

**STATE OF MINNESOTA**

**COUNTY OF CHISAGO**

**CITY OF NORTH BRANCH**

**ORDINANCE NO. 345-22**

**ORDINANCE TO AMEND AND REPEAL OF SECTIONS TO THE ZONING CODE  
CHAPTER 66**

**NORTH BRANCH  
ORDINANCE CHAPTER 66 ZONING**

**NOW THEREFORE**, be it ordained by the Council of the North Branch, in the State of Minnesota, as follows:

**SECTION 1:**        **REPEAL** “DIVISION 3 R-1A SINGLE-FAMILY RESIDENTIAL DISTRICT” of the North Branch City Code is hereby *repealed* as follows:

**BEFORE REPEAL**

DIVISION 3 R-1A SINGLE-FAMILY RESIDENTIAL DISTRICT

Sec 66-237 Purpose

The R-1A single-family residential district is designed to be the most restrictive of the residential districts. The intent is to provide for an attractive environment for low-density, single-family detached dwellings along with other residentially related facilities which serve the residents in the district.

(Code 1996, § 17.08.010)

Sec 66-238 Special Requirements

The following are special requirements in the R-1A single-family residential district:

- (a) All dwelling structures must be a minimum of 1,200 square feet in size.
- (b) A minimum two-car attached garage shall be built with every dwelling unit.
- (c) Driveways shall be constructed from a hard, impervious surface such as tar or concrete. Said surface shall be of such character as is suitable and in harmony with similar improvements in the surrounding area. Types of pavement shall be determined by the zoning administrator and/or planning agency and shall be completed within the same time frame as that of the building permit

- (d) All lawns shall be seeded or sodded from the roadside edge of the unpaved right-of-way back to a distance of 25 feet behind the principle residence on the lot and shall be completed within the same time frame as that of the building permit.
- (e) The developer of any dwelling unit shall plant shade trees. Such trees are to be planted no closer than ten feet of the right-of-way of the road. One tree shall be planted for every 50 feet of frontage along each road unless the planning agency shall grant a waiver. Such waiver shall be granted only if there are trees growing along such right-of-way or on the abutting property which in the opinion of the planning agency comply with these regulations.
- (f) No more than 25 percent of the lot shall be covered by the principal and all accessory buildings.

(Code 1996, § 17.08.020; Ord. No. 153-10, § 1, 8-9-2010)

#### Sec 66-239 Permitted Uses

The following are permitted uses in the R-1A single-family residential district:

- (a) Single-family detached dwelling units.
- (b) Boarding (house) home, foster children. Restricted to serving six or fewer persons.
- (c) Day care home. All such uses shall be licensed in accordance with state law and state department of public welfare regulations.
- (d) A state licensed residential facility serving from one to six mentally or physically disabled persons.
- (e) Public parks and playgrounds.

(Code 1996, § 17.08.030; Ord. No. 153-10, § 1, 8-9-2010)

#### Sec 66-240 Accessory Uses

The following are permitted accessory uses in the R-1A single-family residential district:

- (a) Noncommercial gardening, greenhouses and conservatories.
- (b) Private recreational facilities such as tennis courts, swimming pools, etc., which are noncommercial uses.
- (c) Home occupations in accordance with section 66-942.
- (d) Repealed
- (e) Parking of one commercial vehicle of not exceeding 24,000 pounds licensed gross weight and 26 feet in length used by resident occupant, but not including the storage of vehicles which are inoperable. This use allows for off-street parking and for overnight parking of such vehicles only.
- (f) Recreational vehicles and equipment that meet the same setback regulations as that of accessory uses.
- (g) Accessory uses in side yards shall be limited to garages and carports only.
- (h) Accessory buildings are permitted in any rear yard. Accessory buildings shall not be erected within six feet of any lot boundary or alley. The total area of all accessory

buildings to be erected on any lot shall not cover more than 20 percent of the required rear yard area.

- (i) Decorative landscaping features, fencing and screening as permitted and regulated in section 66-970 et seq.
- (j) Signs in compliance with section 66-821 et seq.
- (k) Essential service buildings of 1,000 square feet or less.
- (l) Rummage/garage sales (see definition).

