The owner shall also replace any dead or damaged trees or shrubs with a similar species. Any dead or damaged sod shall also be replaced.

(d) All vacant lots or portions of lots shall be maintained in an orderly manner, free of litter and junk.

~~(e) All lots in this district shall provide a landscaped yard. This yard shall be kept clear of all structures, storage and off-street parking. Except for driveways, the yard shall extend along the entire boundaries of the site.~~

(f) For additional landscaping requirements, refer to Section 33.08.

(g) Underground irrigation shall be required for all yards. Such irrigation shall extend to include public boulevards and into landscaped parking islands, except natural areas to be preserved. (Ord. No. 89-1177, added 1-4-1990)

(Ord. No. 88-1075, amended 3-17-1988)

30.37 - Screening.

- (a) On a lot adjacent to a lot in a residential district, there shall be an opaque screen made up of trees and/or berms and a six foot high fence constructed of maintenance free materials. a minimum of a twenty-five-foot landscape strip, consisting of one (1) or more of the following: (Ord. No. 85-898, amended 8-15-1985)

~~(1) — Shrubs.~~

~~(2) — Berms.~~

~~(3) — Trees.~~

~~The screen shall be opaque.~~

30.38 - Storage.

- (a) Refuse facilities shall be located only in the side yards or rear yards. Such facilities must be constructed of materials consistent with the principal building(s). If refuse facility entrance is visible from public view such as from parking lots or street, such facilities shall have solid gates

~~Garbage receptacles, refuse areas, or incinerators must be in the rear or side yards, and must be screened from public view by a six-foot-high solid enclosure. Enclosure must be gated and constructed with exterior materials to match the principal building(s).~~

- (b) No outdoor storage of any materials is permitted.

~~30.39 — Lighting.~~

- ~~(a) — Any lighting used to illuminate an off-street parking area, sign or structure shall utilize downlit-style fixtures and shall be arranged so as to deflect light away from any adjoining residential zone or from public streets.~~

30.391 - Architectural control.

(a) — At least fifty percent (50%) of all exterior wall finishes on any building shall be comprised of a combination of at least three (3) of the following materials with all materials present on each elevation.

a. Brick

b. Natural or cultured stone

c. Glass

d. Stucco or EIFS

e. Cementitious siding

f. Architectural metal

g. Integrally colored rock faced block

- (b) The remaining portion of all exterior wall finishes shall be comprised of any combination of decorative, rock faced concrete block and textured concrete panels or other comparable or superior materials as approved by the zoning administrator. All materials subject to Zoning Administrator approval.

(c) Buildings may be constructed of primarily one of the materials listed in subsection (a) if the design meets or exceeds the intent of the ordinance.

(d) All buildings to incorporate four sided design

~~—All buildings within this district shall be of masonry construction, its equivalent or better. All walls of such buildings must be finished with face brick, stone, modern metal paneling, glass, wood or their aesthetic equivalent as determined by the Zoning Administrator.~~

#### 30.40 - PLANNED COMMERCIAL (PC)

Removed in entirety

#### 30.50 - REGIONAL RECREATION (RR)

##### 30.51 - Intent.

The Regional Recreation district is intended for a public recreation facility that provides facilities for a regional clientele.

##### 30.52 - Conditional uses.

(a) Indoor/outdoor public recreation of regional clientele.

(b) Amusement and recreation.

Fitness center

(c) Public assembly, exhibition and conference center.

(d) Sports medicine clinic.

(e) ~~Elementary school~~Educational uses. ( [Ord. No. 17-2376](#), added 4-6-2017)

(f) Building taller than 50 feet in total height. ( [Ord. No. 18-2414](#), added 10-18-2018)

(g) Sports dome with membrane supported roof not meeting architectural standards of Zoning Section 30.57. ( [Ord. No. 18-2414](#), added 10-18-2018)

(h) Restaurant

(i) Dormitory

##### 30.53 - Standards.

(a) Minimum area to be zoned RR—Eighty (80) acres.

(b) Minimum lot size—Five (5) acres with City water and sewer services.

(c) Minimum lot width—Two hundred (200) feet.

(d) Minimum building size—Five thousand (5,000) square feet.

(e) Front yard building setback—Forty (40) feet.

- (f) Corner side yard building setback—Forty (40) feet.
- (g) Side yard building setback—Fifteen (15) feet.
- (h) Rear yard building setback—Twenty (20) feet.
- (i) All buildings shall be sprinkled and contain other fire and life safety standards denoted in N.F.P.A. 101 and subject to Metropolitan Airport Commission regulations. ( [Ord. No. 18-2414](#), amended 10-18-2018)
- (j) Parking and driveways may be constructed to within the following minimum setbacks of property line:
  - (1) Front yard/corner side yard ..... 25 feet
  - (2) Side yard ..... 10 feet
  - (3) Rear yard ..... 10 feet

If rear yard or side yard parking setback is adjacent to a collector/arterial street as designated in the City's Transportation Plan, the parking setback shall be twenty-five (25) feet. Such setback shall be fifty percent (50%) opaquely screened with berms, shrubs, trees, fence, or a combination thereof.

#### 30.54 - Landscaping.

- (a) All landscaping requirements shall meet the provisions of Section 33.08, including the following:
  - (1) Underground irrigation shall be required for all front yards and corner side yards. Such irrigation shall extend to include public boulevard and into general parking islands, except natural areas to be preserved.
  - (2) Traffic safety islands and/or general parking islands where deemed appropriate shall be landscaped.
  - (3) Ground covers used in lieu of grass shall be planted in such a manner as to present a finished appearance and reasonably complete coverage within twelve (12) months after planting.

#### 30.55 - Storage/refuse facilities.

- (a) Refuse facilities shall be located only in the side yards or rear yards. Such facilities must be constructed of coarse concrete block and contain exterior surfacing as constructed on the principal building(s). If refuse facility entrance is visible from public view such as from parking lots or street, such facilities shall have gates constructed of wood, utilizing two (2) by four (4) construction and one (1) by four (4) board-on-board slats as a minimum.
- (b) No outdoor storage of any materials is permitted.

#### 30.56 - Lighting.

- (a) Lighting shall meet the requirements of Section 33.02.

#### 30.57 - Architectural control.

- (a) All buildings erected shall be a type of construction as defined in the [Uniform Building Minnesota Building Code](#), except Type V.
- (b) Any building shall be constructed so that all exterior sides shall be surfaced equivalent to the front building elevation as determined by the Zoning Administrator.
- (c) Exterior wall surfaces of all buildings shall be primarily faced with brick, stone, precast panel, cast-in-place panel, architectural concrete in combination with glass or other permitted materials.

Based on building size, height, location and/or special use, the Zoning Administrator may approve the use of modern metal paneling materials or its equivalent for exterior wall surfaces provided such



materials are used in conjunction with other materials listed above. Use of modern metal paneling materials or its equivalent shall not exceed seventy percent (70%) of the cumulative area of all building walls. Modern metal paneling shall be used primarily on the rear wall and secondarily on the side and/or front wall.

- (d) The building design should exhibit architectural control which seeks to be creative and maximize building lines, shades, and angles to maximize architectural uniqueness.

In addition, the City is desirous of such building design which will enhance energy conservation and attempt to use active or passive solar design.

- (e) All building design and exterior wall surface materials shall be reviewed and approved by the Zoning Administrator.

#### ~~30.58 - Site plan.~~

~~(a) Site plan approval shall be obtained from the Community Development Department as required under Section 33.07.~~

~~(b) For curbing requirements, refer to Section 33.20(a).~~

### 31.30 - PLANNED BUSINESS DISTRICT (PBD)

#### 31.31 - Intent.

It is the intent of the Planned Business District to accomplish the following:

- (a) To promote a planned environment for integrated industrial, office, commercial and multi-floor residential uses which feature design continuity. A development shall reflect a common theme using compatible architectural design and consistency in signage, landscaping, and lighting.
- (b) To encourage orderly development of property through conditional uses, since proposed uses may be traditionally considered incompatible or may present special problems in an environment of mixed uses.
- (c) To provide opportunity for greater flexibility in arranging land uses according to relative compatibility, convenience, and community needs.
- (d) To encourage patterns of development in harmony with the objectives of the City's Comprehensive Plan.
- (e) To encourage more attractive and enduring business neighborhoods.
- (f) To encourage development compatible with the environmental values of the area and to preserve natural vegetation, wetlands, natural topography, and other such features of the District.
- (g) To accommodate uses requiring access to major highways.
- (h) To provide a uniform set of standards to be applied equally to all owners and developers in this District.

#### 31.32 - Definitions.

In this District, the following definitions shall apply:

*Master Development Plan:* A concept plan of an area adopted by the City Council, which includes single and/or multiple ownerships of parcel(s) that relate through common objectives and design elements. The boundaries of the Master Development Plan shall be an area generally delineated by principle/intermediate/minor arterial/collector streets within the PBD Zone. Such a plan shall reflect the provisions of Section 31.34(a) of this District.

A Master Development Plan may be amended by the City Council from time to time under the procedures provided in Section 31.34(a).

The Master Development Plan shall not create a contract or be considered as absolutely binding upon the City or adjacent owners as to future development of adjacent land, (unless so specified in a separate development contract), but shall be used as a guide to landowners, developer and the City. The Planning Commission and the City Council shall consider the Master Development Plan when a request is made for a Conditional Use Permit in the area covered by the Master Development Plan, along with the other criteria set forth in Section 27.04 of this Ordinance.

*Project Development Package:* An application package and information needed to initiate the review process of specific site(s) within a Master Development Plan area. Such information shall reflect the provisions of Section 31.34(b) of this District.

*Multi-floor Residential:* A multi-family residential dwelling consisting of three (3) or more stories in height.

### 31.33 - Land uses.

Uses Allowed By Conditional Use Permit (CUP). Land Uses may include industrial, office, commercial, and multi-floor residential developments as specifically indicated below. All land uses not specified below are prohibited. All land uses shall be reviewed and approved pursuant to the Conditional Use Permit procedures in Section 27.04 of this Ordinance. The Master Development Plan shall reflect the conceptually proposed land uses for the area, such land uses to be consistent with the Comprehensive Plan.

The proposed land uses, their mix, lot sizes, and location must be compatible and complementary both internally and with adjacent land uses. The proposed land uses must not create any internal and/or external traffic congestion or traffic flow problems.

- ~~1. Offices—Business and professional.~~
- ~~2. Research and development laboratories.~~
- ~~3. Hotels and motels.~~
- ~~4. Financial institutions.~~
- ~~5. Restaurants with live entertainment (Class I and II).~~
- ~~6. Trade and convention centers.~~
- ~~7. Athletic clubs.~~
- ~~8. Automobile service station and related convenience store.~~
- ~~9. Manufacturing. (Ord. No. 03-1994, amended 9-18-2003)~~
- ~~10. Multi-floor residential.~~

(a) General retail,

- a. Retail except when specifically listed elsewhere in the ordinance
- b. Personal services, including massage, hair salons, and similar businesses
- c. Dry cleaning and laundry
- d. Repair services, excluding repair of vehicles and small engines
- e. Business and professional offices, excluding medical offices
- f. Non-classroom personalized instructional services
- g. Portrait or art studio

(b) Restaurants, with or without live entertainment or outdoor dining

- (c) Brew Pubs
- (d) Medical offices
- (e) Bank
- (f) Hotel
- (g) Trade and convention center
- (h) Fitness center
- (i) Gasoline station, with or without passenger vehicle auto lube/oil change service
- (j) Manufacturing
- (k) Multifamily residential
- (l) Research and development laboratories
- (m) Churches
- (n) Commercial childcare
- (o) Theaters
- (p) Indoor amusement and recreation
- (q) Corporate office/distribution/warehouse (requires a combination of office space or manufacturing space consisting of not less than twenty-five percent (25%) of gross building area either attached to or as part of a larger office manufacturing campus, operated by the same facility). (Ord. No. 03-1994, added 9-18-2003)
- (r) Post secondary education
- (s) Medical cannabis distribution facility
- (t) Brewer tap room as defined by Section 6-33 [of the Blaine Code] associated with and on the same site as a licensed brewery. (Ord. No. 15-2334, added 12-17-2015)
- (u) Motorcycle sales and maintenance

~~11. Retail sale of goods and services including: (Ord. No. 02-1955, amended 9-5-2002)~~

~~Art gallery~~

~~Automotive accessory stores excluding vehicle repair~~

~~Bakeries~~

~~Barber shops~~

~~Beauty shops~~

~~Bicycle sales~~

~~Book/stationary stores~~

~~Camera and photographic supply stores~~

~~Catering services~~

~~Clothing and apparel stores~~

~~Computer and computer accessory stores~~

~~Candy and ice cream stores~~

Carpeting stores  
Catalog showroom  
China and glassware stores  
Coffee shop  
Coin stores  
Diet centers  
Domestics  
Drug stores  
Dry cleaning and laundry  
Electrical and houseware appliance stores  
Fabrics  
Flower shops  
Furniture and home furnishings stores  
Gift shops  
Grocery stores  
Hardware  
Health and fitness  
Hobby shops  
Home improvement store  
Jewelry stores  
Leather goods and luggage stores  
Liquor store  
Locksmiths  
Lumber sales—Indoor or partially enclosed  
Major department stores  
Meat markets  
Musical instrument stores  
Nurseries (plants)  
Office supply stores  
Optical goods stores

~~Orthopedic sales and supply stores~~

~~Packaging~~

~~Photo studios~~

~~Picture frame shops~~

~~Pet grooming shops~~

~~Pet stores~~

~~Post offices~~

~~Printing~~

~~Public libraries~~

~~Restaurants (Class I and II)~~

~~Sporting goods stores~~

~~Tailor shops~~

~~Toy shop~~

~~Tobacco shops~~

~~Travel bureaus~~

~~Video and DVD~~

12. Zero lot line ~~and multi-building developments~~, shared access, share parking, and multibuilding developments.
13. Commercial based day care.
14. Theaters.
15. Indoor amusement and recreation. (Ord. No. 00-1883, added 12-21-2000)
16. Automated car wash incorporated with automotive service station and convenience store. (Ord. No. 02-1955, added 9-5-2002)
17. Corporate office/distribution/warehouse (requires a combination of office space or manufacturing space consisting of not less than twenty-five percent (25%) of gross building area either attached to or as part of a larger office manufacturing campus, operated by the same facility). (Ord. No. 03-1994, added 9-18-2003)
18. Post-secondary education. (Ord. No. 06-2084, added 4-20-2006)
19. Passenger auto lube/oil change service incorporated with ~~automotive service~~gasoline station and convenience store. (Ord. No. 08-2163, amended 8-7-2008).
20. Churches. (Ord. No. 09-2194, added 10-1-2009)
21. Medical cannabis distribution facility. (Ord. No. 15-2309, added 3-19-2015)
22. Brewer taproom as defined by Section 6-33 [of the Blaine Code] associated with and on the same site as a licensed brewery. (Ord. No. 15-2334, added 12-17-2015)
23. Motorcycle sales and maintenance. ( Ord. No. 17-2370 , added 2-2-2017)

31.34 - Development procedure.

