

ORDINANCE NUMBER 2024-7-1

**AN ORDINANCE AMENDING CHAPTER 153
OF THE CITY CODE §153.051(I)**

The City Council of the City of Stacy ordains that Chapter 153, Section 153.051(I) is amended by adding the underlined language and deleting the ~~strikethrough~~ language as follows:

SECTION 1. Chapter 153, Section 153.051

§ 153.051 GB GENERAL BUSINESS DISTRICT.

(A) Purpose. The General Business District is designed and intended to promote the development of uses which are oriented towards motorists and require high volumes of traffic and visibility from major roads. The district is also designed to accommodate those commercial activities which are not permitted within the CB, Central Business District, and whose service is not confined to any 1 neighborhood or community but is more regional in nature.

(B) Permitted uses. All businesses shall be serviced by public utilities unless otherwise approved by the City Council.

- (1) All uses listed as permitted in the Central Business District;
- (2) Banks, savings and loans and other financial institutions (without drive-through);
- (3) Commercial recreation and entertainment;
- (4) Funeral homes/mortuaries;
- (5) Government buildings;
- (6) Health clubs or gyms;
- (7) Hotels and motels;
- (8) Hospitals, nursing homes, and the like;
- (9) Liquor, off-sale/on-sale;
- (10) Offices;
- (11) Public and private clubs and lodges;
- (12) Restaurants (without drive-through);

(13) Larger retail and service uses without drive-throughs, including the following and similar-type uses:

- (a) Ambulance services;
- (b) Appliance stores;
- (c) Department stores;
- (d) Drug stores;
- (e) Furniture stores;
- (f) Garden supplies and landscape nurseries;
- (g) Grocery stores;
- (h) Hardware stores;
- (i) Office supply stores;
- (j) Sporting goods stores;
- (k) Dry cleaning (without processing); and
- (l) Laundromats.

(14) Existing single-family detached dwellings, subject to lot requirements and accessory uses under § 153.045.

(15) Brew pub.

(C) Accessory uses.

- (1) Off-street parking as regulated by §§ 153.110 et seq.
- (2) Towers and antennas as regulated by §§ 153.155 et seq.
- (3) Signs as regulated by §§ 153.090 et seq.

(4) Temporary trailers and construction equipment for the duration of construction only where temporary lavatories are provided in compliance with city and state requirements.

(D) Conditional uses. The following are conditional uses, subject to § 153.189 and the specific standards and criteria that may be cited below for a specific use:

- (1) Any building with a height over 35 feet, subject to § 153.030.
- (2) Businesses with drive-through facilities, subject to the following:
 - (a) The business shall be located on a site with direct access to a minor arterial or collector road.

(b) All portions of the drive-through facilities, including but not limited to the service windows and stacking spaces, shall be separated from residentially zoned or guided property by an arterial or collector street or shall be set back at least 200 feet from residentially zoned or guided property.

(c) The public address or order system shall not be audible from any adjacent residentially zoned or guided property.

(d) Businesses with 1 drive-through lane shall provide stacking space for at least 10 vehicles, and businesses with 2 or more drive-through lanes shall provide stacking space for at least 6 vehicles per lane, as measured from and including the last pick-up station, window, or the like. Stacking spaces shall not interfere with parking spaces or traffic circulation.

(e) The applicant shall demonstrate that such use will not significantly lower the existing level of service on streets and intersections.

(f) All elements of the drive-through service area, including but not limited to menu boards, order stations, teller windows, and vehicle lights from the stacking lanes, shall be screened from adjacent residentially zoned or guided property pursuant to this section.

(g) Restaurants with drive-through facilities shall be responsible for litter control within 300 feet of the premises. Litter control is to occur on a daily basis. Trash receptacles must be provided at convenient locations on site to facilitate litter control.

(3) Car washes, subject to the following:

(a) The site shall provide stacking space for the car wash. The amount of stacking space shall take into account the type of car wash and the amount of time it takes to wash a vehicle. Stacking spaces shall not interfere with parking spaces or traffic circulation.