#### Sec 66-240.5 Interim Uses

The following uses are interim uses in the R-1A (single-family residential) district that require city council approval of an interim use permit and shall be in conformance with the standards specified in section 66-64 of this chapter and the additional standards specified below:

- (a) One temporary manufactured home for the property owners to occupy when rebuilding their primary residence after a fire, flood, tornado, wind damage or other destructive event or for the parents, grandparents or children of the property owners subject to:
  1. The manufactured home would be located on a parcel of at least one-half acre (21,780 square feet) of buildable land with one permanent dwelling. The occupant(s) of either the manufactured home or the permanent dwelling must be:
    - a. The parents(s) or grandparents of the occupant of the other residence on the property; or
    - b. A child, sister, brother or grandchild who has full or total disability as classified by Social Security, Worker's compensation or a doctor and who resides in or will reside in one of the residences.
  2. The applicant shall submit with the initial application and annually thereafter, a signed statement certifying that the occupants of the manufactured home is a parent, grandparent, child, sister or brother who suffers a full or total disability as classified by Social Security, Worker's Compensation or a doctor. The statement shall describe the need that makes it necessary for parents. Grandparents or relative of the first degree to live on the same parcel with the children or children or a release that will allow the city administrator or his/her designee to verify the disability.
  3. The owner shall remove the manufactured home from the site within 120 days of such time as it or the permanent residence ceases to be occupied by a parent, grandparent, child, grandchild, sister or brother.
  4. The owner shall not make the manufactured home a permanent residence.
  5. The manufactured home shall not require the creation of a separate well.
  6. An on-site sewage treatment system to serve the manufactured home can be installed on the property in accordance to all city and state standards or if possible, the owners may attach the sewage system for the manufactured home to an existing on-site sewage system if the existing system has enough capacity for additional users.

7. The placement of the proposed manufactured home must meet all setback standards and shall not cause drainage or stormwater run-off problems for adjacent properties.
8. The owner shall not place the manufactured home in a front yard.
9. The owner submitting to the city an escrow, issued in the name of the city and payable to the city, for the sum of \$5,000.00 that the city may draw down at its sole discretion for the purposes including, but not limited to, the cost of capping and closing of any separate on-site sewage treatment systems or wells, administrative and legal fees and the repayment of delinquent personal property taxes on the manufactured home. The city shall hold the escrow for as long as the manufactured home is on the property. The city shall hold the escrow for as long as the manufactured home is on the property and shall return the escrow within 90 days of the completion of all necessary site restoration.

(Ord. No. 210-14, § 8, 7-14-2014)

#### Sec 66-241 Conditional Uses

The following are conditional uses in an R-1A single-family residential district that require a conditional use permit based upon procedures, factors and conditions set forth in and regulated by section 66-62 et seq.:

- (a) Churches, parish houses, convents and private schools for educational purposes similar to public elementary and secondary schools.
- (b) Public buildings and uses of the following kind: elementary and secondary schools, libraries, museums, community centers and recreation centers.
- (c) Fire stations, water supply buildings, reservoirs, wells, elevated tanks and similar essential public utility and service structures.
- (d) Golf course.
- (e) Cemetery.
- (f) Residential planned unit developments as regulated by section 66-788 et seq.
- (g) Licensed day care facility located in the same building or parcel as a religious institution such as churches, chapels, temples, and synagogues, provided the regulations of the Human Services Licensing Act, Minn. Stats. ch. 245A, and the state building, fire and health regulations are satisfactorily met.
- (h) Nonprofit uses conducted by tax-exempt entities provided the property is adjacent to commercially zoned property.
- (i) Multiple principal buildings on a lot of record for churches and schools provided the buildings are under common ownership and the buildings are used for related uses.
- (j) Buildings only owned and used by religious institutions for support or related functions or activities of a religious institution.

(Code 1996, § 17.08.050; Ord. No. 102, § 1(17.08.055), 10-24-2005; Ord. No. 224-15, § 3, 4-28-2015)

## Sec 66-242 Design Standards

The following are minimum design standards for the R-1A single-family residential district:

