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**CITY OF STACY
CHISAGO COUNTY, MINNESOTA**

ORDINANCE NO. 2021-__ -__

**AN ORDINANCE AMENDING CHAPTER 153.051 GENERAL BUSINESS
DISTRICT OF THE CITY CODE OF THE CITY OF STACY**

The City Council of Stacy ordains:

SECTION 1. Section 153.051 of the Stacy City Code is repealed in its entirety and replaced as follows:

(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 one 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);

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

- 49 (a) Ambulance services;
- 50 (b) Appliance stores;
- 51 (c) Department stores;
- 52 (d) Drug stores;
- 53 (e) Furniture stores;
- 54 (f) Garden supplies and landscape nurseries;
- 55 (g) Grocery stores;
- 56 (h) Hardware stores;
- 57 (i) Office supply stores;
- 58 (j) Sporting goods stores;
- 59 (k) Dry cleaning (without processing); and
- 60 (l) Laundromats.

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

76 (C) Accessory uses.

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

80
81
82
83
84 (4) Temporary trailers and construction equipment for the duration of
85 construction only where temporary lavatories are provided in compliance with city and state
86 requirements.

87
88 (D) Conditional uses. The following are conditional uses, subject to § 153.189 and
89 the specific standards and criteria that may be cited below for a specific use:

- 90 (1) Any building with a height over 35 feet, subject to § 153.030.
- 91
- 92

- 93
94 (2) Businesses with drive-through facilities, subject to the following:
95
96 (a) The business shall be located on a site with direct access to a minor
97 arterial or collector road.
98
99 (b) All portions of the drive-through facilities, including but not
100 limited to the service windows and stacking spaces, shall be separated from residentially zoned
101 or guided property by an arterial or collector street or shall be set back at least 200 feet from
102 residentially zoned or guided property.
103
104 (c) The public address or order system shall not be audible from any
105 adjacent residentially zoned or guided property.
106
107 (d) Businesses with 1 drive-through lane shall provide stacking space
108 for at least 10 vehicles, and businesses with 2 or more drive-through lanes shall provide stacking
109 space for at least 6 vehicles per lane, as measured from and including the last pick-up station,
110 window, or the like. Stacking spaces shall not interfere with parking spaces or traffic circulation.
111
112 (e) The applicant shall demonstrate that such use will not significantly
113 lower the existing level of service on streets and intersections.
114
115 (f) All elements of the drive-through service area, including but not
116 limited to menu boards, order stations, teller windows, and vehicle lights from the stacking lanes,
117 shall be screened from adjacent residentially zoned or guided property pursuant to this section.
118
119 (g) Restaurants with drive-through facilities shall be responsible for
120 litter control within 300 feet of the premises. Litter control is to occur on a daily basis. Trash
121 receptacles must be provided at convenient locations on site to facilitate litter control.
122
123 (3) Car washes, subject to the following:
124
125 (a) The site shall provide stacking space for the car wash. The amount
126 of stacking space shall take into account the type of car wash and the amount of time it takes to
127 wash a vehicle. Stacking spaces shall not interfere with parking spaces or traffic circulation.
128
129 (b) The exit from the car wash shall have a drainage system which is
130 subject to the approval of the city and gives special consideration to the prevention of ice build-
131 up during winter months.
132
133 (4) Dry cleaning; processing.
134
135 (5) Mini-storage facilities, subject to the following:
136

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

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

142
143 (c) A minimum 5-foot wall, constructed of integral-colored, split-face
144 concrete block shall be provided on all sides. This wall shall be set back so as to provide the
145 required clear-sight triangle at driveways and intersections, and to provide sufficient room for
146 landscaping.

147
148 (d) Landscaping shall be clustered in groups to break up the monotony
149 of the required wall. A group of at least 3 trees shall be provided every 100 feet. A combination
150 of evergreen and deciduous trees should be provided. Shrubs are encouraged for variety.