(b) The exit from the car wash shall have a drainage system which is subject to the approval of the city and gives special consideration to the prevention of ice build-up during winter months.

(4) Dry cleaning; processing.

(5) Mini-storage facilities, subject to the following:

(a) Buildings must be constructed of tip-up or block concrete or other approved material per division (F) of this section. All block shall be split face and integral colored.

(b) Exterior storage shall be limited to no more than 25% of the total lot area. Areas intended for outside storage must be identified on the site plan.

(c) The buildings shall be an earth-tone color, such as sage, beige, cream-white or light grey.

(6) Motor fuel station, subject to the following:

(a) That the approximate area and location of space devoted to non-automotive merchandise sales shall be specified in the application and in the conditional use permit.

(b) The off-street loading space(s) and building access for delivery of goods shall be separate from customer parking and entrances and shall not cause conflicts with customer vehicles and pedestrian movements.

(c) Motor fuel facilities shall be installed in accordance with state and city standards. Additionally, adequate space shall be provided to access gas pumps and to allow maneuverability around the pumps while in use. Underground fuel storage tanks are to be positioned to allow adequate access by motor fuel transports and unloading operations which do not conflict with circulation, access and other activities on the site. Fuel pumps shall be installed on pump islands.

(d) All buildings, canopies, and pump islands shall be located to comply with the minimum setback requirements.

(e) All canopy lighting for motor fuel station pump islands shall be recessed or shielded to provide a 90-degree cutoff.

(f) The operation shall be responsible for litter control within 300 feet of the premises. Litter control is to occur on a daily basis. Trash receptacles must be provided at convenient locations on site to facilitate litter control.

(7) Motor vehicle, boat or equipment service stations and repair garages, subject to the following:

(a) All servicing of vehicles and equipment shall occur entirely within the principal structure.

(b) To the extent required by state law and regulations, painting shall be conducted in an approved paint booth, which thoroughly controls the emission of fumes, dust, or other particulated matter.

(c) Storage and use of all flammable materials, including liquid and rags, shall conform to applicable provisions of the Minnesota Uniform Fire Code.

(d) Parking, driveway, and circulation standards and requirements shall be subject to the review and approval of the city and shall be based upon the specific needs of the operation and shall accommodate large vehicle equipment and semi-trailer/tractor trucks.

(e) The storage of damaged vehicles and vehicle parts and accessory equipment must be completely inside a principal or accessory building.

(8) Motor vehicle, boats and equipment sales, subject to the following:

(a) All sales shall occur on 1 lot.

(b) Parking areas for the outside storage and sale of vehicles, boats and trailers, shall be on impervious surface, either bituminous, concrete, or approved equivalent.

(c) Interior concrete curbs shall be constructed within the property to separate driving and parking areas from landscaped areas.

(d) All areas of the property not devoted to buildings or parking areas shall be landscaped in accordance with this section.

(e) The required off-street parking for customers and employees shall be designated on the site plan and located close to the sales building.

(f) Each space used as parking for a “for sale” motor vehicle, boat, or trailer shall not be less than 9 feet wide by 18.5 feet in length.

(g) Display of motor vehicles, boats, and trailers for sale off the property of the owner is prohibited unless authorized by conditional use permit.

(9) Accessory buildings in compliance with § 153.031.

(10) Parking garages and ramps, subject to the following:

(a) To avoid excessive site coverage, off-street parking requirements may be furnished by providing fee-free space underground, within the principal building or structures, or attached thereto.

(b) Parking ramps and garages shall be set back from lot lines as required for the principal building on the lot, or as required for parking spaces specified by this section, whichever is greater.

(c) Off-street parking ramps and garages shall be designed in compliance with the applicable dimensional requirements except the City Council may approve a variation from standard dimensions for a portion of the stalls to be designated as compact spaces.