- a) Prior to applying for a conditional use permit for development within the PBD zone, the developer shall meet with the Zoning Administrator, or their designee, to review the applicable ordinances, regulations and plans that will affect the area to be rezoned.
- b) The developer shall present a concept plan or site plan to the zoning administrator. The zoning administrator shall review the concept design and recommend changes to comply with the criteria listed in 31.34 (f).
- c) Upon staff approval of the concept design a formal application may be made for a conditional use permit. The conditional use permit shall be considered as outlined under section 27.04 of this ordinance.
- d) Prior to approval of building permits, the zoning administrator shall find that all standards listed in the conditional use permit have been satisfied in the site plan and building permit applications.
- e) The conditional use permit shall outline all allowed uses within the development, including square footages allotted to each use. A conditional use permit amendment shall be required for any deviation.

~~(a)—Master Development Plan. A landowner within the Zoning District, or developer with written consent of a landowner, or the City may initiate consideration of a Master Development Plan.~~

~~Prior to proceeding with any specific development proposal(s) within a PBD District, a proposed Master Development Plan and all subsequent amendments must be reviewed and recommended to the Planning Commission by the Zoning Administrator. It shall then be reviewed at a public hearing by the Planning Commission and approved by the City Council, who shall have sole authority to determine appropriateness of land uses and adequacy of addressing traffic and environmental issues.~~

~~Notice of the purpose, time and place of the public hearing shall be published in the official newspaper of the City at least ten (10) days but not more than thirty (30) days prior to the day of the hearing, and a similar notice shall be mailed to property owner(s) as shown on Anoka County Auditor records in the district and within three hundred fifty (350) feet of the boundary of said district, at least ten (10) days before the day of the hearing.~~

~~Based on the information contained in the Master Development Plan, prior to approval, the City Council must make the following findings:~~

- f) Prior to approval, the City Council must make the following findings:

- That the proposed Master Development Plan is consistent with the Comprehensive Plan, and can be coordinated with existing and planned development of the surrounding areas.
- That the proposed or existing internal and adjacent streets are suitable and adequate to serve the proposed uses and the anticipated traffic which will be generated thereby.
- That the proposed Master Development Plan adequately addresses identified environmental concerns and that the proposed storm drainage plan is adequate and does not impact adjacent areas.

~~A Master Development Plan application shall include a mailing label list of property owners within three hundred fifty (350) feet of the PBD district and shall consist of maps and drawings scaled at one (1) inch equals fifty (50), one hundred (100) or two hundred (200) feet and descriptive statements containing the following information:~~

- ~~(1) A Land Use Component shall set forth the description, location, and acreage of land devoted to each land use activity.~~
  - ~~(2) A Circulation Component shall set forth the general location of proposed internal and external street networks.~~
  - ~~(3) A Subdivision Design Component shall set forth the proposed layout of all lots and related land uses, streets, and topography.~~
  - ~~(4) A Services and Facilities Component shall set forth the general location and size of any and all existing and proposed City systems for sanitary sewer, water, storm drainage, utilities, right-of-ways, and any other public and private easements.~~
  - ~~(5) A Phasing Component shall set forth the proposed chronological schedule of construction for all private development and public improvements.~~
  - ~~(6) The Environmental Component shall consist of a map or maps depicting soils, water table, flood plain, vegetative, and wetland conditions. Corps of Engineers permits for wetland fill shall accompany the map(s), so as to ascertain where and how development will be allowed on a specific site.~~
  - ~~(7) A Design Continuity Component shall describe by drawings and text, a theme to be established by using consistent design elements including, but not limited to landscaping, signage, lighting, and architectural compatibility.~~
- ~~(b) Project Development Package. A landowner within the Zoning District, or developer with written consent of a landowner, may initiate consideration of a Project Development Package.~~

~~A Project Development Package and all subsequent amendments shall be reviewed and recommended to the Planning Commission and City Council by the Zoning Administrator, prior to the issuance of any building permit(s).~~

~~A Project Development Package shall incorporate the following:~~

- ~~(1) A Site Plan Application containing all information as required in Section 33.07 of the Ordinance.~~
- ~~(2) The Conditional Use Permit (CUP) application meeting requirements pursuant to Section 27.04 of the Ordinance.~~
- ~~(3) A Subdivision Application meeting the requirements as stated in Section 18 of the Blaine Subdivision Regulations.~~
- ~~(4) All Required Local, State, and Federal Agency Permits specific design plans and environmental mitigation measures shall be clearly shown on maps and/or descriptive statements.~~

### 31.35 - Standards.

#### (a) *Building Setbacks (minimum).*

- (1) Front Yard—Fifty (50) feet, or one-half (½) the total building height whichever is greater.
- (2) Side Yard—Fifteen (15) feet, or one-half (½) the total building height, whichever is greater.
- (3) Rear Yard—Twenty (20) feet, or one-half (½) the total building height, whichever is greater.
- (4) All setbacks shall be determined from the planned Right-of-Way (ROW), as designated in the City, County or State Transportation Plan, and normally defined in the subdivision regulations.

#### (b) *Parking Lot Setbacks (minimum).*

- (1) Front Yard—Thirty (30) feet. (Ord No. 02-1955, amended 9-5-2002)
  - (2) Side Yard—Fifteen(15) feet. (Ord. No. 04-2005, amended 1-22-2004)
  - (3) Rear Yard—Twenty (20) feet.
  - (4) All setbacks shall be determined from the planned Right-of-Way (ROW), as designated in the City, County or State Transportation Plan, and normally defined in the subdivision regulations.
- (c) *Building Sizes (minimum).*
- (1) Industrial—Twelve thousand (12,000) square feet.
  - (2) Freestanding Commercial—Five thousand (5,000) square feet with the exception of freestanding restaurants which shall have a minimum building size of four thousand (4,000) square feet. (Ord. No. 01-1896, Amended 3-15-2001; Ord. No. 02-1955, amended 9-5-2002)
- (d) *Building Height.* There shall be no height limitations, provided all buildings are in compliance with Metropolitan Airport Commission regulations.
- (e) *Building Exteriors.* ~~Major exterior surfaces of all walls shall be face brick, stone, glass, stucco, architecturally treated concrete cast in place or pre-cast panels, decorative block, wood, or architectural metal, or approved equivalent, as determined by the Zoning Administrator. Wood and metal may be used, provided that they are appropriately integrated into the overall building design and not placed in areas which will be subject to damage associated with heavy use.~~

~~Under no circumstances shall sheet aluminum, corrugated aluminum, asbestos, iron, plain or painted plain concrete block be deemed acceptable as major exterior wall materials on buildings within the City.~~

- (a) At least fifty percent (50%) of all exterior wall finishes on any building shall be comprised of a combination of at least three (3) of the following materials with all materials present on each elevation.
- a. Brick
  - b. Natural or cultured stone
  - c. Glass
  - d. Stucco or EIFS
  - e. Cementitious siding
  - f. Architectural metal
  - g. Integrally colored rock faced block
- (b) The remaining portion of all exterior wall finishes shall be comprised of any combination of decorative, rock faced concrete block and textured concrete panels or other comparable or superior materials as approved by the zoning administrator. All materials subject to Zoning Administrator approval.
- (c) Buildings may be constructed of primarily one of the materials listed in subsection (a) if the design meets or exceeds the intent of the ordinance.
- (d) All buildings to incorporate four sided design
- (e) Gasoline canopies support columns shall be constructed of masonry materials consistent with the principle building to a minimum height of 5 feet.



- (f) *Landscaping.* In addition to the provisions of Section 33.08 of the Ordinance, the following requirements shall be met:
- (1) Underground irrigation shall be required for all yards ~~facing a public right-of-way.~~
  - (2) Traffic safety islands and/or general parking islands, where deemed appropriate by the Zoning Administrator, shall be landscaped and irrigated. At least five percent (5%) of the surface area of land within a parking area shall be landscaped.
  - (3) On any given site there shall be at least three (3) different shrub species.
- (g) *Open Space.* The minimum area of permeable surface shall be thirty percent (30%) of the total project area. The Zoning Administrator may approve a modification to the requirement provided additional architectural or landscape enhancements are provided.
- (h) *Loading Spaces/Overhead Doors.* Loading spaces/overhead doors shall be located primarily in designated rear yards and secondarily in designated side yards. Overhead doors will be permitted in front yards under unusual circumstances, as approved by the Zoning Administrator.
- (1) Loading spaces and overhead doors should be designed to be compatible with the principle building. Architectural techniques should be employed to reduce visual impacts from adjacent properties and roadways.
  - (2) Loading spaces and overhead doors should be designed to be compatible with the principle building. Architectural techniques should be employed to reduce visual impacts from adjacent properties and roadways.
  - (3) Overhead doors limited to not more than one door per ten thousand (10,000) square feet of building area with the exception that all buildings are allowed a minimum of three (3) overhead doors and all City approved multi-tenant spaces are allowed a minimum of two (2) overhead doors. (Ord. No. 03-1994, added 9-18-2003)
  - (4) Outside storage of trucks or semi trailers is limited to not more than the number of dock or overhead doors. (Ord. No. 03-1994, added 9-18-2003)
- (i) *Refuse Enclosures.*

Refuse facilities shall be located only in the side yards or rear yards. Such facilities must be constructed of materials consistent with the principal building(s). If refuse facility entrance is visible from public view such as from parking lots or street, such facilities shall have solid gates

~~Refuse enclosures should be primarily located in designated rear or side yards and shall be constructed of similar materials as the principle building.~~

~~(j) *Roof-Top Equipment.* All roof top facilities shall either be:~~

- ~~(1) Screened from the eye level view of adjoining properties by use of exterior wall(s); or~~
- ~~(2) Painted to match or complement the building structure; or~~
- ~~(3) Incorporated into an architectural design, as approved by the Zoning Administrator.~~

- (k) *Lighting.* A lighting plan shall be submitted depicting type and design, layout of fixtures, and the illumination pattern. The design shall preclude any off-site glare.

32.50 - HIGHWAY 65 OVERLAY DISTRICT (HOD)

32.51 - Intent.

The purpose of this overlay district is to establish minimum standards for exterior architecture, design, landscaping, and signage of buildings that contribute to a community image of quality, visual aesthetics, permanence, and stability which are in the best interest of the citizens of the City.

These standards are further intended to ensure coordinated design of building exteriors, additions and accessory structure exteriors in order to prevent visual disharmony; minimize adverse impacts on adjacent properties from buildings which are or may become unsightly, and buildings that detract from the character and appearance of the area. It is not the intent of this ordinance to unduly restrict design freedom when reviewing and approving project architecture in relationship to the proposed land use, site characteristics and interior building layout.

(Ord. No. 98-1746, added 10-15-1998)

#### 32.52 - Scope of application.

- (a) This overlay district shall apply to all properties, ~~except as legally described below,~~ which are zoned B-2 (Community Commercial), B-3 (Regional Commercial), B-4 (Office Park), PBD (Planned Business District), I-1 (Light Industrial), I-2 (Heavy Industrial), R-3B (Medium Density Multi-Family) and R-3C (High Density Multi-Family), which are located within seven hundred fifty (750) feet of the centerline of the right-of-way of Highway 65. Where only a portion of a parcel lies within seven hundred fifty (750) feet of the Highway 65 centerline, the ordinance shall apply to the entire parcel. ~~The following properties lying north of 99th Avenue, south of 101st Avenue and east of Highway 65, legally described as: Lots 1—8, Block 1, Blaine Industrial Square, are exempt from the provisions of the Highway 65 Overlay District ordinance. The following property, as legally described below, is also exempt from the provisions of the Highway 65 Overlay District ordinance: LOT 11, EXCEPT THE WEST 75 FEET THEREOF AND EXCEPT THE NORTH 205 FEET OF THE EAST 300 FEET OF LOT 11, CENTRAL AVENUE ACRES, ANOKA COUNTY, MINNESOTA. (Ord. No. 98-1759 amended 12-17-1998; Ord. No. 99-1769, amended 2-18-1999)~~
- (b) ~~All subsequent additions, exterior alteration and accessory building constructed after the erection of an original building or buildings after the date of adoption of this ordinance, shall be constructed of materials comparable to those used in the original construction and shall be designed in a manner conforming to the original architectural design and appearance and meet all other standards set forth in this ordinance.~~

(Ord. No. 98-1746, added 10-15-1998)

#### 32.53 - Prohibited Uses.

The following uses are prohibited within the Highway 65 Overlay District:

- Open sales lot.
- Outside display area for boat sales or recreational vehicles.
- Small equipment rental yards.