151
152 (e) The buildings shall be an earth-tone color, such as sage, beige,
153 cream-white or light grey.

154
155 (6) Motor fuel station, subject to the following:

156
157 (a) That the approximate area and location of space devoted to non-
158 automotive merchandise sales shall be specified in the application and in the conditional use
159 permit.

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

163
164 (c) Motor fuel facilities shall be installed in accordance with state and
165 city standards. Additionally, adequate space shall be provided to access gas pumps and to allow
166 maneuverability around the pumps while in use. Underground fuel storage tanks are to be
167 positioned to allow adequate access by motor fuel transports and unloading operations which do
168 not conflict with circulation, access and other activities on the site. Fuel pumps shall be installed
169 on pump islands.

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

172
173 (e) All canopy lighting for motor fuel station pump islands shall be
174 recessed or shielded to provide a 90-degree cutoff.

175
176 (f) The operation shall be responsible for litter control within 300 feet
177 of the premises. Litter control is to occur on a daily basis. Trash receptacles must be provided at
178 convenient locations on site to facilitate litter control.

179
180 (7) Motor vehicle, boat or equipment service stations and repair garages,
181 subject to the following:

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

184
185 (b) To the extent required by state law and regulations, painting shall
186 be conducted in an approved paint booth, which thoroughly controls the emission of fumes, dust,
187 or other particulated matter.

188
189 (c) Storage and use of all flammable materials, including liquid and
190 rags, shall conform to applicable provisions of the Minnesota Uniform Fire Code.

191
192 (d) Parking, driveway, and circulation standards and requirements
193 shall be subject to the review and approval of the city and shall be based upon the specific needs
194 of the operation and shall accommodate large vehicle equipment and semi-trailer/tractor trucks.

195
196 (e) The storage of damaged vehicles and vehicle parts and accessory
197 equipment must be completely inside a principal or accessory building.

198
199 (8) Motor vehicle, boats and equipment sales, subject to the following:

200
201 (a) All sales shall occur on one lot.

202
203 (b) Parking areas for the outside storage and sale of vehicles, boats and
204 trailers, shall be on impervious surface, either bituminous, concrete, or approved equivalent.

205
206 (c) Interior concrete curbs shall be constructed within the property to
207 separate driving and parking areas from landscaped areas.

208
209 (d) All areas of the property not devoted to buildings or parking areas
210 shall be landscaped in accordance with this section.

211
212 (e) The required off-street parking for customers and employees shall
213 be designated on the site plan and located close to the sales building.

214
215 (f) Each space used as parking for a "for sale" motor vehicle, boat, or
216 trailer shall not be less than 9 feet wide by 18.5 feet in length.

217
218 (g) Display of motor vehicles, boats, and trailers for sale off the
219 property of the owner is prohibited unless authorized by conditional use permit.

220
221 (9) Accessory buildings in compliance with § 153.031.

222
223 (10) Parking garages and ramps, subject to the following:

224
225

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

229
230 (b) Parking ramps and garages shall be set back from lot lines
231 as required for the principal building on the lot, or as required for parking spaces specified by
232 this section, whichever is greater.

233
234 (c) Off-street parking ramps and garages shall be designed in
235 compliance with the applicable dimensional requirements except the City Council may approve a
236 variation from standard dimensions for a portion of the stalls to be designated as compact spaces.

237
238 (d) Parking ramps and garages shall be designed so that
239 circulation between parking bays or aisles occurs within the designated parking lot upon the
240 property being serviced and does not depend upon a public street or alley. A parking area design
241 that requires backing into the public street is prohibited.

242
243 (e) The grade elevation of the required parking area or portion
244 thereof shall not exceed 5%.

245
246 (11) Planned unit developments, as regulated by § 153.055.

247
248 (12) Seasonal outdoor sales, subject to the following:

249
250 (a) Seasonal outdoor retail sales shall not exceed a combined
251 total of 120 days in any 12-month period. Outdoor retail sales shall not occupy more than 10% of
252 a lot's area, and shall meet all yard setback requirements.