- (a) Dwelling units in this zoning district must meet the following minimum structural design standards:
  - 1. Minimum square footage for a single-family detached dwelling shall be 800 square feet for a single story dwelling. A dwelling unit with 1½ or more stories shall have a minimum of 800 square feet on the main floor.
  - 2. Permanent full perimeter footings; with foundation walls of concrete, concrete block, wood, or any other approved material or method. Decks and porches are allowed on pier type footings.
  - 3. Minimum width: 24 feet.
  - 4. A minimum roof pitch of 4/12, 4" vertical rise for each 12" horizontal run.
  - 5. Provisions for decks must be shown on original plans when a sliding glass door, patio door, etc. are installed.
  - 6. Compliance with the requirements of the State Building Code.
- (b) Garages in this zoning district must meet the following minimum structural design standards:
  - 1. Attached garage required.
  - 2. Minimum size: 480 square feet. Garage must be at least a two-car garage.
- (c) Accessory buildings in this zoning district must meet the following minimum structural design standards:
  - 1. Shall not be erected within six feet of any lot boundary or alley.
  - 2. Additional standards and requirements for accessory buildings are contained in section 66-898.
- (d) Driveways in this zoning district must meet the following minimum design standards:
  - 1. Shall be constructed from a hard, impervious or permeable surface such as bituminous or concrete. Said surface shall be of such character as is suitable and in harmony with similar improvements in the surrounding area.
  - 2. Shall be completed within the same time frame as that of the building permit.

(Code 1996, § 17.08.060; Ord. No. 153-10, § 1, 8-9-2010; Ord. No. 187-12, § 1, 4-9-2012)

## Sec 66-243 Yard, Area And Building Size Requirements

The following are yard, area and building size regulations for permitted single-family detached dwellings in the R-1A single-family residential district:

- (a) Total lot area:
  - 1. Minimum of 15,000 square feet.
- (b) Total lot width at front yard setback line:
  - 1. Minimum of 100 feet.
- (c) Total minimum lot depth:
  - 1. Minimum of 120 feet.
- (d) Yard dimensions:

1. Front yard setback:
    - a. 30 feet from the lot line or road right-of-way if applicable.
  2. Side yard setback (each side): Minimum of ten feet from the interior lot line(s).
  3. Corner side yard setback: 30 feet from the lot line or road right-of-way.
  4. Rear yard setback: 30 feet from the lot line for interior lots.
  5. Rear yard setback for corner lots: 15 feet from the lot line.
- (e) Wetland setback:
1. A 20-foot natural buffer shall be maintained adjacent to all wetlands on lots created after the adoption of this chapter.
  2. A minimum 40-foot setback is required for all structures adjacent to all wetlands on lots created after the adoption of this chapter.
- (f) Maximum building height: 35 feet.
- (g) Maximum impervious area: 50 percent.
- (h) Floor elevation:
1. The lowest floor elevation for new or redevelopment will be three feet above the highest known groundwater level.
  2. The lowest floor elevation for new or redevelopment will be two feet above the 100-year flood elevation.

(Code 1996, § 17.08.070; Ord. No. 153-10, § 1, 8-9-2010)

#### Sec 66-244 Traditional Lots

The following are yard, area and building size regulations for transitional lots, one tier between sewerred and unsewerred lots (one to two acres is size) for permitted single-family detached dwellings in the R-1A single-family residential district:

- (a) Minimum lot area: 21,000 square feet.
- (b) Minimum lot width at the front yard setback line: 110 feet.
- (c) Minimum lot depth: 150 feet.
- (d) Yard dimensions:
  1. Front yard setback: 30 feet from the lot line or road right-of-way if applicable.
  2. Side yard setback (each side): minimum of ten feet from the interior lot line(s).
  3. Corner side yard setback: 30 feet from the lot line or road right-of-way.
  4. Rear yard setback for interior lots: 30 feet from the lot line.
  5. Rear yard setback for corner lots: 15 feet from the lot line.
- (e) Wetland setback:
  1. A 20-foot natural buffer shall be maintained adjacent to all wetlands on lots created after the adoption of this chapter.
  2. A minimum 40-foot setback is required for all structures adjacent to all wetlands on lots created after the adoption of this chapter.
- (f) Maximum building height: 35 feet.
- (g) Maximum impervious area: 50 percent.
- (h) These regulations shall not be modified or varied by a planned unit development.
- (i) Floor elevation:

1. The lowest floor elevation for new or redevelopment will be three feet above the highest known groundwater level.
2. The lowest floor elevation for new or redevelopment will be two feet above the 100-year flood elevation.

(Ord. No. 104, § 1(17.08.075), 12-12-2005; Ord. No. 153-10, § 1, 8-9-2010)

#### Sec 66-245 Fencing, Screening, And Landscaping Requirements

The fencing, screening and landscaping requirements in section 66-970 et seq. shall apply to all developments in the R-1A single-family residential district.

(Code 1996, § 17.08.080)

#### Sec 66-246 Signs

All signs within the district shall comply with section 66-821 et seq.