~~The above described uses and buildings relating thereto, which lawfully exist within the City of Blaine as of the effective date of this ordinance, shall not be subject to the provisions of Section 26.06 of the Blaine Zoning Ordinance.~~

(Ord. No. 98-1746, added 10-15-1998; Ord. No. 07-2139, amended 8-2-2007)

## 32.54 - Standards.

For development of properties within the Highway 65 Overlay District, the following standards shall be applied ~~where such standards supersede requirements set forth in the B-2 (Community Commercial), B-3 (Regional Shopping Center), B-4 (Office Park), and I-1 (Light Industrial) zoning districts~~ in addition to the standards of the standards of the underlying districts. Where standards conflict, the higher standard shall apply. ~~All other standards and requirements of the above-mentioned zoning districts shall continue to apply.~~

### (a) *Construction materials.*

- (1) At least fifty percent (50%) of all exterior wall finishes on any building shall be comprised of a combination of at least three (3) of the following materials:

- Brick.
- Natural or cultured stone.
- Glass.
- Masonry stucco or EIFS.
- Cementitious siding
- Architectural metal
- Integrally colored rock faced block

- Other comparable or superior material as approved by the Zoning Administrator.

- (2) The remaining fifty percent (50%) of all exterior wall finishes shall be comprised of any combination of decorative or rock face concrete block and textured, concrete panels, ~~metal or wood~~ or other comparable or superior materials as approved by the Zoning Administrator. All building materials subject to approval of the Zoning Administrator. (Ord. No. 99-1807, amended 8-19-1999)

- (3) Buildings may be constructed of primarily one (1) of the materials listed in subsection (1), if the design exceeds the intent of the ordinance.

### (b) *Architectural design.*

- (1) Each building design will be reviewed for at least the following considerations:

- Appropriate location of structures on the site with relationship to other site amenities, restrictions, adjacent land usage, etc.
- General massing, roof treatments, proportion and quantity of exterior openings.
- Use of exterior materials as they relate to adjacent structures, and their impact on the quality and character of the immediate area.
- Screening of mechanical equipment, tanks, loading docks, refuse handling, ancillary equipment, etc., whether on the roof or on the site.

### (c) *Landscaping.*

- (1) Applicable landscaping requirements set forth in Section 33.08 shall be increased by 1.5 times, which shall include at least twenty-five percent (25%) of the number of ornamental, conifer and overstory trees exceeding minimum size requirements in the front yard adjacent to Highway 65 or the service drive adjacent to Highway 65.

~~(2) For multi-tenant buildings and lots exceeding five acres, in addition to subsection (c)(1), a planting bed(s) consisting of perennial and/or annual flowers shall be established and maintained. The size of the planting bed(s) shall total at least one (1) square foot for every foot of frontage along Highway 65 or the service drive.~~

(d) *Signage.*

- (1) All wall signs shall be comprised of individual letters.
- (2) All monument signs shall incorporate materials and architectural design consistent with the principal building.

~~(e) Exterior Site Lighting.~~

~~(1) A lighting plan shall be provided with the building plans and no freestanding lighting shall exceed thirty (30) feet in height.~~

~~(2) All lighting shall be downlit style to reduce overhead glare.~~

- (f) *Truck Parking.* Truck parking shall not be permitted in any yard adjacent to Highway 65. Sites where it can be anticipated that there will be a need or occasion for parking of trucks shall provide space for semi-tractor/trailer parking. Such parking shall be located in a yard not adjacent to Highway 65 and shall be effectively screened from Highway 65 by principal or accessory buildings, landscaping, berming, etc.

~~(g) Gasoline Sales Standards. Each Conditional Use Permit for gasoline sales will be reviewed in conjunction with the following standards:~~

~~(1) At least eighty percent (80%) of exterior wall finish (exclusive of surface glass) shall be comprised of brick. The remaining twenty percent (20%) to be comprised of natural stone, masonry, stucco, or other comparable or superior material as approved by the Zoning Administrator.~~

~~(2) Principal building utilize pitched roof system.~~

~~(3) All building materials and exterior colors to be approved by the Zoning Administrator.~~

~~(4) Site to incorporate extensive berming along street frontages.~~

~~(5) Decorative entrance plantings or decorative fencing to be incorporated into site landscape plans. (Ord. No. 11-2235, amended 11-3-2011)~~

- (h) *Vehicle Sales Lot Standards.* Each Conditional Use Permit for a vehicle sales lot will be reviewed in conjunction with the following standards:

- (1) Minimum lot size shall be four (4) acres.
- (2) Minimum building size shall be twenty-five thousand (25,000) square feet.
- (3) Site to incorporate extensive berming along street frontages.
- (4) Vehicle storage and display areas to have minimum twenty-five-foot setback from all interior property lines and forty-foot setback from any public right-of-way.

(Ord. No. 98-1746, added 10-15-1998)

~~32.55 Existing Structures.~~

~~(a) All expansions to buildings existing at the adoption of this ordinance shall be exempt from the requirements of Section 32.54(a), (b).~~

(Ord. No. 98-1746, added 10-15-1998)

32.56 - R-3B (Medium Density Multi-Family) and R-3C (High Density Multi-Family) Residential.

- (a) Landscaping. Applicable landscaping requirements set forth in Section 33.08 shall be increased by 1.5 times, which shall include at least twenty-five percent (25%) of the number of ornamental, conifer and overstory trees exceeding minimum size requirements in the front yard adjacent to Highway 65 or the service drive adjacent to Highway 65.
- (b) An opaque buffer screen along Highway 65 shall be established comprised of a combination of berming, fencing and landscaping as approved by the Zoning Administrator. Degree of opaqueness based on landscape plantings providing coverage four (4) years after planting.

(Ord. No. 98-1746, added 10-15-1998)

32.57 - Standards for mini-storage facilities.

Mini-storage facilities shall be required to follow the standards of Section 32.54 for any portion of a building that lies within two hundred (200) feet of a public right-of-way. Those buildings beyond two hundred (200) feet may be constructed of decorative masonry block designed architecturally compatible with Section 32.54 as approved by the Zoning Administrator. All other sections of Section 32.50 shall apply to mini-storage facilities.

(Ord. 99-1807, added 8-19-1999)

## 31.00 - LIGHT INDUSTRIAL (I-1)

### 31.01 - Intent.

The purpose of this district is to provide for the development of industrial uses ranging from small to large scale industry and related services. This district shall encourage the development of industrial uses accessible to major highways and utilizing City services of sanitary sewer, water, street, and storm drainage. Such light industrial areas should be located next to heavy industrial, commercial, residential, and airport districts and shall be free of hazardous or objectionable elements such as noise, odor, dust, smoke, glare, or other pollutants.

(Ord. No. 87-1046, amended 11-5-1987)

### 31.02 - Permitted uses.

- (a) Manufacturing uses: manufacturing, compounding, processing, packaging, storage, treatment, or assembly of products and materials within a structure, except for rendering/slaughtering/refining facilities.
- (b) Warehousing.
- (c) Wholesale businesses.
- (d) Offices—Business and professional, not including medical.
- (e) Engraving shops.
- (f) Machine shops.
- (g) Printing and publishing.
- (h) Repair services, except for businesses related to passenger vehicles and trucks.
- (i) Service uses of blue-printing, duplicating, mailing, and graphic arts.
- (j) Research and design laboratories.
- (k) ~~Fire stations. (Ord. No. 91-1264, amended 9-19-1991)~~
- (l) Uses not explicitly enumerated in this section as permitted uses, but closely similar thereto as determined by the Zoning Administrator, provided these uses are not explicitly mentioned as permitted or conditional uses elsewhere in the ordinance. (Ord. No. 91-1264, amended 9-19-1991)

### 31.03 - Accessory uses.

- (a) Dwelling for watchman (not to exceed five hundred (500) square feet) and limited to one (1) person.
- (b) Signs as regulated in Section 34.07.
- (c) Retail sales, incidental to manufacturing, of products manufactured, assembled, or warehoused on the premises, provided no more than ten percent (10%) of the building is used for retail space.
- (d) Coffee shops/cafeteria for employees.
- (e) Recreational facilities for employees.
- (f) Day care related to employees.

### 31.04 - Conditional uses.

- (a) Commercial nurseries/greenhouses.

~~(b) Radio, television, and cable broadcasting. Online purchase pick up location~~

~~(c) Public and semi-public uses such as, but not limited to, post offices, telephone or microwave towers, substations, and public buildings.~~

(d) Heliports

(e) Passenger vehicle service, major repair, including painting, body work and dismantling, exclusive of auto reduction yards. Storage of vehicles shall be screened with one hundred percent (100%) opaqueness.

(f) Outdoor storage of passenger vehicles or vans, provided such storage shall be screened with one hundred percent (100%) opaqueness. Such outdoor storage shall be related specifically to a permitted or approved conditional use.

~~(g) Condominium conversion of building(s) subject to Section 31.05(m).~~

(h) Two (2) or more buildings on same lot provided such buildings relate to one (1) permitted or conditional use.

(i) ~~Mini-storage facility.~~ Self storage facility

(j) Building over fifty (50) feet from ground level.

(k) Indoor vehicles sales showroom.

(l) Zero lot line, shared access, and shared parking. (Ord. No. 89-1118, amended 3-16-1989; Ord. No. 98-1754, amended 11-19-1998)

(m) Adult Uses-Principal. As defined and licensed under Article VI - Blaine Municipal Code. (Ord. No. 93-1320, amended 1-7-1993)

(n) Indoor commercial dog kennel with dwelling for night watchman. (Ord. No. 97-1676, amended 9-18-1997)

(o) Personal care, health care, recreation, fitness, or education related commercial services. Sites must be able to demonstrate adequate on-site parking. Uses must be destination based and not generate traffic volumes measurably above the range normally expected by the other allowed I-1 uses. With the exception noted in Section 31.03(c), general retail sales is not permitted under this section. (Ord. No. 04-2007, added 03-18-2004)

(p) Brewer taproom as defined by Section 6-33 [of the Blaine Code] associated with and on the same site as a licensed brewery. (Ord. No. 15-2334, added 12-17-2015)

(Ord. No. 87-1046, amended 11-5-1987)

#### 31.05 - Standards.

(a) Minimum lot size:

—One (1) acre ~~with City water and sewer services.~~

~~—Ten (10) acres without City water and sewer services.~~

(b) Minimum lot width—One hundred fifty (150) feet.

(c) Minimum lot depth—One hundred fifty (150) feet.

(d) Front yard building setback—Forty (40) feet.

(e) Corner side yard building setback—Forty (40) feet.

(f) Side yard building setback—Fifteen (15) feet.

(g) Rear yard building setback—Twenty (20) feet.

- (h) Building height—Fifty (50) feet from ground level, without a conditional use permit and subject to FAA regulations. ~~All buildings shall be sprinkled and contain other fire and life safety standards denoted in N.F.P.A. 101 and subject to Metropolitan Airport Commission regulations.~~
- (i) Minimum building size—Five thousand (5,000) square feet.
- (j) Parking and driveways may be constructed to within the following minimum setbacks of property line:
  - (1) Front yard/corner side yard ..... 25 feet
  - (2) Side yard ..... 10 feet
  - (3) Rear yard ..... 10 feet

If rear yard or side yard parking setback is adjacent to ~~I-35W or any collector/arterial street as designated in the City's Transportation Plan or~~ residential district, the parking setback shall be twenty-five (25) feet. Such setback shall be ~~fifty percent (50%)~~ opaquely screened with berms, shrubs, trees, fence, or a combination thereof.
- (k) When a light industrial district is adjacent to any residential district, building setbacks shall be one hundred (100) feet along any side adjacent to a residential district.
  - (1) A reduction in the required building setback buffer may be requested by following the requirements in Section 33.21, Buffer Yard Flexibility.