253
254 (b) Where seasonal outdoor retail sales are conducted in a
255 parking lot, they shall be confined to a defined area, and not be allowed to obstruct access of
256 emergency vehicles or pose a traffic safety problem. Temporary fencing or other suitable
257 mechanisms shall be used to delineate the sales area and provide for pedestrian safety.

258
259 (c) Where tents, trailers, temporary greenhouses, or similar
260 structures are used to store, and/or display merchandise, they shall be anchored to provide a
261 wind-load resistance of 40 miles per hour.

262
263 (d) Any tent, trailer, temporary greenhouse or similar structure
264 must be locked and secured outside of business hours.

265
266 (13) Day care - group nursery.

267
268 (E) Lot-requirements.

269
270 (1) The following minimum requirements shall be met in the GB district.

271

272 Minimum lot size 40,000 square feet
273 Minimum lot width 150 feet
274 Minimum lot depth 100 feet

275 Structure setbacks:

276 Front 25 feet or in conformance with surrounding area
277 Side 10 feet
278 Rear 10 feet
279 Side or rear from street 20 feet
280 From residential 30 feet
281 Maximum building height 35 feet

282

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

285

286 (F) Building design standards.

287

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

291

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

294

(a) Face brick;

295

(b) Natural stone;

296

(c) Stone or glass curtain walls;

297

(d) Wood, provided surfaces are finished for exterior use and wood of

298 proven exterior durability is used, such as cedar, redwood, or cypress;

299

(e) Break-off block;

300

(f) Stucco; and

301

(g) Precast concrete and integral colored concrete block, provided

302 surfaces are molded, serrated or treated with a textured material to create a 3-dimensional
303 character.

304

(h) Curtain wall panels of steel, metal, or aluminum provided the

305 panels are factory fabricated and of a high-quality material with a matte or non-lustre finish.

306 These structures will require decorative design elements as approved by the City Council.

307

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

310

(a) Face material that rapidly deteriorate or become unsightly such as exposed

311 cinder blocks, galvanized metal, unfinished tile, and common clay brick.

312

313 (4) Building construction prohibited.

314

(a) Temporary construction.

315

316 (G) Landscape standards.

317

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

323
324 (a) A detailed land analysis including existing vegetation, soil types,
325 topography and all man-made features.

326
327 (b) Details of proposed vegetative landscaping materials including
328 placement, Latin name, common name, caliper/height and quantity.

329
330 (c) Details of proposed non-vegetative landscaping and screening
331 materials.

332 (d) Details of proposed erosion control methods.

333
334 (e) Planting and construction schedule for completion of landscaping
335 and screening plans.

336
337 (2) There shall be a minimum of 10% green space on every lot.

338
339 (3) A minimum of 1 deciduous and 1 coniferous tree for every 25,000 square
340 feet, or fraction thereof, of lot area.

341
342 (4) Properties are also subject to the erosion control standards requirements of
343 § 153.080.

344
345 (H) Landscaping security.

346
347 (1) The owner shall file with the City Clerk security in the form of a letter of
348 credit or cash deposit as determined by the City Council, to ensure that the landscaping,
349 screening and erosion control work is done pursuant to the landscaping plan within the time
350 schedule, and to ensure that the vegetative materials used in any landscaping, screening or
351 erosion control work that die within 2 complete growing seasons are replaced.

352
353 (2) The security shall be in a amount determined by the City Council, but
354 shall be at least equal to the amount estimated to be the cost of completing the required
355 landscaping, screening and erosion control measures and not to exceed twice such amount.

356
357 (3) Where such landscaping, screening and erosion control measures do not
358 include the use of vegetative materials, the security shall be in force until such landscaping;
359 screening or erosion control measures have been completed and approved by the City Council.
360 Where such landscaping, screening and erosion control measures do include the use of vegetative
361 materials, the security shall be in force for at least the next 2 complete growing seasons,
362 subsequent to the completion and approval of such landscaping; screening or erosion control
363 measures have been completed and approved by the City Council.