(d) Parking ramps and garages shall be designed so that circulation between parking bays or aisles occurs within the designated parking lot upon the property being serviced and does not depend upon a public street or alley. A parking area design that requires backing into the public street is prohibited.

(e) The grade elevation of the required parking area or portion thereof shall not exceed 5%.

(11) Planned unit developments, as regulated by § 153.055.

(12) Seasonal outdoor sales, subject to the following:

(a) Seasonal outdoor retail sales shall not exceed a combined total of 120 days in any 12-month period. Outdoor retail sales shall not occupy more than 10% of a lot’s area, and shall meet all yard setback requirements.

(b) Where seasonal outdoor retail sales are conducted in a parking lot, they shall be confined to a defined area, and not be allowed to obstruct access of emergency vehicles or pose a traffic safety problem. Temporary fencing or other suitable mechanisms shall be used to delineate the sales area and provide for pedestrian safety.

(c) Where tents, trailers, temporary greenhouses, or similar structures are used to store, and/or display merchandise, they shall be anchored to provide a wind-load resistance of 40 miles per hour.

(d) Any tent, trailer, temporary greenhouse or similar structure must be locked and secured outside of business hours.

(13) Day care - group nursery.

(E) Lot requirements.

(1) The following minimum requirements shall be met in the GB District:

Minimum lot size

40,000 square feet

Minimum lot width

150 feet

Minimum lot depth

100 feet

Structure setbacks:

Front

25 feet or in conformance with surrounding area

Side

10 feet

Rear

10 feet

Side or rear from street

20 feet

From residential

30 feet

Maximum building height

35 feet

(2) Properties may also be subject to the requirements of the Shoreland Overlay District, § 153.054.

(F) Building design standards.

(1) Quality. Buildings shall maintain a high standard of architectural and aesthetic compatibility with surrounding properties to ensure that they will not adversely impact the abutting properties.

(2) Exterior finishes. The following materials are permitted for exterior finishes:

(a) Face brick;

(b) Natural stone;

(c) Stone or glass curtain walls;

(d) Wood, provided surfaces are finished for exterior use and wood of proven exterior durability is used, such as cedar, redwood, or cypress;

(e) Break-off block;

(f) Stucco; and

(g) Precast concrete and integral colored concrete block, provided surfaces are molded, serrated or treated with a textured material to create a 3-dimensional character.

(h) Curtain wall panels of steel, metal, or aluminum provided the panels are factory fabricated and of a high-quality material with a matte or non-lustre finish. These structures will require decorative design elements as approved by the City Council.

(3) Prohibited materials. The following materials are prohibited for exterior finishes:

(a) Face material that rapidly deteriorate or become unsightly such as exposed cinder blocks, galvanized metal, unfinished tile, and common clay brick.

(4) Building construction prohibited.

(a) Temporary construction.

(G) Landscape standards.

(1) A landscape plan, showing how the site meets all landscape requirements must be submitted at the time of building permit. The plan shall include all landscaping, screening and erosion control plans and shall be prepared and signed by a registered landscape architect or professional site planner with educational training or work experience in land analysis and site plan preparation. At a minimum, the plans shall include the following:

(a) A detailed land analysis including existing vegetation, soil types, topography and all man-made features.

(b) Details of proposed vegetative landscaping materials including placement, Latin name, common name, caliper/height and quantity.

(c) Details of proposed non-vegetative landscaping and screening materials.

(d) Details of proposed erosion control methods.

(e) Planting and construction schedule for completion of landscaping and screening plans.

(2) There shall be a minimum of 10% green space on every lot.

(3) A minimum of 1 deciduous and 1 coniferous tree for every 25,000 square feet, or fraction thereof, of lot area.

(4) Properties are also subject to the erosion control standards requirements of § 153.080.

(H) Landscaping security.

(1) The owner shall file with the City Clerk security in the form of a letter of credit or cash deposit as determined by the City Council, to ensure that the landscaping, screening and erosion control work is done pursuant to the landscaping plan within the time schedule, and to ensure that the vegetative materials used in any landscaping, screening or erosion control work that die within 2 complete growing seasons are replaced.