(Code 1996, § 17.08.090)

#### Sec 66-247 Off-Street Parking And Loading

For permitted single-family dwellings, two off-street hard surfaced parking and loading spaces shall be provided and maintained. All other uses must comply with section 66-848 et seq.

(Code 1996, § 17.08.100)

### AFTER REPEAL

#### Sec 66-237 Purpose

The R-1A single-family residential district is designed to be the most restrictive of the residential districts. The intent is to provide for an attractive environment for low-density, single-family detached dwellings along with other residentially related facilities which serve the residents in the district.

(Code 1996, § 17.08.010)

#### Sec 66-238 Special Requirements

The following are special requirements in the R-1A single-family residential district:

- (a) All dwelling structures must be a minimum of 1,200 square feet in size.
- (b) A minimum two-car attached garage shall be built with every dwelling unit.
- (c) Driveways shall be constructed from a hard, impervious surface such as tar or concrete. Said surface shall be of such character as is suitable and in harmony with similar improvements in the surrounding area. Types of pavement shall be determined

by the zoning administrator and/or planning agency and shall be completed within the same time frame as that of the building permit

- (d) All lawns shall be seeded or sodded from the roadside edge of the unpaved right-of-way back to a distance of 25 feet behind the principle residence on the lot and shall be completed within the same time frame as that of the building permit.
- (e) The developer of any dwelling unit shall plant shade trees. Such trees are to be planted no closer than ten feet of the right-of-way of the road. One tree shall be planted for every 50 feet of frontage along each road unless the planning agency shall grant a waiver. Such waiver shall be granted only if there are trees growing along such right-of-way or on the abutting property which in the opinion of the planning agency comply with these regulations.
- (f) No more than 25 percent of the lot shall be covered by the principal and all accessory buildings.

(Code 1996, § 17.08.020; Ord. No. 153-10, § 1, 8-9-2010)

#### Sec 66-239 Permitted Uses

The following are permitted uses in the R-1A single-family residential district:

- (a) Single-family detached dwelling units.
- (b) Boarding (house) home, foster children. Restricted to serving six or fewer persons.
- (c) Day care home. All such uses shall be licensed in accordance with state law and state department of public welfare regulations.
- (d) A state licensed residential facility serving from one to six mentally or physically disabled persons.
- (e) Public parks and playgrounds.

(Code 1996, § 17.08.030; Ord. No. 153-10, § 1, 8-9-2010)

#### Sec 66-240 Accessory Uses

The following are permitted accessory uses in the R-1A single-family residential district:

- (a) Noncommercial gardening, greenhouses and conservatories.
- (b) Private recreational facilities such as tennis courts, swimming pools, etc., which are noncommercial uses.
- (c) Home occupations in accordance with section 66-942.
- (d) Repealed
- (e) Parking of one commercial vehicle of not exceeding 24,000 pounds licensed gross weight and 26 feet in length used by resident occupant, but not including the storage of vehicles which are inoperable. This use allows for off-street parking and for overnight parking of such vehicles only.
- (f) Recreational vehicles and equipment that meet the same setback regulations as that of accessory uses.
- (g) Accessory uses in side yards shall be limited to garages and carports only.

- (h) Accessory buildings are permitted in any rear yard. Accessory buildings shall not be erected within six feet of any lot boundary or alley. The total area of all accessory buildings to be erected on any lot shall not cover more than 20 percent of the required rear yard area.
- (i) Decorative landscaping features, fencing and screening as permitted and regulated in section 66-970 et seq.
- (j) Signs in compliance with section 66-821 et seq.
- (k) Essential service buildings of 1,000 square feet or less.
- (l) Rummage/garage sales (see definition).

#### Sec 66-240.5 Interim Uses

The following uses are interim uses in the R-1A (single-family residential) district that require city council approval of an interim use permit and shall be in conformance with the standards specified in section 66-64 of this chapter and the additional standards specified below:

- (a) One temporary manufactured home for the property owners to occupy when rebuilding their primary residence after a fire, flood, tornado, wind damage or other destructive event or for the parents, grandparents or children of the property owners subject to:
  1. The manufactured home would be located on a parcel of at least one-half acre (21,780 square feet) of buildable land with one permanent dwelling. The occupant(s) of either the manufactured home or the permanent dwelling must be:
    - a. The parents(s) or grandparents of the occupant of the other residence on the property; or
    - b. A child, sister, brother or grandchild who has full or total disability as classified by Social Security, Worker's compensation or a doctor and who resides in or will reside in one of the residences.
  2. The applicant shall submit with the initial application and annually thereafter, a signed statement certifying that the occupants of the manufactured home is a parent, grandparent, child, sister or brother who suffers a full or total disability as classified by Social Security, Worker's Compensation or a doctor. The statement shall describe the need that makes it necessary for parents. Grandparents or relative of the first degree to live on the same parcel with the children or children or a release that will allow the city administrator or his/her designee to verify the disability.
  3. The owner shall remove the manufactured home from the site within 120 days of such time as it or the permanent residence ceases to be occupied by a parent, grandparent, child, grandchild, sister or brother.
  4. The owner shall not make the manufactured home a permanent residence.
  5. The manufactured home shall not require the creation of a separate well.
  6. An on-site sewage treatment system to serve the manufactured home can be installed on the property in accordance to all city and state standards or if possible, the owners may attach the sewage system for the manufactured

home to an existing on-site sewage system if the existing system has enough capacity for additional users.

7. The placement of the proposed manufactured home must meet all setback standards and shall not cause drainage or stormwater run-off problems for adjacent properties.
8. The owner shall not place the manufactured home in a front yard.
9. The owner submitting to the city an escrow, issued in the name of the city and payable to the city, for the sum of \$5,000.00 that the city may draw down at its sole discretion for the purposes including, but not limited to, the cost of capping and closing of any separate on-site sewage treatment systems or wells, administrative and legal fees and the repayment of delinquent personal property taxes on the manufactured home. The city shall hold the escrow for as long as the manufactured home is on the property. The city shall hold the escrow for as long as the manufactured home is on the property and shall return the escrow within 90 days of the completion of all necessary site restoration.

(Ord. No. 210-14, § 8, 7-14-2014)

#### Sec 66-241 Conditional Uses

The following are conditional uses in an R-1A single-family residential district that require a conditional use permit based upon procedures, factors and conditions set forth in and regulated by section 66-62 et seq.:

- (a) Churches, parish houses, convents and private schools for educational purposes similar to public elementary and secondary schools.
- (b) Public buildings and uses of the following kind: elementary and secondary schools, libraries, museums, community centers and recreation centers.
- (c) Fire stations, water supply buildings, reservoirs, wells, elevated tanks and similar essential public utility and service structures.
- (d) Golf course.
- (e) Cemetery.
- (f) Residential planned unit developments as regulated by section 66-788 et seq.
- (g) Licensed day care facility located in the same building or parcel as a religious institution such as churches, chapels, temples, and synagogues, provided the regulations of the Human Services Licensing Act, Minn. Stats. ch. 245A, and the state building, fire and health regulations are satisfactorily met.
- (h) Nonprofit uses conducted by tax-exempt entities provided the property is adjacent to commercially zoned property.
- (i) Multiple principal buildings on a lot of record for churches and schools provided the buildings are under common ownership and the buildings are used for related uses.
- (j) Buildings only owned and used by religious institutions for support or related functions or activities of a religious institution.

(Code 1996, § 17.08.050; Ord. No. 102, § 1(17.08.055), 10-24-2005; Ord. No. 224-15, § 3,

4-28-2015)

#### Sec 66-242 Design Standards

The following are minimum design standards for the R-1A single-family residential district:

- (a) Dwelling units in this zoning district must meet the following minimum structural design standards:
  - 1. Minimum square footage for a single-family detached dwelling shall be 800 square feet for a single story dwelling. A dwelling unit with 1½ or more stories shall have a minimum of 800 square feet on the main floor.
  - 2. Permanent full perimeter footings; with foundation walls of concrete, concrete block, wood, or any other approved material or method. Decks and porches are allowed on pier type footings.
  - 3. Minimum width: 24 feet.
  - 4. A minimum roof pitch of 4/12, 4" vertical rise for each 12" horizontal run.
  - 5. Provisions for decks must be shown on original plans when a sliding glass door, patio door, etc. are installed.
  - 6. Compliance with the requirements of the State Building Code.
- (b) Garages in this zoning district must meet the following minimum structural design standards:
  - 1. Attached garage required.
  - 2. Minimum size: 480 square feet. Garage must be at least a two-car garage.
- (c) Accessory buildings in this zoning district must meet the following minimum structural design standards:
  - 1. Shall not be erected within six feet of any lot boundary or alley.
  - 2. Additional standards and requirements for accessory buildings are contained in section 66-898.
- (d) Driveways in this zoning district must meet the following minimum design standards:
  - 1. Shall be constructed from a hard, impervious or permeable surface such as bituminous or concrete. Said surface shall be of such character as is suitable and in harmony with similar improvements in the surrounding area.
  - 2. Shall be completed within the same time frame as that of the building permit.