- ~~(l) Notwithstanding performance standards in Section 33.00, all activities within this district must comply with all Minnesota Pollution Control Agency regulations. In addition, no vibration shall be permitted which is discernible beyond the property line to the human sense of feeling for three (3) minutes or more duration in any one (1) hour, and any vibration producing an acceleration of more than 0.1g, or shall result in any combination of amplitudes and frequencies beyond the "safe" range of Table 7, U.S. Bureau of Mines, Bulletin "Quarry Blasting" on any structure.~~
- ~~(m) Common areas for condominiums. The developer may provide parking, common walls, driveways and waiting areas in an area common to all units of the building. Common areas shall be deeded to and held in the name of an owner's association created by the developer and including all owners of property in the project. Declarations, in form and substance acceptable to the City Attorney, governing the usage and maintenance of such common areas shall be adopted and filed by the developer.~~

#### 31.06 - Landscaping.

- (a) All landscaping requirements shall meet the provisions of Section 33.08, including the following:
  - (1) Underground irrigation shall be required for all front yards and corner side yards. Such irrigation shall extend to include public boulevard except along I-35W and into general parking islands, except natural areas to be preserved.
  - (2) Traffic safety islands and/or general parking islands where deemed appropriate shall be landscaped.
  - ~~(3) Ground covers used in lieu of grass shall be planted in such a manner as to present a finished appearance and reasonably complete coverage within twelve (12) months after planting.~~

#### 31.07 - Loading facilities.

- (a) Loading facilities shall be in the side or rear yards and shall be screened. ~~When adjacent to and/or visible from any public street, such facilities must be screened with one hundred percent (100%) opaqueness. When visible only to another lot, such facilities must be screened with fifty percent (50%) opaqueness.~~ Screening can be accomplished using berms, shrubs, trees, fencing, architectural design or a combination thereof. For additional information and requirements, refer to Section 33.15.

#### 31.08 - Storage/refuse facilities.



- (a) There shall be no outdoor storage of any kind within this district. For purposes of this zoning district, car, vans and pickup trucks parked outside and used by employees and/or visitors in the normal course of the business operation will not be construed to be outdoor storage. Further, outside parked trucks, ~~and semi-trailers, and any other vehicles larger than 10,000 GVW~~ used in the normal business' commerce will not be construed to be outdoor storage provided a) total number of trucks ~~and semi-trailers, and other vehicles larger than 10,000 GVW~~ does not exceed the number of docks and/or bay doors; and b) such use is not construed as an operation listed as a conditional use in any industrial zone.
- (b) Refuse facilities shall be located only in the side yards or rear yards. ~~except when such yard is adjacent to I-35W, or any collector/arterial street as designated in the City's Transportation Plan.~~ Such facilities must be constructed of coarse concrete block and contain exterior surfacing as constructed on the principal building(s). ~~If refuse facility entrance is visible from public view such as from parking lots or street, Such facilities shall have gates constructed of wood, utilizing two (2) by four (4) construction and one (1) by four (4) board on board slats as a minimum.~~
- (c) There shall be no detached silos, storage tanks, storage bin containers or similar detached structures within this district.
- (d) All attached silos, storage tanks, storage bin containers or similar attached structures shall have screening approved by the ~~Community Development Director~~ Zoning Administrator. ~~Such screening shall be a minimum of a six foot high wall constructed of similar exterior materials of the building and such structures shall be painted similar to the building. Attached structures include structures immediately adjacent to the building, subject to Zoning Administrator approval.~~

#### 31.09 - Lighting.

- (a) Lighting shall meet the requirements of Section 33.02.

(Ord. No. 98-1732, amended 7-9-1998)

#### 31.091 - Mechanical/electrical equipment.

- (a) All mechanical/electrical equipment on the ground or roof, such as heating, air conditioning, transformers, shall be screened on all sides so as not to be visible from public streets or adjoining property. Such screening shall be designed and constructed of material(s) that is compatible with the principal building(s).

(Ord. No. 98-1732, amended 7-9-1998)

#### ~~31.092 - Zero lot line developments.~~

- ~~(a) Notwithstanding the provisions of this Chapter to the contrary, industrial lots may be platted or subdivided in such a manner that common property lines will have a zero lot line building setback; provided, however, that each such lot meets the following requirements:~~
  - ~~(1) *Building Design.* The developer shall submit complete final plans for the entire construction design. The exterior walls of the building shall be constructed in compliance with the Zoning Ordinance. A zero lot line development must be constructed at one (1) time and no phasing will be allowed. Any future building additions beyond the minimum building square footage as required must be architecturally compatible with the originally constructed building. All accessory buildings must be architecturally compatible with the principal building.~~
  - ~~(2) *Development standards.* Standards, in accordance with Sections 31.05 through 31.091, shall be complied with for each parcel being subdivided or platted, except the following:~~

- ~~(i) Minimum lot size after subdividing Twenty-one thousand seven hundred eighty (21,780) square feet.~~
- ~~(ii) Side yard setback along common property line Zero (0) feet, provided a maintenance easement is granted over the abutting property for access to maintain zero lot line walls.~~
- ~~(iii) Each lot shall have, as a minimum, the front yard and one (1) side yard unencumbered by a common property line as permitted.~~
- ~~(3) Party Wall Agreements. Agreements to ensure maintenance of party walls shall be approved by the City Attorney.~~
- ~~(4) Shared driveways. A zero lot line development shall be allowed shared driveway designs provided a driveway agreement shall be maintained and approved by the City Attorney.~~
- ~~(5) Lot split approval. A zero lot line development shall require a waiver of platting (lot split approval) by the City.~~

(Ord. No. 98-1732, amended 7-9-1998)

#### 31.093 - Architectural control.

- (a) All buildings erected shall be a type of construction as defined in the Uniform-Minnesota Building Code. (Ord. No. 00-1835, amended 3-16-2000; Ord. No. 00-1876, amended 10-19-2000)
- (b) Any building shall be constructed so that all exterior sides shall be surfaced equivalent to the front building elevation as determined by the Zoning Administrator.
- (c) Exterior wall surfaces of all buildings shall be primarily faced with brick, stone, precast panel, cast-in-place panel, architectural concrete with other permitted materials, or glass.

Use of modern metal paneling materials or its equivalent shall be considered for exterior wall surfaces provided such materials are used in conjunction with other materials listed above. Use of modern metal paneling materials or its equivalent shall not exceed thirty-five percent (35%) of any individual wall surface.

- (d) The building design should exhibit architectural control which seeks to be creative and maximize building lines, shades, and angles to maximize architectural uniqueness.

~~In addition, the City is desirous of such building design which will enhance energy conservation and attempt to use active or passive solar design.~~

- (e) All building design and exterior wall surface materials shall be reviewed and approved by the Zoning Administrator.
- (f) All buildings shall contain a concrete floor. (Ord. No. 00-1876, amended 10-19-2000)

(Ord. No. 98-1732, amended 7-9-1998)

#### ~~31.094 Site plan.~~

- ~~(a) Site plan approval shall be obtained from the Community Development Department as required under Section 33.07.~~

(Ord. No. 98-1732, amended 7-9-1998)

#### 31.005 - LIGHT INDUSTRIAL (I-1A)

### 31.015 - Intent.

The purpose of this district is to provide for the development of industrial uses ranging from small to large scale industry and related services and allow minimal outside storage. This district shall encourage the development of industrial uses accessible to major highways and utilizing City services of sanitary sewer, water, street, and storm drainage. Such light industrial areas should be located next to heavy industrial, commercial, residential, and airport districts and shall be free of hazardous or objectionable elements such as noise, odor, dust, smoke, glare, or other pollutants.

(Ord. No. 97-1687, added 11-20-1997)

### 31.025 - Permitted uses.

- (a) Manufacturing uses: manufacturing, compounding, processing, packaging, storage, treatment, or assembly of products and materials within a structure, except for rendering/slaughtering/refining facilities.
- (b) Warehousing.
- (c) Wholesale businesses.
- (d) Offices—Business and professional.
- (e) Engraving shops.
- (f) Machine shops.
- (g) Printing and publishing.
- (h) Repair services, except for businesses related to passenger vehicles and trucks.
- (i) Service uses of blue-printing, duplicating, mailing, and graphic arts.
- (j) Research and design laboratories.
- ~~(k) Fire stations.~~
- (l) Uses not explicitly enumerated in this section as permitted uses, but closely similar thereto as determined by the Zoning Administrator, provided these uses are not explicitly mentioned as permitted or conditional uses elsewhere in the ordinance.

### 31.035 - Accessory uses.

- (a) Dwelling for watchman (not to exceed five hundred (500) square feet) and limited to one (1) person.
- (b) Signs as regulated in Section 34.07.
- (c) Retail sales, incidental to manufacturing, of products manufactured, assembled, or warehoused on the premises, provided no more than ten percent (10%) of the building is used for retail space.
- (d) Coffee shops/cafeteria for employees.
- (e) Recreational facilities for employees.
- (f) Day care related to employees.

### 31.045 - Conditional uses.

- (a) Commercial nurseries/greenhouses.
- ~~(b) Radio, television, and cable broadcasting. Online purchase pickup location.~~
- ~~(c) Public and semi-public uses such as, but not limited to, post offices, telephone or microwave towers, substations, and public buildings.~~

- (d) Heliports.
- (e) Passenger vehicle service, major repair, including painting, body work and dismantling, exclusive of auto reduction yards. Storage of vehicles shall be screened with one hundred percent (100%) opaqueness.
- (f) Outdoor storage of passenger vehicles or vans, provided such storage shall be screened with one hundred percent (100%) opaqueness. Such outdoor storage shall be related specifically to a permitted or approved conditional use.

~~(g) Condominium conversion of building(s) subject to Section 31.05(m).~~

- (h) Two (2) or more buildings on same lot provided such buildings relate to one (1) permitted or conditional use.
  - (i) ~~Mini-storage facility.~~ Self storage facility.
  - (j) Building over fifty (50) feet from ground level.
  - (k) Indoor vehicles sales showroom.
  - (l) Zero lot line, shared access, shared parking. (Ord. No. 98-1754, amended 11-19-1998)
  - (m) Adult Uses-Principal. As defined and licensed under Article VI - Blaine Municipal Code.
  - (n) Limited outside storage of materials or small equipment meeting standards of 31.055(o).
  - (o) Contractor yard meeting standards of 31.055(o).
- 31.055 - Standards.

- (a) Minimum lot size—One (1) acre ~~with City water and sewer services.~~  
~~Ten (10) acres without City water and sewer services.~~
- (b) Minimum lot width—One hundred fifty (150) feet.
- (c) Minimum lot depth—One hundred fifty (150) feet.
- (d) Front yard building setback—Forty (40) feet.
- (e) Corner side yard building setback—Forty (40) feet.
- (f) Side yard building setback—Fifteen (15) feet.
- (g) Rear yard building setback—Twenty (20) feet.
- (h) Building height—Fifty (50) feet from ground level without a conditional use permit and subject to FAA regulations. ~~All buildings shall be sprinkled and contain other fire and life safety standards denoted in N.F.P.A. 101 and subject to Metropolitan Airport Commission regulations.~~
- (i) Minimum building size—Five thousand (5,000) square feet.
- (j) Parking and driveways may be constructed to within the following minimum setbacks of property line:
  - (1) Front yard/corner side yard twenty-five (25) feet.
  - (2) Side yard ten (10) feet.
  - (3) Rear yard ten (10) feet.

If rear yard or side yard parking setback is adjacent ~~to I-35W or any collector/arterial street as designated in the City's Transportation Plan or to a~~ residential district, the parking setback shall be twenty-five (25) feet. Such setback shall be ~~fifty percent (50%)~~ opaquely screened with berms, shrubs, trees, fence, or a combination thereof.

- (k) When a light industrial district is adjacent to any residential district, building setbacks shall be one hundred (100) feet along any side adjacent to a residential district.

- (1) A reduction in the required building setback buffer may be requested by following the requirements in Section 33.21 Buffer Yard Flexibility.

~~(l) Notwithstanding performance standards in Section 33.00, all activities within this district must comply with all Minnesota Pollution Control Agency regulations. In addition, no vibration shall be permitted which is discernible beyond the property line to the human sense of feeling for three (3) minutes or more duration in any one (1) hour, and any vibration producing an acceleration of more than 0.1g, or shall result in any combination of amplitudes and frequencies beyond the "safe" range of Table 7, U.S. Bureau of Mines, Bulletin "Quarry Blasting" on any structure.~~

~~(n) Common areas for condominiums. The developer may provide parking, common walls, driveways and waiting areas in an area common to all units of the building. Common areas shall be deeded to and held in the name of an owner's association created by the developer and including all owners of property in the project. Declarations, in form and substance acceptable to the City Attorney, governing the usage and maintenance of such common areas shall be adopted and filed by the developer.~~

- (o) Limited outside storage:

- (1) ~~Limited o~~Outside storage area limited to a maximum of fifty percent (50%) of total building footprint.
- (2) Sites considered for limited outside storage shall be capable of providing full screening so that outside storage is not visible from any public right-of-way.
- (3) Screening to be achieved through a combination of masonry walls, fencing, berming, landscaping, additional setbacks, etc.
- (4) Limited outside storage limited to a maximum height of twelve (12) feet.
- (5) A Conditional Use Permit for limited outside storage shall not permit the outside storage of semi-trucks, semi-trailers, or heavy construction equipment.
- (6) All limited outside storage areas are to be hard surfaced and bound at the perimeter by either B-6-12 concrete curb and gutter or fencing as determined by the Zoning Administrator.
- (7) Additional screening may be required to effectively screen outside storage from the view of adjacent properties.

#### 31.065 - Landscaping.

- (a) All landscaping requirements shall meet the provisions of Section 33.08, including the following:

- (1) Underground irrigation shall be required for all front yards and corner side yards.
- (2) Traffic safety islands and/or general parking islands where deemed appropriate shall be landscaped.
- ~~(3) Ground covers used in lieu of grass shall be planted in such a manner as to present a finished appearance and reasonably complete coverage within twelve (12) months after planting.~~

#### 31.075 - Loading facilities.

- (a) Loading facilities shall be in the side or rear yards and shall be screened. ~~When adjacent to and/or visible from any public street, such facilities must be screened with one hundred percent (100%) opaqueness. When visible only to another lot, such facilities must be screened with fifty percent (50%) opaqueness.~~ Screening can be accomplished using berms, shrubs, trees, fencing, architectural design or a combination thereof.