(2) The security shall be in a amount determined by the City Council, but shall be at least equal to the amount estimated to be the cost of completing the required landscaping, screening and erosion control measures and not to exceed twice such amount.

(3) Where such landscaping, screening and erosion control measures do not include the use of vegetative materials, the security shall be in force until such landscaping; screening or erosion control measures have been completed and approved by the City Council. Where such landscaping, screening and erosion control measures do include the use of vegetative materials, the security shall be in force for at least the next 2 complete growing seasons, subsequent to the completion and approval of such landscaping; screening or erosion control measures have been completed and approved by the City Council.

(4) Upon completion of the landscaping, screening and erosion control work, the security will be reduced to an amount determined adequate to replace vegetative material that may die within 2 complete growing seasons.

(5) Such security shall be filed with the City Clerk before a building permit can be issued.

(I) Screening.

~~(1) Where any off-street parking area contains a loading zone, or a drive-through, at least 50% of any side adjoining a public street must contain screening of at least 4 feet in height, providing a minimum of 50% opacity year-round.~~

~~(2)~~ (1) On any property line that abuts a residential parcel, screening of at least 6 feet in height shall provide a minimum of 80% opacity year-round.

~~(3)~~ (2) Screening shall be installed so as to block direct vision, and shall consist of 1 or a combination of the following:

(a) A compact evergreen or deciduous hedge and over and understory trees in a buffer strip at least 10 feet in width. At planting, hedge material must be at least 2.5 feet in height.

(b) A fence or wall in conjunction with landscaping. With this combination the required width of the buffer strip may be reduced to 5 feet.

(c) Earth berms - not to exceed a 3:1 slope or 4 feet in height.

~~(4)~~ (3) Chain link fencing is allowed only in combination with screening. Plastic or vinyl inserts are prohibited.

~~(5)~~ (4) Dumpsters and/or trash/recycling receptacles shall be stored inside the principal structure or if outside shall only be located on a non-street side of the building, except for during trash pickup time.

~~(6)~~ (5) Any dumpsters and/or trash/recycling receptacles located along a street side shall be screened by a wall of at least 6 feet in height which matches the material, design and color of the principal building or stored within an accessory structure constructed of building materials compatible with the principal structure, and readily served through swinging doors or an overhead door on tracks. Storage containers must have covers or enclosure has to have a roof.

~~(7)~~ (6) All rooftop mechanical equipment greater than 3 feet in height must be screened from view by a method which matches that material, design and color of the building upon which it is located.

(J) Parking and loading spaces.

(1) Loading docks are not permitted in front yards.

(2) Properties are also subject to the requirements of "Off-Street Parking and Loading," §§ 153.110 et seq.

(K) Outdoor lighting.

(1) A lighting plan, showing how the site meets all lighting requirements must be submitted at the time of site plan submittal.