(Code 1996, § 17.08.060; Ord. No. 153-10, § 1, 8-9-2010; Ord. No. 187-12, § 1, 4-9-2012)

#### Sec 66-243 Yard, Area And Building Size Requirements

The following are yard, area and building size regulations for permitted single-family detached dwellings in the R-1A single-family residential district:

- (a) Total lot area:
  - 1. Minimum of 15,000 square feet.
- (b) Total lot width at front yard setback line:
  - 1. Minimum of 100 feet.
- (c) Total minimum lot depth:

1. Minimum of 120 feet.
- (d) Yard dimensions:
  1. Front yard setback:
    - a. 30 feet from the lot line or road right-of-way if applicable.
  2. Side yard setback (each side): Minimum of ten feet from the interior lot line(s).
  3. Corner side yard setback: 30 feet from the lot line or road right-of-way.
  4. Rear yard setback: 30 feet from the lot line for interior lots.
  5. Rear yard setback for corner lots: 15 feet from the lot line.
- (e) Wetland setback:
  1. A 20-foot natural buffer shall be maintained adjacent to all wetlands on lots created after the adoption of this chapter.
  2. A minimum 40-foot setback is required for all structures adjacent to all wetlands on lots created after the adoption of this chapter.
- (f) Maximum building height: 35 feet.
- (g) Maximum impervious area: 50 percent.
- (h) Floor elevation:
  1. The lowest floor elevation for new or redevelopment will be three feet above the highest known groundwater level.
  2. The lowest floor elevation for new or redevelopment will be two feet above the 100-year flood elevation.

(Code 1996, § 17.08.070; Ord. No. 153-10, § 1, 8-9-2010)

#### Sec 66-244 Traditional Lots

The following are yard, area and building size regulations for transitional lots, one tier between sewerred and unsewerred lots (one to two acres is size) for permitted single-family detached dwellings in the R-1A single-family residential district:

- (a) Minimum lot area: 21,000 square feet.
- (b) Minimum lot width at the front yard setback line: 110 feet.
- (c) Minimum lot depth: 150 feet.
- (d) Yard dimensions:
  1. Front yard setback: 30 feet from the lot line or road right-of-way if applicable.
  2. Side yard setback (each side): minimum of ten feet from the interior lot line(s).
  3. Corner side yard setback: 30 feet from the lot line or road right-of-way.
  4. Rear yard setback for interior lots: 30 feet from the lot line.
  5. Rear yard setback for corner lots: 15 feet from the lot line.
- (e) Wetland setback:
  1. A 20-foot natural buffer shall be maintained adjacent to all wetlands on lots created after the adoption of this chapter.
  2. A minimum 40-foot setback is required for all structures adjacent to all wetlands on lots created after the adoption of this chapter.
- (f) Maximum building height: 35 feet.
- (g) Maximum impervious area: 50 percent.
- (h) These regulations shall not be modified or varied by a planned unit development.

(i) Floor elevation:

1. The lowest floor elevation for new or redevelopment will be three feet above the highest known groundwater level.
2. The lowest floor elevation for new or redevelopment will be two feet above the 100-year flood elevation.

(Ord. No. 104, § 1(17.08.075), 12-12-2005; Ord. No. 153-10, § 1, 8-9-2010)

Sec 66-245 Fencing, Screening, And Landscaping Requirements

The fencing, screening and landscaping requirements in section 66-970 et seq. shall apply to all developments in the R-1A single-family residential district.

(Code 1996, § 17.08.080)

Sec 66-246 Signs

All signs within the district shall comply with section 66-821 et seq.

(Code 1996, § 17.08.090)

Sec 66-247 Off-Street Parking And Loading

For permitted single-family dwellings, two off-street hard surfaced parking and loading spaces shall be provided and maintained. All other uses must comply with section 66-848 et seq.