For additional information and requirements, refer to Section 33.15.

#### 31.085 - Storage/refuse facilities.

- (a) There shall be no outdoor storage of any kind within this district except as authorized by a conditional use permit.

For purposes of this zoning district, car, vans and pickup trucks parked outside and used by employees and/or visitors in the normal course of the business operation will not be construed to be outdoor storage. Further, outside parked trucks ~~and~~, semi-trailers and other vehicles greater than 10,000 GVW used in the normal business' commerce will not be construed to be outdoor storage provided a) total number of trucks ~~and~~, semi-trailers and other vehicles greater than 10,000 GVW does not exceed the number of docks and/or bay doors; and b) such use is not construed as an operation listed as a conditional use in any industrial zone.

- (b) Refuse facilities shall be located only in the side yards or rear yards. ~~except when such yard is adjacent to I-35W, or any collector/arterial street as designated in the City's Transportation Plan. Such facilities must be constructed of coarse concrete block and contain exterior surfacing as constructed on the principal building(s). If refuse facility entrance is visible from public view such as from parking lots or street, Such facilities shall have gates, constructed of wood, utilizing two (2) by four (4) construction and one (1) by four (4) board on board slats as a minimum.~~
- (c) There shall be no detached silos, storage tanks, storage bin containers or similar detached structures within this district.
- (d) All attached silos, storage tanks, storage bin containers or similar attached structures shall have screening approved by the Zoning Administrator, Community Development Director. ~~Such screening shall be a minimum of a six foot high wall constructed of similar exterior materials of the building and such structures shall be painted similar to the building. Attached structures include structures immediately adjacent to the building, subject to Zoning Administrator approval.~~

#### 31.095 - Lighting.

- (a) Lighting shall meet the requirements of Section 33.02.

(Ord. No. 98-1732, amended 7-9-1998)

#### 31.096 - Mechanical/electrical equipment.

- (a) All mechanical/electrical equipment on the ground or roof, such as heating, air conditioning, transformers, shall be screened on all sides so as not to be visible from public streets or adjoining property. Such screening shall be designed and constructed of material(s) that is compatible with the principal building(s).

#### ~~31.097 - Zero lot line developments.~~

- ~~(a) Notwithstanding the provisions of this Chapter to the contrary, industrial lots may be platted or subdivided in such a manner that common property lines will have a zero lot line building setback; provided, however, that each such lot meets the following requirements:~~
- ~~(1) *Building Design.* The developer shall submit complete final plans for the entire construction design. The exterior walls of the building shall be constructed in compliance with the Zoning Ordinance. A zero lot line development must be constructed at one (1) time and no phasing will be allowed. Any future building additions beyond the minimum building square footage as required must be architecturally compatible with the originally constructed building. All accessory buildings must be architecturally compatible with the principal building.~~
- ~~(2) *Development standards.* Standards, in accordance with Sections 31.05 through 31.091, shall be complied with for each parcel being subdivided or platted, except the following:~~
- ~~(i) *Minimum lot size after subdividing* - Twenty-one thousand seven hundred eighty (21,780) square feet.~~

~~(ii) Side yard setback along common property line—Zero (0) feet, provided a maintenance easement is granted over the abutting property for access to maintain zero lot line walls.~~

~~(iii) Each lot shall have, as a minimum, the front yard and one (1) side yard unencumbered by a common property line as permitted.~~

~~(3) Party Wall Agreements. Agreements to ensure maintenance of party walls shall be approved by the City Attorney.~~

~~(4) Shared driveways. A zero lot line development shall be allowed shared driveway designs provided a driveway agreement shall be maintained and approved by the City Attorney.~~

~~(5) Lot split approval. A zero lot line development shall require a waiver of platting (lot split approval) \_\_\_\_\_ by \_\_\_\_\_ the \_\_\_\_\_ City.~~

#### 31.098 - Architectural control.

(a) All buildings erected shall be a type of construction as defined in the Uniform-Minnesota Building Code. (Ord. No. 00-1876, amended 10-19-2000; Ord. No. 00-1835, amended 3-16-2000)

(b) Any building shall be constructed so that all exterior sides shall be surfaced equivalent to the front building elevation as determined by the Zoning Administrator.

(c) Exterior wall surfaces of all buildings shall be primarily faced with brick, stone, precast panel, cast-in-place panel, architectural concrete with other permitted materials, or glass.

Use of modern metal paneling materials or its equivalent shall be considered for exterior wall surfaces provided such materials are used in conjunction with other materials listed above. Use of modern metal paneling materials or its equivalent shall not exceed thirty-five percent (35%) of any individual wall surface.

(d) The building design should exhibit architectural control which seeks to be creative and maximize building lines, shades, and angles to maximize architectural uniqueness.

~~In addition, the City is desirous of such building design which will enhance energy conservation and attempt to use active or passive solar design.~~

(e) All building design and exterior wall surface materials shall be reviewed and approved by the Zoning Administrator.

(f) All buildings shall contain a concrete floor. (Ord. No. 00-1876, amended 10-19-2000)

#### ~~31.099 Site plan.~~

~~(a) Site plan approval shall be obtained from the Community Development Department as required under \_\_\_\_\_ Section \_\_\_\_\_ 33.07.~~

#### 31.10 - HEAVY INDUSTRIAL (I-2)

##### 31.11 - Intent.

The purpose of this district is to provide for the development of heavy industrial uses ranging from small to large scale industry with a need for outdoor uses and storage and related services. This district shall encourage the development of industrial uses accessible to major highways and utilizing City services of sanitary sewer, water, street, and storm drainage. Such heavy industrial areas should be located next to light industrial and airport districts and shall be free of hazardous or objectionable elements such as noise, odor, dust, smoke, glare, or other pollutants.

(Ord. No. 87-1024, amended 6-4-1987)

##### 31.12 - Permitted uses.



- (a) Manufacturing uses: manufacturing, compounding, processing, packaging, storage, treatment, or assembly of products and materials within a structure, except for rendering/slaughtering/refining facilities.
- (b) Warehousing with outside parking of trucks ~~or~~ or other vehicles larger than 10,000 GVW not exceeding the number of docks and/or bay doors. (Ord. No. 95-1586, amended 12-21-1995)
- (c) Wholesale businesses.
- (d) Offices—Business and professional.
- (e) Engraving shops.
- (f) Machine shops.
- (g) Printing and publishing.
- (h) Repair services, except for businesses related to passenger vehicles and trucks.
- (i) Service uses of blue-printing, duplicating, mailing, and graphic arts.
- (j) Passenger vehicle service, major repair, including painting, body work and dismantling, exclusive of auto reduction yards. Storage of vehicles shall be screened with one hundred percent (100%) opaqueness. Towing may be included as an incidental use for vehicles that are towed to the site for repair.
- (k) Fires stations. (Ord. No. 91-1264, amended 9-19-1991)
- (l) Uses not explicitly enumerated in this section as permitted uses, but closely similar thereto as determined by the Zoning Administrator, provided these uses are not explicitly mentioned as permitted or conditional uses elsewhere in this ordinance. (Ord. No. 91-1264, amended 9-19-1991)

#### 31.13 - Accessory uses.

- (a) Dwelling for watchman (not to exceed five hundred (500) square feet) and limited to one (1) person.
- (b) Signs as regulated in Section 34.07.
- (c) Retail sales, incidental to manufacturing, of products manufactured, assembled, or warehoused on the premises, provided no more than ten percent (10%) of the building is used for retail space.
- (d) Coffee shops/cafeteria for employees.
- (e) Recreational facilities for employees.
- (f) Day care related to employees.
- (g) Short term lodging facilities for truck and transportation terminals (31.14(l)). Limited to a maximum of sixteen (16) beds. (Ord. No. 90-1179, added 1-18-1990)
- (h) Bulk commodity storage facilities. Such facilities are exempt from the regulations of Section 31.193 Architectural Control. (Ord. No. 01-1935, added 2-3-2002)

#### 31.14 - Conditional uses.

- (a) Commercial nurseries/greenhouses.
- ~~(b) Radio, television, and cable broadcasting. Waste transfer facility~~
- (c) ~~Public and semi-public uses such as, but not limited to, post offices, telephone or microwave towers, substations, and public buildings. Automotive towing businesses with outdoor tow yard.~~
- (d) Heliports.



- (e) Outdoor storage of materials or equipment other than passenger vehicles. All outside storage areas greater than one (1) acre require additional building standards outlined in [Section] 31.15(i). (Ord. No. 16-2342, amended 2-18-2016)
- (f) Condominium conversion of building(s) subject to [Section] 31.15(m).
- (g) Two (2) or more buildings on same lot provided such buildings relate to one (1) permitted or conditional use.
- (h) Contractor yards. (Ord. No. 89-1147, amended 6-15-1989)
- (i) ~~Mini-storage facility.~~ Self storage facility
- (j) Commercial kennels.
- (k) Public transportation terminal-~~public or~~ privately owned.
- (l) Trap and skeet ranges.
- (m) Tractor, trailer, farm implement, or marine assembly, manufacturing, or repair. (Ord. No. 94-1498, amended 2-3-1994)
- (n) Equipment rental.
- (o) Building over fifty (50) feet from ground level.
- (p) Automobile reduction/automobile reduction yards. (Ord. 88-1104, amended 11-17-1988)
- (q) Zero lot line. (Ord. No. 89-1118, amended 3-16-1989)
- ~~(r) Transient sales, meeting standards outlined in [Section] 31.195. (Ord. No. 89-1168, amended 3-1-1990).~~ Online purchase pickup location.
- ~~(s) Golf driving range. Requires minimum lot size of fifteen (15) acres. (Ord. No. 90-1241, amended 12-20-1990)~~
- (t) Adult Uses—Principal. As defined and licensed under Article VI - Blaine Municipal Code. (Ord. No. 93-1320, amended 1-7-1993)
- ~~(u) Crushing of concrete demolition materials meeting standards of [Section] 31.196 (Ord. No. 93-1327, amended 4-15-1993)~~
- (v) Yard waste drop-off facility. (Ord. No. 95-1564, amended 7-6-1995)
- (w) Retail sales facility for CNG (Compressed Natural Gas) or other alternative automotive fuels. Retail sales must be accessory to an onsite fleeting fueling operation. (Ord. No. 11-2224, added 6-16-2011)
- (x) Personal care, health care, recreation, fitness, or education related commercial services. Sites must be able to demonstrate adequate on-site parking. Uses must be destination based and not generate traffic volumes measurably above the range normally expected by the other allowed I-2 uses. With the exception noted in Section 31.13(c), general retail sales is not permitted under this section. (Ord. No. 13-2266, added 5-16-2013)
- (y) Indoor vehicle sales showroom. (Ord. No. 14-2295, added 10-16-2014)
- (z) Brewer taproom as defined by Section 6-33 [of the Blaine Code] associated with and on the same site as a licensed brewery. (Ord. No. 15-2334, added 12-17-2015)

### 31.15 – Interim Uses.

- (a) Transient Sales meeting standards outlined in [Section] 31.195.
- (b) Crushing of concrete demolition materials meeting standards of [Section] 31.196 (Ord. No. 93-1327, amended 4-15-1993)

(Ord. No. 98-1722, amended 5-21-1998)

### 31.15 - Standards.

- (a) Minimum lot size—One (1) acre with City water and sewer services—Ten (10) acres without City water and sewer services.
- (b) Minimum lot width—One hundred fifty (150) feet.
- (c) Minimum lot depth—One hundred fifty (150) feet.
- (d) Front yard building setback—Forty (40) feet.
- (e) Corner side yard building setback—Forty (40) feet.
- (f) Side yard building setback—Fifteen (15) feet.
- (g) Rear yard building setback—Twenty (20) feet.
- (h) Building height—Fifty (50) feet from ground level ~~unless authorized by a conditional use permit and subject to FAA regulations. All buildings shall be sprinkled and contain other fire and life safety standards denoted in N.F.P.A. 101 and subject to Metropolitan Airport Commission regulations.~~
- (i) Minimum building size—Five thousand (5,000) square feet. A site with an outside storage area greater than one (1) acre in size requires a minimum building size of twenty thousand (20,000) square feet. ~~A golf driving range under [Section] 31.14(s) is excluded from the building size requirement.~~ (Ord. No. 90-1241, amended 12-20-1990; Ord. No. 16-2342, amended 2-18-2016)
- (j) Parking and driveways may be constructed to within the following minimum setbacks of property line:
  - (1) Front yard/corner side yard—Twenty-five (25) feet.
  - (2) Side yard—Ten (10) feet.
  - (3) Rear yard—Ten (10) feet.

If rear yard or side yard parking setback is adjacent to ~~I-35W or any collector/arterial street as designated in the City's Transportation Plan or~~ residential district, the parking setback shall be twenty-five (25) feet. Such setback shall be ~~fifty percent (50%)~~ opaquely screened with berms, shrubs, trees, fence or a combination thereof.

- (k) When a heavy industrial district is adjacent to any residential district, building setbacks shall be one hundred (100) feet along any side adjacent to a residential district.
  - (1) A reduction in the required building setback buffer may be requested by following the requirements in Section 33.21 Buffer Yard Flexibility.