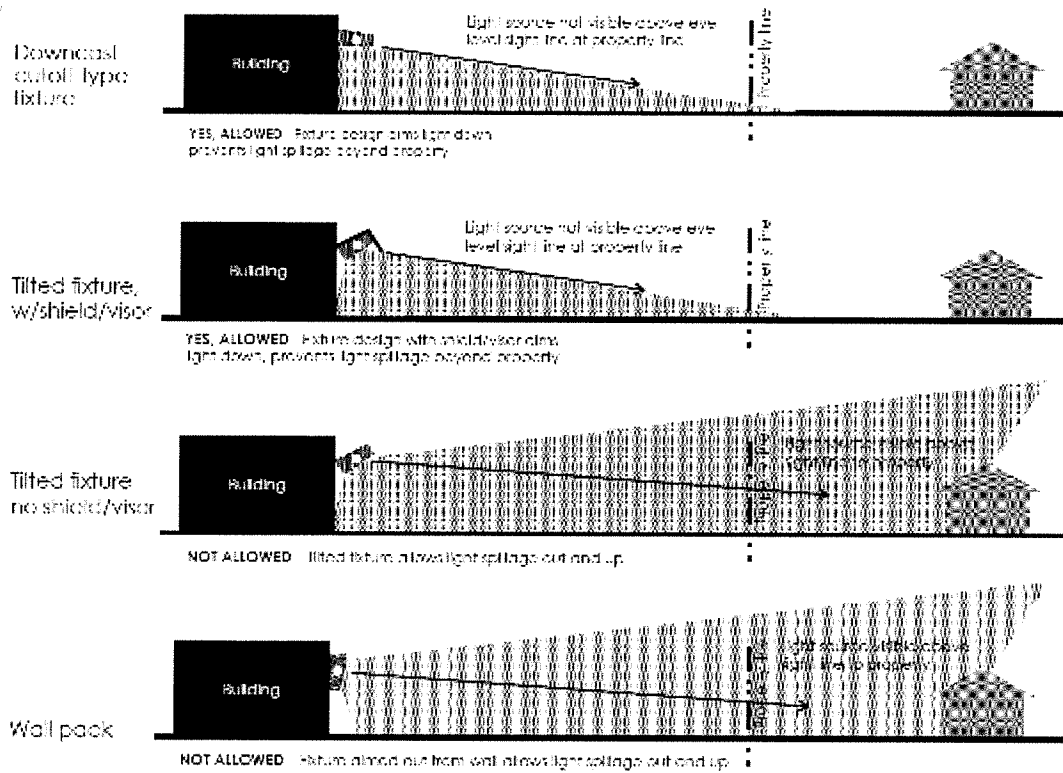
(2) Intensity.

(a) No more than 0.5 foot candles of light where residential zoning abuts and no more than 1.0 foot candles of light where other zoning abuts shall be allowed at the property line, when measured at eye level and aimed at the light source.

(b) In parking areas and walkways, downward focused lighting shall be provided by cutoff type luminaries with no more than 10% of light output above the horizontal plane through the light source.

(3) Height. Light fixtures and freestanding luminaries shall not exceed 20 feet or extend above the roofline of the principal building, whichever is less.

(4) Accent lighting. Accent lighting used to highlight selected landscape or architectural features shall be permitted provided the light source is shielded to aim directly at the area of focus.



NOT TO SCALE

SECTION 2. Effective Date. This ordinance shall take effect from and after its passage and publication.

ADOPTED this ____ day of _____, 2024, by the City Council of Stacy, Minnesota.

Mark Utecht, Mayor

ATTEST:

Tanya Smolke, City Clerk

Proposed Ordinance Posted: June 6, 2024
Public Hearing Date: June 18, 2024
Adoption Date: July 9, 2024
Published:

**CITY OF STACY
CHISAGO COUNTY, MINNESOTA**

SUMMARY ORDINANCE NO. 2024-7-1

**AN ORDINANCE AMENDING CHAPTER 153 OF THE CITY CODE,
SECTION 153.051**

NOTICE IS HEREBY GIVEN that, on _____, 2024, Ordinance No. 2024-7-1 was adopted by the City Council of the City of Stacy.

NOTICE IS FURTHER GIVEN that, because of the lengthy nature of Ordinance No. 2024-7-1, the following summary of the ordinance has been prepared for publication:

Ordinance No. 2024-7-1 amends the City Code Chapter 153, Section 153.051 (I) by removing a screening requirement for off street parking areas containing a loading zone or drive through.

A printed copy of the entire ordinance is available for inspection at City Hall by any person during the City's regular office hours or on the City's website, <https://www.stacymn.org/>.

APPROVED for publication by the City Council of the City of Stacy, Minnesota this _____th day of _____, 2024.

CITY OF STACY

By: _____
Mark Utecht, Mayor

ATTEST:

Tanya Smolke, City Clerk