(Code 1996, § 17.08.100)

~~DIVISION 3 R-1A SINGLE FAMILY RESIDENTIAL DISTRICT~~ *(Repealed)*

~~Sec 66-237 Purpose~~ *(Repealed)*

~~Sec 66-238 Special Requirements~~ *(Repealed)*

~~Sec 66-239 Permitted Uses~~ *(Repealed)*

~~Sec 66-240 Accessory Uses~~ *(Repealed)*

~~Sec 66-240.5 Interim Uses~~ *(Repealed)*

~~Sec 66-241 Conditional Uses~~ *(Repealed)*

~~Sec 66-242 Design Standards~~ *(Repealed)*

~~Sec 66-243 Yard, Area And Building Size Requirements~~ *(Repealed)*

~~Sec 66-244 Traditional Lots~~ *(Repealed)*

~~Sec 66-245 Fencing, Screening, And Landscaping Requirements (Repealed)~~

~~Sec 66-246 Signs (Repealed)~~

~~Sec 66-247 Off-Street Parking And Loading (Repealed)~~

~~Sec 66-237 Purpose (Repealed)~~

~~Sec 66-238 Special Requirements (Repealed)~~

~~Sec 66-239 Permitted Uses (Repealed)~~

~~Sec 66-240 Accessory Uses (Repealed)~~

~~Sec 66-240.5 Interim Uses (Repealed)~~

~~Sec 66-241 Conditional Uses (Repealed)~~

~~Sec 66-242 Design Standards (Repealed)~~

~~Sec 66-243 Yard, Area And Building Size Requirements (Repealed)~~

~~Sec 66-244 Traditional Lots (Repealed)~~

~~Sec 66-245 Fencing, Screening, And Landscaping Requirements (Repealed)~~

~~Sec 66-246 Signs (Repealed)~~

~~Sec 66-247 Off-Street Parking And Loading (Repealed)~~

**SECTION 2:**            **REPEAL** “Sec 66-313.5 Interim Uses” of the North Branch City Code is hereby *repealed* as follows:

**BEFORE REPEAL**

Sec 66-313.5 Interim Uses

The following are interim uses in the R3 (High Density Residential) district that require City Council approval of an interim use permit and shall be in conformance with the standards specified in Section 66-62.5 of this ordinance and the additional standards specified below:

- (a) Recreational or Fitness Instruction

**AFTER REPEAL**

~~Sec 66-313.5 Interim Uses (Repealed)~~

~~The following are interim uses in the R3 (High Density Residential) district that require City Council approval of an interim use permit and shall be in conformance with the standards specified in Section 66-62.5 of this ordinance and the additional standards specified below:~~

- (a) Recreational or Fitness Instruction

**SECTION 3:            REPEAL “DIVISION 6 R-4 MANUFACTURED HOME RESIDENTIAL DISTRICT”** of the North Branch City Code is hereby *repealed* as follows:  
**BEFORE REPEAL**

DIVISION 6 R-4 MANUFACTURED HOME RESIDENTIAL DISTRICT

Sec 66-346 Purpose

The purpose of the R-4 manufactured home district is to provide for manufactured home uses in an appropriate, safe, sanitary and attractive environment.

(Code 1996, § 17.14.010)

Sec 66-347 Permitted Uses

The following are permitted uses within a R-4 manufactured home district:

- (a) Manufactured homes in manufactured home parks/developments.

(Code 1996, § 17.14.020)

Sec 66-348 Accessory Uses

The following are accessory uses within a R-4 manufactured home district:

- (a) Off-street private parking facilities.
- (b) Recreational vehicles and equipment properly located on property.
- (c) Swimming pools which have the necessary city permits, tennis courts and other recreational facilities.
- (d) Fencing, screening and landscaping as provided and regulated by section 66-970 et seq.
- (e) Signs in conformance with section 66-821 et seq.
- (f) Central office and community building.
- (g) Rental shop, renting tools and equipment to residents of park and others. Any outside storage areas must be approved by planning agency.
- (h) Storage shed not to exceed ten feet by 12 feet or a private garage if the lots are independently owned.
- (i) Home occupation in accordance with section 66-942.

- (j) Essential service buildings of 1,000 square feet or less.
- (k) Rummage/garage sales (see definition).

(Code 1996, § 17.14.030; Ord. No. 153-10, § 1, 8-9-2010)

#### Sec 66-349 Conditional Uses

There are no allowed conditional uses within a R-4 manufactured home district.