~~(l) Notwithstanding performance standards in Section 33.00, all activities within this district must comply with all Minnesota Pollution Control Agency regulations. In addition, no vibration shall be permitted which is discernible beyond the property line to the human sense of feeling for three (3) minutes or more duration in any one (1) hour, and any vibration producing an acceleration of more than 0.1g, or shall result in any combination of amplitudes and frequencies beyond the "safe" range of Table 7, U.S. Bureau of Mines, Bulletin "Quarry Blasting" on any structure.~~

~~(m) Common areas for condominiums. The developer may provide parking, common walls, driveways and waiting areas in an area common to all units of the building. Common areas shall be deeded to and held in the name of an owner's association created by the developer and including all owners of property in the project. Declarations, in form and substance acceptable to the City Attorney, governing the usage and maintenance of such common areas shall be adopted and filed by the developer.~~

### 31.16 - Landscaping.

- (a) All landscaping requirements shall meet the provisions of Section 33.08, including the following:
  - (1) Underground irrigation shall be required for all front yards and corner side yards. Such irrigation shall extend to include public boulevard except along I-35W and into general parking islands, except natural areas to be preserved.
  - (2) Traffic safety islands and/or general parking islands where deemed appropriate shall be landscaped.
  - ~~(3) Ground covers used in lieu of grass shall be planted in such a manner as to present a finished appearance and reasonably complete coverage within twelve (12) months after planting.~~

#### 31.17 - Loading facilities.

- (a) Loading facilities shall be in the side or rear yards. When adjacent to and/or visible from any public street, such facilities must be screened with one hundred percent (100%) opaqueness. When visible only to another lot, such facilities must be screened with fifty percent (50%) opaqueness. Screening can be accomplished using berms, shrubs, trees, fencing, architectural design or a combination thereof. For additional information and requirements, refer to Section 33.15.

#### 31.18 - Storage/refuse facilities.

- (a) Outdoor storage shall be allowed within this district meeting all conditions imposed under a conditional use permit. All outdoor storage shall be located in the rear yard.
- (b) Refuse facilities shall be located only in the side yards or rear yards except when such yard is adjacent to I-35W, or any collector/arterial street as designated in the City's Transportation Plan. Such facilities must be constructed of coarse concrete block and contain exterior surfacing as constructed on the principal building(s). If refuse facility entrance is visible from public view such as from parking lots or street such facilities shall have gates constructed of wood, utilizing two (2) by four (4) construction and one (1) by four (4) board-on-board slats as a minimum.
- (c) There shall be no detached silos, storage tanks, storage bin containers or similar detached structures within this district. Above ground fuel tanks are exempt from this requirement with Zoning Administrator approval of placement, screening and issuance of Building and Fire Department permits. (Ord. No. 95-1564, amended 7-6-1995)
- (d) All attached silos, storage tanks, storage bin containers or similar attached structures shall have screening approved by the (Community Development Director) Zoning Administrator. ~~Such screening shall be a minimum of a six foot high wall constructed of similar exterior materials of the building and such structures shall be painted similar to the building. Attached structures include structures immediately adjacent to the building, subject to Zoning Administrator approval.~~

#### 31.19 - Lighting.

- (a) Lighting shall meet the requirements of Section 33.02.

(Ord. No. 98-1732, amended 7-9-1998)

#### 31.191 - Mechanical/electrical equipment.

- (a) All mechanical/electrical equipment on the ground or roof, such as heating, air conditioning, transformers, shall be screened on all sides so as not to be visible from public streets or adjoining property. Such screening shall be designed and constructed of material(s) that is compatible with the principal building(s).

(Ord. No. 98-1732, amended 7-9-1998)

### ~~31.192 Zero lot line developments.~~

- ~~(a) Notwithstanding the provisions of this Chapter to the contrary, industrial lots may be platted or subdivided in such a manner that common property lines will have a zero lot line building setback; provided, however, that each such lot meets the following requirements:~~
- ~~(1) *Building Design.* The developer shall submit complete final plans for the entire construction design. The exterior walls of the building shall be constructed in compliance with the zoning ordinance. A zero lot line development must be constructed at one (1) time and no phasing will be allowed. Any future building additions beyond the minimum building square footage as required must be architecturally compatible with the originally constructed building. All accessory buildings must be architecturally compatible with the principal building.~~
  - ~~(2) *Development standards.* Standards, in accordance with Section 31.15 through 31.191, shall be complied with for each parcel being subdivided or platted, except the following:~~
    - ~~(i) *Minimum lot size after subdividing* Twenty one thousand seven hundred eighty (21,780) square feet.~~
    - ~~(ii) *Side yard setback along common property line* Zero (0) feet, provided a maintenance easement is granted over the abutting property for access to maintain zero lot line walls.~~
    - ~~(iii) *Each lot shall have, as a minimum, the front yard and one (1) side yard unencumbered by a common property line as permitted.*~~
  - ~~(3) *Party Wall Agreements.* Agreements to ensure maintenance of party walls shall be approved by the City Attorney.~~
  - ~~(4) *Shared driveways.* A zero lot line development shall be allowed shared driveway designs provided a driveway agreement shall be maintained and approved by the City Attorney.~~

~~(Ord. No. 98-1732, amended 7-9-1998)~~

### 31.193 - Architectural control.

- (a) All buildings erected shall be a type of construction as defined in the Uniform-Minnesota Building Code. (Ord. No. 00-1876, amended 10-19-2000; Ord. No. 00-1835, amended 3-16-2000)
- (b) Any building shall be constructed so that all exterior sides shall be surfaced equivalent to the front building elevation as determined by the Zoning Administrator.
- (c) Exterior wall surfaces of all buildings shall be primarily faced with brick, stone, pre-cast panel, cast-in-place panel, architectural concrete in combination with glass or other permitted materials.

Based on building size, height, location and/or special use, the Zoning Administrator may approve the use of modern metal paneling materials or its equivalent for exterior wall surfaces provided such materials are used in conjunction with other materials listed above. Use of modern metal paneling materials or its equivalent shall not exceed seventy percent (70%) of the cumulative area of all building walls. Modern metal paneling shall be used primarily on the rear wall and secondarily on the side and/or front wall. (Ord. No. 90-1236, amended 10-18-1990)

- (d) The building design should exhibit architectural control which seeks to be creative and maximize building lines, shades, and angles to maximize architectural uniqueness.

~~In addition, the City is desirous of such building design which will enhance energy conservation and attempt to use active or passive solar design.~~

- (e) All building design and exterior wall surface materials shall be reviewed and approved by the Zoning Administrator.
- (f) All buildings shall contain a concrete floor. (Ord. No. 00-1876, amended 10-19-2000)

(Ord. No. 98-1732, amended 7-9-1998)

~~31.194 - Site plan.~~

~~(a) Site plan approval shall be obtained from the Community Development Department as required under Section 33.07.~~

~~(Ord. No. 98-1732, amended 7-9-1998)~~

31.195 - Standards for transient sales.

- (a) Location of the sale shall have a minimum one-hundred-fifty-foot setback from any intersection.
- (b) No sales shall be located within or upon any public right-of-way, landscaped area, required front and side yard setbacks when the side yard abuts a street, fire lane, or designated drive aisle.
- (c) The space used for transient sales, including off-street parking in connection with the transient sales, shall not exceed the space needed for any existing business at the site.
- (d) Merchandise offered for sale shall not occupy more than one hundred (100) square feet.
- (e) Adequate off-street parking must be available to serve both the principal use of the property and the use of the property for transient sales.
- (f) Use of the property for transient sales shall not exceed eight (8) days within a maximum period of six (6) months.
- (g) Transient sales shall not take place between the hours of 6:00 p.m. and 10:00 a.m.
- (h) No overnight storage of transient merchant equipment or merchandise shall be allowed. Transient merchant equipment or merchandise shall be permitted on the premises only between the hours of 8:00 a.m. and 8:00 p.m. on a day transient sales are to take place.
- (i) Signs shall be subject to the requirements of Chapter 34 of the Blaine Zoning Ordinance.
- (j) The use of any horn, bell, or any loud or unusual noise to call attention to a transient sale is prohibited.
- (k) A license shall be issued pursuant to Sections ~~22-27145-20~~ through ~~45-2222-330~~ of the Blaine Code.
- (l) The license required by Minnesota Statutes Section 329.11 shall be filed with the City Clerk and shall be conspicuously posted in the transient merchant's place of business.
- (m) Written permission to occupy the property shall be filed with the City Clerk and shall be conspicuously posted in the transient merchant's place of business.

(Ord. No. 89-1168, added 3-1-1990; Ord. No. 98-1732, amended 7-9-1998)

31.196 - Standards for crushing of concrete demolition materials.

- (a) Minimum lot size of ten (10) acres.
- (b) Crushing and storage located in rear yard only.
- (c) Storage of demolition materials to meet the following setbacks:
  - 1. Ten (10) feet against I-2 zoned uses.
  - 2. Fifty (50) feet against I-1 ~~and I-1A~~ zoned uses.
  - 3. One hundred (100) feet against all other zoning districts.

- (d) Recycling (crushing) of concrete demolition materials to meet the following setbacks:
  1. Fifty (50) feet against I-2 zoned uses.
  2. One hundred (100) feet against all other zoning districts.
- (e) Storage bunkered on three (3) sides.
- (f) Maximum storage height of fifteen (15) feet.
- (g) Maximum storage volume of twenty thousand (20,000) cubic yards.
- (h) Crushing activity limited to no more than forty-five (45) days in [a] twenty-four-month period.
- (i) Conditional-Interim use permits issued under Section 31.154(~~ub~~) automatically expire after three (3) years. The holder of such a permit must submit a written request to the City Council if they wish to have the permit renewed for an additional three-year period. The City Council reserves the right to modify conditions of the permit if conditions warrant. All concrete demolition storage must be removed within sixty (60) days after a conditional use permit expires. (Ord. No. 06-2079, amended 3-16-2006)

(Ord. No. 93-1327, added 4-15-1993; Ord. No. 96-1588, amended 1-18-1996)

#### 31.198 - HEAVY INDUSTRIAL (I-2A)

##### 31.1981 - Intent.

The purpose of this district is to provide for the development of heavy industrial uses ranging from small to large scale industry with a need for outdoor uses and related services including trucking and asphalt plants. This district shall encourage the development of industrial uses accessible to major highways and utilizing City services of sanitary sewer, water, street, and storm drainage. Such heavy industrial areas should be located next to heavy or light industrial and airport districts and shall be free of hazardous or objectionable elements such as noise, odor, dust, smoke, glare, or other pollutants.

(Ord. No. 98-1720, added 5-21-1998)

##### 31.1982 - Permitted uses.

- (a) Manufacturing uses: manufacturing, compounding, processing, packaging, storage, treatment, or assembly of products and materials within a structure, except for rendering/slaughtering/refining facilities.
- (b) Warehousing with outside parking of trucks~~-or~~, semitrailers or other vehicles exceeding 10,000 GVW not exceeding the number of docks and/or bay doors.
- (c) Wholesale businesses.
- (d) Offices—Business and professional.
- (e) Engraving shops.
- (f) Machine shops.
- (g) Printing and publishing.
- (h) Repair services, except for businesses related to passenger vehicles and trucks.
- (i) Service uses of blue-printing, duplicating, mailing, and graphic arts.
- (j) Passenger vehicle service, major repair, including painting, body work and dismantling, exclusive of auto reduction yards. Storage of vehicles shall be screened with one hundred percent (100%)

opaqueness. Towing may be included as an incidental use for vehicles that are towed to the site for repair.

~~\_(k) — Fire stations.~~

- (l) Uses not explicitly enumerated in this section as permitted uses, but closely similar thereto as determined by the Zoning Administrator, provided these uses are not explicitly mentioned as permitted or conditional uses elsewhere in this ordinance.

(Ord. No. 98-1720, added 5-21-1998)

31.1983 - Accessory uses.

- (a) Dwelling for watchman (not to exceed five hundred (500) square feet) and limited to one (1) person.
- (b) Signs as regulated in Section 34.07.
- (c) Retail sales, incidental to manufacturing, of products manufactured, assembled, or warehoused on the premises, provided no more than ten percent (10%) of the building is used for retail space.
- (d) Coffee shops/cafeteria for employees.
- (e) Recreational facilities for employees.
- (f) Day care related to employees.
- (g) Short term lodging facilities for truck and transportation terminals ([Section] 31.1984(i)). Limited to a maximum of sixteen (16) beds.

(Ord. No. 98-1720, added 5-21-1998)

31.1984 - Conditional uses.

- (a) Commercial nurseries/greenhouses.
- (b) ~~Radio, television, and cable broadcasting.~~ Waste transfer facility.
- (c) ~~Public and semi-public uses such as, but not limited to, post offices, telephone or microwave towers, substations, and public buildings.~~ Automotive towing businesses with outdoor tow yard.
- (d) Heliports.
- (e) Outdoor storage of materials or equipment other than vehicles. All outside storage areas greater than one (1) acre require additional building standards outlined in [Section] 31.1985(i). (Ord. No. 16-2342, amended 2-18-2016)
- (f) Condominium conversion of building(s) subject to [Section] 31.15(m).
- (g) Two (2) or more buildings on same lot provided such buildings relate to one (1) permitted or conditional use.
- (h) Contractor yards.
- (i) Truck or transportation terminal or outside parking of trucks or semitrailers exceeding the number of docks and/or bay doors. The minimum building size for a truck terminal, transportation terminal, or cross dock shipping facility shall be fifty thousand (50,000) square feet. (Ord. No. 16-2342, amended 2-18-2016)
- (j) ~~Mini-storage facility.~~ Self storage facility.
- (k) Commercial kennels.
- (l) Public transportation terminal-public or privately owned.