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

367
368 (5) Such security shall be filed with the City Clerk before a building permit
369 can be issued.

370
371 (I) Screening.

372
373 (1) Where any off-street parking area contains a loading zone, or a drive-
374 through, at least 50% of any side adjoining a public street must contain screening of at least 4
375 feet in height, providing a minimum of 50% opacity year-round.

376
377 (2) On any property line that abuts a residential parcel, screening of at least 6
378 feet in height shall provide a minimum of 80% opacity year-round.

379
380 (3) Screening shall be installed so as to block direct vision, and shall consist
381 of 1 or a combination of the following:

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

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

387
388 (c) Earth berms — not to exceed a 3:1 slope or 4 feet in height.

389
390 (4) Chain link fencing is allowed only in combination with screening. Plastic
391 or vinyl inserts are prohibited.

392
393 (5) Dumpsters and/or trash/recycling receptacles shall be stored inside the
394 principal structure or if outside shall only be located on a non-street side of the building, except
395 for during trash pickup time.

396
397 (6) Any dumpsters and/or trash/recycling receptacles located along a street
398 side shall be screened by a wall of at least 6 feet in height which matches the material, design
399 and color of the principal building or stored within an accessory structure constructed of building
400 materials compatible with the principal structure, and readily served through swinging doors or
401 an overhead door on tracks. Storage containers must have covers or enclosure has to have a roof.

402
403 (7) All rooftop mechanical equipment greater than 3 feet in height must be
404 screened from view by a method which matches that material, design and color of the building
405 upon which it is located.

406
407 (J) Parking and loading spaces.

408
409 (1) Loading docks are not permitted in front yards.

410
411 (2) Properties are also subject to the requirements of “Off-Street Parking and
412 Loading,” §§ 153.110 et seq.

413
414 (K) Outdoor lighting.

415
416 (1) A lighting plan, showing how the site meets all lighting requirements must
417 be submitted at the time of site plan submittal.

418
419 (2) Intensity.

420
421 (a) No more than 0.5 FC of light where residential zoning abuts and
422 no more than 1.0 FC of light where other zoning abuts shall be allowed at the property line, when
423 measured at eye level and aimed at the light source.

424
425 (b) In parking areas and walkways, downward focused lighting shall
426 be provided by cutoff type luminaries with no more than 10% of light output above the
427 horizontal plane through the light source.

428
429 (3) Height. Light fixtures and freestanding luminaries shall not exceed 20 feet
430 or extend above the roofline of the principal building, whichever is less.

431
432 (4) Accent lighting. Accent lighting used to highlight selected landscape or
433 architectural features shall be permitted provided the light source is shielded to aim directly at
434 the area of focus.

435
436 **SECTION 2. Effective Date.** This ordinance shall take effect from and after its passage
437 and publication.

438
439 **ADOPTED** this ____ day of _____, 2021 by the City Council of the
440 City of Stacy, Minnesota.

441
442
443 By: _____
444 Mark Utecht, Mayor

445
446 ATTEST:
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448 _____
449 Sharon Payne, City Clerk

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TITLE & SUMMARY OF ORDINANCES

Pursuant to Minn. Stat. Section 412.191, Subd. 4

The City Council for the City of Stacy, Chisago County, Minnesota, has authorized publication of the Title & Summary of the following ordinance. Printed copies of the ordinance are available for inspection during regular office hours at the office of the City Clerk, Stacy City Hall, 30955 Forest Boulevard, Stacy, Minnesota 55079, and on our website www.stacymn.org.

Ordinance No. 2021-__ -__

***Ordinance Title:* AN ORDINANCE AMENDING CHAPTER 153.051 OF THE STACY CITY CODE GENERAL BUSINESS DISTRICT**

Summary: The ordinance is amending section 153.051 General Business District to add standards for building design, screening, and outdoor lighting.