- (m) Tractor, trailer, farm implement, or marine assembly, manufacturing, sales, repair, or rental.
  - (n) Equipment rental.
  - (o) Building over fifty (50) feet from ground level.
  - (p) Automobile reduction/automobile reduction yards.
  - (q) Zero lot line, shared parking and shared access.
  - ~~\_(r) Transient sales, meeting standards outlined in [Section] 31.195. Online purchase pickup location.~~
  - (s) Adult Uses-Principal. As defined and licensed under Article VI - Blaine Municipal Code.
  - ~~\_(t) Crushing of concrete demolition materials meeting standards of [Section] 31.1995.~~
  - (u) Yard waste drop-off facility.
  - ~~\_(v) Asphalt processing and recycling facility meeting standards of [Section] 31.1996. (Ord. No. 98-1760, amended 12-17-1998)~~
- (Ord. No. 98-1720, added 5-21-1998)

### 31.1985 - Standards.

- (a) Transient sales, meeting standards outlined in [Section] 31.195.
- (b) Crushing of concrete demolition materials meeting standards of [Section] 31.1995.
- (c) Asphalt processing and recycling facility meeting standards of [Section] 31.1996. (Ord. No. 98-1760, amended 12-17-1998)

### 31.1985 - Standards.

- (a) Minimum lot size—One (1) acre ~~\_\_\_ with City water and sewer services~~  
~~Ten (10) acres without City water and sewer services~~
- (b) Minimum lot width—One hundred fifty (150) feet.
- (c) Minimum lot depth—One hundred fifty (150) feet.
- (d) Front yard building setback—Forty (40) feet.
- (e) Corner side yard building setback—Forty (40) feet.
- (f) Side yard building setback—Fifteen (15) feet.
- (g) Rear yard building setback—Twenty (20) feet.
- (h) Building height—Fifty (50) feet from ground level unless authorized by a conditional use permit and subject to FAA regulations. ~~All buildings shall be sprinkled and contain other fire and life safety standards denoted in N.F.P.A. 101 and subject to Metropolitan Airport Commission regulations.~~
- (i) Minimum building size—Five thousand (5,000) square feet. A site with an outside storage area greater than one (1) acre in size requires a minimum building size of twenty thousand (20,000) square feet. (Ord. No. 16-2342, amended 2-18-2016)
- (j) Parking and driveways may be constructed to within the following minimum setbacks of property line:
  - (1) Front yard/corner side yard—Twenty-five (25) feet.
  - (2) Side yard—Ten (10) feet.
  - (3) Rear yard—Ten (10) feet.



If rear yard or side yard parking setback is adjacent to ~~I-35W or any collector/arterial street as designated in the City's Transportation Plan or~~ a residential district, the parking setback shall be twenty-five (25) feet. Such setback shall be ~~fifty percent (50%)~~ opaquely screened with berms, shrubs, trees, fence or a combination thereof.

- (k) When a heavy industrial district is adjacent to any residential district, building setbacks shall be one hundred (100) feet along any side adjacent to a residential district.
  - (1) A reduction in the required building setback buffer may be requested by following the requirements in Section 33.21 Buffer Yard Flexibility.
- (l) Notwithstanding performance standards in Section 33.00, all activities within this district must comply with all Minnesota Pollution Control Agency regulations. In addition, no vibration shall be permitted which is discernible beyond the property line to the human sense of feeling for three (3) minutes or more duration in any one (1) hour, and any vibration producing an acceleration of more than 0.1g, or shall result in any combination of amplitudes and frequencies beyond the "safe" range of Table 7, U.S. Bureau of Mines, Bulletin "Quarry Blasting" on any structure.
- (m) Common areas for condominiums. The developer may provide parking, common walls, driveways and waiting areas in an area common to all units of the building. Common areas shall be deeded to and held in the name of an owner's association created by the developer and including all owners of property in the project. Declarations, in form and substance acceptable to the City Attorney, governing the usage and maintenance of such common areas shall be adopted and filed by the developer.

(Ord. No. 98-1720, added 5-21-1998)

#### 31.1986 - Landscaping.

- (a) All landscaping requirements shall meet the provisions of Section 33.08, including the following:
  - (1) Underground irrigation shall be required for all front yards and corner side yards. Such irrigation shall extend to include public boulevard except along I-35W and into general parking islands, except natural areas to be preserved.
  - (2) Traffic safety islands and/or general parking islands where deemed appropriate shall be landscaped.
  - ~~(3) Ground covers used in lieu of grass shall be planted in such a manner as to present a finished appearance and reasonably complete coverage within twelve (12) months after planting.~~

(Ord. No. 98-1720, added 5-21-1998)

#### 31.1987 - Loading facilities.

- (a) Loading facilities shall be in the side or rear yards. When adjacent to and/or visible from any public street, such facilities must be screened with one hundred percent (100%) opaqueness. When visible only to another lot, such facilities must be screened with fifty percent (50%) opaqueness. Screening can be accomplished using berms, shrubs, trees, fencing, architectural design or a combination thereof. For additional information and requirements, refer to Section 33.15.

(Ord. No. 98-1720, added 5-21-1998)

#### 31.1988 - Storage/refuse facilities.

- (a) Outdoor storage shall be allowed within this district meeting all conditions imposed under a conditional use permit. All outdoor storage shall be located in the rear yard.

- (b) Refuse facilities shall be located only in the side yards or rear yards ~~except when such yard is adjacent to I-35W, or any collector/arterial street as designated in the City's Transportation Plan.~~ Such facilities must be constructed of coarse concrete block and contain exterior surfacing as constructed on the principal building(s). ~~If refuse facility entrance is visible from public view such as from parking lots or street, such facilities shall have solid gates, constructed of wood, utilizing two (2) by four (4) construction and one (1) by four (4) board-on-board slats as a minimum.~~
- (c) There shall be no detached silos, storage tanks, storage bin containers or similar detached structures within this district. Above ground fuel tanks are exempt from this requirement with Zoning Administrator approval of placement, screening and issuance of Building and Fire Department permits.
- (d) All attached silos, storage tanks, storage bin containers or similar attached structures shall have screening approved by the ~~(Community Development Director)~~ Zoning Administrator. ~~Such screening shall be a minimum of a six-foot high wall constructed of similar exterior materials of the building and such structures shall be painted similar to the building. Attached structures include structures immediately adjacent to the building, subject to Zoning Administrator approval.~~

(Ord. No. 98-1720, added 5-21-1998)

#### 31.1989 - Lighting.

- (a) Lighting shall meet the requirements of Section 33.02.

(Ord. No. 98-1720, added 5-21-1998; Ord. No. 98-1732, amended 7-9-1998)

#### 31.1990 - Mechanical/electrical equipment.

- (a) All mechanical/electrical equipment on the ground or roof, such as heating, air conditioning, transformers, shall be screened on all sides so as not to be visible from public streets or adjoining property. Such screening shall be designed and constructed of material(s) that is compatible with the principal building(s).

(Ord. No. 98-1720, added 5-21-1998)

#### ~~31.1991 - Zero lot line developments.~~

- ~~(a) Notwithstanding the provisions of this Chapter to the contrary, industrial lots may be platted or subdivided in such a manner that common property lines will have a zero lot line building setback; provided, however, that each such lot meets the following requirements:~~
  - ~~(1) Building Design. The developer shall submit complete final plans for the entire construction design. The exterior walls of the building shall be constructed in compliance with the Zoning Ordinance. A zero lot line development must be constructed at one (1) time and no phasing will be allowed. Any future building additions beyond the minimum building square footage as required must be architecturally compatible with the originally constructed building. All accessory buildings must be architecturally compatible with the principal building.~~
  - ~~(2) Development standards. Standards, in accordance with Section 31.1985 through 31.1990, shall be complied with for each parcel being subdivided or platted, except the following:~~
    - ~~(i) Minimum lot size after subdividing - Twenty-one thousand seven hundred eighty (21,780) square feet.~~
    - ~~(ii) Side yard setback along common property line - Zero (0) feet, provided a maintenance easement is granted over the abutting property for access to maintain zero lot line walls.~~

~~(iii) Each lot shall have, as a minimum, the front yard and one (1) side yard unencumbered by a common property line as permitted.~~

~~(3) Party Wall Agreements. Agreements to ensure maintenance of party walls shall be approved by the City Attorney.~~

~~(4) Shared driveways. A zero lot line development shall be allowed shared driveway designs provided a driveway agreement shall be maintained and approved by the City Attorney.~~

~~(Ord. No. 98-1720, added 5-21-1998)~~

#### 31.1992 - Architectural control.

- (a) All buildings erected shall be a type of construction as defined in the Uniform Building Code. (Ord. No. 00-1876, amended 10-19-2000; Ord. No. 00-1835, amended 3-16-2000)
- (b) Any building shall be constructed so that all exterior sides shall be surfaced equivalent to the front building elevation as determined by the Zoning Administrator.
- (c) Exterior wall surfaces of all buildings shall be primarily faced with brick, stone, pre-cast panel, cast-in-place panel, architectural concrete in combination with glass or other permitted materials. Based on building size, height, location and/or special use, the Zoning Administrator may approve the use of modern metal paneling materials or its equivalent for exterior wall surfaces provided such materials are used in conjunction with other materials listed above. Use of modern metal paneling materials or its equivalent shall not exceed seventy percent (70%) of the cumulative area of all building walls. Modern metal paneling shall be used primarily on the rear wall and secondarily on the side and/or front wall.
- (d) The building design should exhibit architectural control which seeks to be creative and maximize building lines, shades, and angles to maximize architectural uniqueness.

~~In addition, the City is desirous of such building design which will enhance energy conservation and attempt to use active or passive solar design.~~

- (e) All building design and exterior wall surface materials shall be reviewed and approved by the Zoning Administrator.
- (f) All buildings shall contain a concrete floor. (Ord. No. 00-1876, amended 10-19-2000)

(Ord. No. 98-1720, added 5-21-1998)

#### ~~31.1993 - Site plan.~~

~~(a) Site plan approval shall be obtained from the Community Development Department as required under Section 33.07.~~

(Ord. No. 98-1720, added 5-21-1998)

#### 31.1994 - Standards for transient sales.

- (a) Location of the sale shall have a minimum one-hundred-fifty-foot setback from any intersection.
- (b) No sales shall be located within or upon any public right-of-way, landscaped area, required front and side yard setbacks when the side yard abuts a street, fire lane, or designated drive aisle.
- (c) The space used for transient sales, including off-street parking in connection with the transient sales, shall not exceed the space needed for any existing business at the site.
- (d) Merchandise offered for sale shall not occupy more than one hundred (100) square feet.

- (e) Adequate off-street parking must be available to serve both the principal use of the property and the use of the property for transient sales.
- (f) Use of the property for transient sales shall not exceed eight (8) days within a maximum period of six (6) months.
- (g) Transient sales shall not take place between the hours of 6:00 p.m. and 10:00 a.m.
- (h) No overnight storage of transient merchant equipment or merchandise shall be allowed. Transient merchant equipment or merchandise shall be permitted on the premises only between the hours of 8:00 a.m. and 8:00 p.m. on a day transient sales are to take place.
- (i) Signs shall be subject to the requirements of Chapter 34 of the Blaine Zoning Ordinance.
- (j) The use of any horn, bell, or any loud or unusual noise to call attention to a transient sale is prohibited.
- (k) A license shall be issued pursuant to Sections ~~15-2022-291~~ through ~~15-2222-330~~ of the Blaine Code.
- (l) The license required by Minnesota Statutes Section 329.11 shall be filed with the City Clerk and shall be conspicuously posted in the transient merchant's place of business.
- (m) Written permission to occupy the property shall be filed with the City Clerk and shall be conspicuously posted in the transient merchant's place of business.

(Ord. No. 98-1720, added 5-21-1998)

#### 31.1995 - Standards for crushing of concrete demolition materials.

- (a) Minimum lot size of ten (10) acres.
- (b) Crushing and storage located in rear yard only.
- (c) Storage of demolition materials to meet the following setbacks:
  1. Ten (10) feet against I-2 zoned uses.
  2. Fifty (50) feet against I-1 zoned uses.
  3. One hundred (100) feet against all other zoning districts.
- (d) Recycling (crushing) of concrete demolition materials to meet the following setbacks:
  1. Fifty (50) feet against I-2 zoned uses.
  2. One hundred (100) feet against all other zoning districts.
- (e) Storage bunkered on three (3) sides.
- (f) Maximum storage height of fifteen (15) feet.
- (g) Maximum storage volume of twenty thousand (20,000) cubic yards.
- (h) Crushing activity limited to no more than forty-five (45) days in twenty-four-month period.
- (i) ~~Conditional-Interim~~ use permits issued under Section 31.1984(t) automatically expire after three (3) years. The holder of such a permit must submit a written request to the City Council if they wish to have the permit renewed for an additional three-year period. The City Council reserves the right to modify conditions of the permit if conditions warrant. All concrete demolition storage must be removed within sixty (60) days after a conditional use permit expires. (Ord. No. 06-2079, amended 03-16-2006)

(Ord. No. 98-1720, added 5-21-1998)

31.1996 - Standards for asphalt processing and recycling facility.

- (a) Minimum lot size of twenty (20) acres.
- (b) Recycling and outside storage of materials in rear yard only.
- (c) Outside storage of asphalt materials or asphalt processing facility to meet the following setbacks:
  - 1. Fifty (50) feet against I-2 (Heavy Industrial) and I-2A (Heavy Industrial) zoned uses.
  - 2. Fifty (50) feet against I-1 (Light Industrial) uses or airport property.
  - 3. One hundred (100) feet against all other zoning districts or public right-of-way.
- (d) Maximum outside storage height of thirty (30) feet.
- (e) Maximum outside storage volume of one hundred fifty thousand (150,000) cubic yards.
- (f) Facility must prepare for City approval a Pollution Prevention Plan which would identify the type of wastes generated, procedures for spill containment, and disposal methods.
- (g) The facility must be operated in such a manner as to minimize the potential for spills or discharge of any pollution.
- (h) The applicant to obtain and adhere to all other required agency (MPCA, Anoka County) permits and standards.
- (i) Facility to conduct and provide written report to the City of annual soil and water quality tests through an independent and recognized testing company.
- (j) Applicant to prepare for City approval a facility closure plan that provides a financial guarantee in an amount to be determined by the City to ensure that site remediation and abatement measures can be successfully implemented.
- (k) Other standards as recommended and required by the City Council through the issuance of an Interim-Conditional Use Permit.

(Ord. No. 98-1720, added 5-21-1998; Ord No. 98-1760, amended 12-17-1998)

31.20- PLANNED INDUSTRIAL BUSINESS PARK (PI)

Deleted in entirety.

31.40 – PLANNED BUSINESS DISTRICT (PBD)

Moved to commercial section.

31.40 - PLANNED OFFICE DISTRICT (POD)

31.41 - Intent.

It is the intent of the Planned Office District (POD) to accomplish the following:

- (a) To promote a planned environment for integrated business, office and manufacturing uses which feature design continuity. POD development shall reflect a common theme using compatible architectural design and consistency in signage, landscaping, and lighting.
- (b) To encourage orderly development of property through conditional uses, since proposed uses may be traditionally considered incompatible or may present special problems in an environment of mixed uses.

- (c) To provide opportunity for greater flexibility in arranging land uses according to relative compatibility, convenience, and community needs.
- (d) To encourage patterns of development that result in high quality, high value, physical development and employment generation consistent with the objectives of the City's Comprehensive Plan.
- (e) To encourage more attractive and enduring business parks or corporate office campuses.
- (f) To encourage development compatible with the environmental values of the area and to preserve natural vegetation, wetlands, natural topography, and other such features of the District.
- (g) To accommodate large scale uses requiring access to major roadways such as Lexington Avenue, 109th Avenue and 35W.
- (h) To provide a uniform set of standards to be applied equally to all owners and developers in this District.

(Ord. No. 07-2133, added 6-21-2007)

#### 31.42 - Definitions.

In this District, the following definitions shall apply:

*Master Development Plan:* A concept plan of an area adopted by the City Council, which includes single and/or multiple ownerships of parcel(s) that relate through common objectives and design elements. The boundaries of the Master Development Plan shall be an area generally delineated by principle/intermediate/minor arterial/collector streets within the POD Zone. Such a plan shall reflect the provisions of Section 31.44(a) of this District.

A Master Development Plan may be amended by the City Council from time to time under the procedures provided in Section 31.44(a).

The Master Development Plan shall not create a contract or be considered as absolutely binding upon the City or adjacent owners as to future development of adjacent land, (unless so specified in a separate development contract), but shall be used as a guide to landowners, developer and the City. The Planning Commission and the City Council shall consider the Master Development Plan when a request is made for a Conditional Use Permit in the area covered by the Master Development Plan, along with the other criteria set forth in Section 27.04 of this Ordinance.

*Project Development Package:* An application package and information needed to initiate the review process of specific site(s) within a Master Development Plan area. Such information shall reflect the provisions of Section 31.44(b) of this District.

(Ord. No. 07-2133, added 6-21-2007)

#### 31.43 - Land uses.

*Uses Allowed By Conditional Use Permit (CUP).* Land Uses may include office, manufacturing and specific service use developments as specifically indicated below. All land uses not specified below are prohibited. All land uses shall be reviewed and approved pursuant to the Conditional Use Permit procedures in Section 27.04 of this Ordinance. The Master Development Plan shall reflect the conceptually proposed land uses for the area, such land uses must be consistent with the Comprehensive Plan. The POD zoning classification is intended to be a companion to the PI (Planned Industrial) Land Use designation.

The proposed land uses, their mix, lot sizes, and location must be compatible and complementary both internally and with adjacent land uses. The proposed land uses must not create any internal and/or

external traffic congestion or traffic flow problems. Existing business of industrial uses that were legal conforming uses as of the day of this ordinance adoption shall continue to be considered legal conforming uses under the provisions of this ordinance.

- (a) Offices—Business and professional.
- (b) Research and development laboratories.
- (c) Financial institutions.
- (d) Medical office/clinic.
- (e) Trade and convention centers.
- (f) Zero lot line and multi-building developments.
- (g) Manufacturing.
- (h) Distribution and warehousing of products limited to not more than thirty-three percent (33%) of total floor area.
- (i) Coffee shops, restaurants, day cares, and other service/retail uses accessory to a principal use and located within an office building.
- (j) Athletic clubs.
- (k) Full service or Business class hotel consisting of a minimum of four (4) floors, multiple meeting rooms, business data center, in-room desks, indoor pool and fitness area.
- (l) Post-secondary education.

(Ord. No. 07-2133, added 6-21-2007)

#### 31.44 - Development procedure.

- (a) *Master Development Plan.* A landowner within the Zoning District, or developer with written consent of a landowner, or the City may initiate consideration of a Master Development Plan.

Prior to proceeding with any specific development proposal(s) within a POD District, a proposed Master Development Plan and all subsequent amendments must be reviewed and recommended to the Planning Commission by the Zoning Administrator. It shall then be reviewed at a public hearing by the Planning Commission and approved by the City Council, who shall have sole authority to determine appropriateness of land uses and adequacy of addressing traffic and environmental issues.

Notice of the purpose, time and place of the public hearing shall be published in the official newspaper of the City at least ten (10) days but not more than thirty (30) days prior to the day of the hearing, and a similar notice shall be mailed to property owner(s) as shown on Anoka County Auditor records in the district and within three hundred fifty (350) feet of the boundary of said district, at least ten (10) days before the day of the hearing.

Based on the information contained in the Master Development Plan, prior to approval, the City Council must make the following findings:

- That the proposed Master Development Plan is consistent with the Comprehensive Plan, and can be coordinated with existing and planned development of the surrounding areas.
- That the proposed or existing internal and adjacent streets are suitable and adequate to serve the proposed uses and the anticipated traffic which will be generated thereby.

- That the proposed Master Development Plan adequately addresses identified environmental concerns and that the proposed storm drainage plan is adequate and does not impact adjacent areas.

A Master Development Plan application shall consist of maps and drawings scaled at one (1) inch equals fifty (50), one hundred (100), or two hundred (200) feet and descriptive statements containing the following information:

- (1) A Land Use Component shall set forth the description, location, and acreage of land devoted to each land use activity.
  - (2) A Transportation Component shall set forth the general location of proposed internal and external street networks, pedestrian access facilities as well as provide general traffic volume and destination estimates.
  - (3) A Subdivision Design Component shall set forth the proposed layout of all lots and related land uses, streets, and topography.
  - (4) A Services and Facilities Component shall set forth the general location and size of any and all existing and proposed City systems for sanitary sewer, water, storm drainage, utilities, rights-of-way, and any other public and private easements.
  - (5) A Phasing Component shall set forth the proposed chronological schedule of construction for all private development and public improvements.
  - (6) The Environmental Component shall consist of a map or maps depicting soils, water table, flood plain, vegetative, and wetland conditions. Necessary permits for wetland fill shall accompany the map(s), so as to ascertain where and how development will be allowed on a specific site.
  - (7) A Design Continuity Component shall describe by drawings and text, a theme to be established by using consistent design elements including, but not limited to landscaping, signage, lighting, and architectural compatibility.
- (b) *Project Development Package.* A landowner within the Zoning District, or developer with written consent of a landowner, may initiate consideration of a Project Development Package.

A Project Development Package and all subsequent amendments shall be reviewed and recommended to the Planning Commission and City Council by the Zoning Administrator, prior to the issuance of any building permit(s).

A Project Development Package shall incorporate the following:

- (1) A Site Plan Application containing all information as required in Section 33.07 of the Ordinance.
- (2) The Conditional Use Permit (CUP) application meeting requirements pursuant to Section 27.04 of the Ordinance.
- (3) A Subdivision Application meeting the requirements as stated in Section 18 of the Blaine Subdivision Regulations.
- (4) All Required Local, State, and Federal Agency Permits. Specific design plans and environmental mitigation measures shall be clearly shown on maps and/or descriptive statements.

(Ord. No. 07-2133, added 6-21-2007)

31.45 - Standards.

- (a) *Building Setbacks (minimum).*



- (1) Front Yard—Forty (40) feet.
  - (2) Side Yard—Fifteen (15) feet.
  - (3) Rear Yard—Twenty (20) feet.
  - (4) The minimum setback from a County Road or arterial roadway shall be fifty (50) feet.
  - (5) All setbacks shall be determined from the planned Right-of-Way (ROW), as designated in the City, County or State Transportation Plan, and normally defined in the subdivision regulations.
- (b) *Parking Lot Setbacks (minimum).*
- (1) Front Yard—Twenty-five (25) feet.
  - (2) Side Yard—Ten (10) feet.
  - (3) Rear Yard—Fifteen (15) feet.
  - (4) The minimum setback from a County Road or arterial roadway shall be fifty (50) feet.
  - (5) All setbacks shall be determined from the planned Right-of-Way (ROW), as designated in the City, County or State Transportation Plan, and normally defined in the subdivision regulations.
- (c) *Building Sizes (minimum).*
- (1) Forty Thousand (40,000) square feet for professional, medical or corporate office use.
  - (2) Fifty thousand (50,000) square feet for mixed use buildings containing manufacturing, product distribution or product warehousing. Mixed use buildings to contain a minimum office use component of at least fifty percent (50%) of the gross building area.
- (d) *Building Height.* There shall be no height limitations, provided all buildings are in compliance with Metropolitan Airport Commission regulations. Multi-floor buildings are encouraged.
- (e) *Building Exteriors.* Major exterior surfaces of all walls shall be face brick, stone, glass, stucco, architecturally treated concrete cast in place or pre-cast panels, decorative block, wood, or architectural metal, or approved equivalent, as determined by the City. Wood and metal may be used, provided that they are appropriately integrated into the overall building design and not placed in areas, which may be subject to damage associated with heavy use.
- Under no circumstances shall sheet aluminum, corrugated aluminum, asbestos, iron, plain or painted plain concrete block be deemed acceptable as major exterior wall materials on buildings within this district.
- (f) *Landscaping.* In addition to the provisions of Section 33.08 of the Ordinance, the following requirements shall be met:
- (1) Underground irrigation shall be required for all yards.
  - (2) Traffic safety islands and/or general parking islands, were required as part of plan approval, shall be landscaped and irrigated. At least five percent (5%) of the surface area of land within a parking area shall be landscaped.
  - (3) Applicable landscaping requirements set forth in Section 33.08 shall be increased by 1.5 times, which shall include at least twenty-five percent (33%) of the number of ornamental, conifer and overstory trees exceeding minimum size requirements in the front yard or in areas within view of the public right-of-way.
  - (4) For multi-tenant buildings and lots exceeding five (5) acres, a planting bed(s) consisting of perennial and/or annual flowers shall be established and maintained. The size of the planting bed(s) shall total at least two (2) square feet for every foot of frontage along a public street.
- (g) *Loading Spaces/Overhead Doors:*

- (1) Loading spaces and overhead doors should be designed to be compatible with the principle building. Architectural techniques should be employed to reduce visual impacts from adjacent properties and roadways.
  - (2) Loading spaces/overhead doors shall be located primarily in designated rear yards and secondarily in designated side yards.
  - (3) Overhead doors limited to not more than one (1) door per twenty thousand (20,000) square feet of building area with the exception that all buildings are allowed a minimum of three (3) overhead doors and all City approved multi-tenant spaces are allowed a minimum of two (2) overhead doors.
  - (4) Outside storage of trucks or semi trailers is limited to not more than the number of dock or overhead doors. All truck storage areas to be one hundred percent (100%) screened by a combination of earth berms, architectural elements such as fencing or building extensions and landscaping.
- (h) *Refuse Enclosures.* Refuse enclosures should be primarily located in designated rear or side yards and shall be constructed of similar materials as the principle building.
- (i) *Roof-Top Equipment.* All roof top facilities shall either be:
- (1) Screened from the eye level view of adjoining properties by use of exterior wall(s); or
  - (2) Painted to match or complement the building structure; or
  - (3) Incorporated into an architectural design, as approved by the Zoning Administrator.
- (j) *Lighting.* A lighting plan shall be submitted depicting type and design, layout of fixtures, and the illumination pattern. The design shall preclude any off-site glare.