(Code 1996, § 17.14.040)

#### Sec 66-350 District Regulations

(a) General provisions:

1. Previously owned manufactured homes shall be pre-approved before moving one into a Manufactured Home Park. No manufactured home for residential purposes, under 24 feet in width shall be permitted on any site within the city unless the site is part of a manufactured home park/development approved by the state department of administration in accordance with Minn. Stats. § 327.14.2, Minnesota State Building Code.
2. Manufactured homes shall not be used for residential purposes in the city if they:
  - a. Do not conform to the requirements of the vehicle code of the state.
  - b. Are in an unsanitary condition or have an exterior in bad repair.
  - c. Are structurally unsound and do not protect the inhabitants against all elements.
  - d. Do not have adequate sewage facilities as required by the city council in accordance with the state department of health regulations.
  - e. Do not meet Manufactures Specification and State Building Codes.
3. No tents shall be used for other than recreational purposes in a manufactured home park/development.
4. Access to manufactured home park/developments shall be as approved by the city.
5. Manufactured home parks shall have an adequate central community building with the following features:
  - a. Laundry drying areas and machines.
  - b. Laundry washing machines.
  - c. Emergency shelter.
  - d. Public toilets and lavatories.

Such buildings shall have central heating and be maintained in safe, clean and sanitary condition.
6. Expansions to existing manufactured home parks/developments shall be subject to the provision placed on subdivisions within the city subdivision ordinances (located in chapter 54 of this Code).

7. Manufactured homes in existing parks/developments that are located in floodplain districts are nonconforming uses and may be replaced only if in compliance with the following conditions:
  - a. The manufactured home lies in the flood fringe district.
  - b. The manufactured home is anchored with tie downs that comply with Manufactures Specifications or the Minnesota State Building Code and subsection d. below.
  - c. The manufactured home owner or renter is notified that the manufactured home site lies in the floodplain and may be subject to flooding.
  - d. The manufactured home park owner develops a flood emergency plan consistent with the time available after a flood warning. The plan shall be filed with and approved by the department of natural resources.
8. Emergency shelter shall be updated and inspected between the 1st of April and the 1st of May of each year.
  - a. Emergency shelters shall be:
    - i. Approved by city council.
    - i. Structurally sound.
    - i. Provide adequate room for the residents of the manufactured home park.
    - iv. Provide easy access into the storm shelter.
  - (b) A site plan shall be submitted to the planning agency and city council in accordance with procedures outlined and information required in chapter 54.

(Code 1996, § 17.14.050; Ord. No. 153-10, § 1, 8-9-2010)

Sec 66-351 Design Standards

The following are minimum design standards for the R-4 manufactured home district:

- (a) *Enclosure.* The area beneath a manufactured home shall be enclosed, except that such enclosure must have access for inspection and vented to code.
- (b) *Anchoring.* Anchoring and support system for manufactured homes shall not be permanently affixed to foundations and installed to Manufactures Specifications/Minnesota State Building Code. When manufactures specification are not available then anchoring shall meet the state department of administration, building code division and the number of ties shall be in accordance with the following table:

**Number of Ties Required per Side of Singlewide<sup>1</sup> Manufactured Homes<sup>2</sup>**

			Alternative Method <sup>4</sup>	
Length of Manufactured Home (Feet) <sup>3</sup>	No. of Vertical Ties	No. of Diagonal Ties <sup>5</sup>	No. of Bailing Straps <sup>4</sup>	No. of Diagonal Ties <sup>6</sup>

(1)	(2)	(3)	(4)	(5)
Up to 40	2	3	2	3
40—46	2	3	2	3
46—49	2	3	2	3
49—54	2	3	2	3
54—58	2	4	2	4
58—64	2	4	2	4
64—70	2	4	2	5
70—73	2	4	2	5
73—84	2	5	2	5

<sup>1</sup>Doublewide manufactured homes require only the diagonal ties specified in column 3, and these shall be placed along the outer sidewalls.

<sup>2</sup>Except when the anchoring system is designated and approved by a registered professional engineer or architect.

<sup>3</sup>Length of manufactured home (as used in this table) means length excluding draw bar.

<sup>4</sup>Alternate method. When this method is used, an approved reinforcement means shall be provided. If bailing is used to accomplish this reinforcement, the provisions of Part 1350.2600, subpart 2, item f, shall apply.

<sup>5</sup>Diagonal ties in this method shall deviate at least 40 degrees from vertical.

<sup>6</sup>Diagonal ties in this method shall be 45 degrees plus five degrees from vertical and shall be attached to the nearest main frame member.

(c) *Utilities.*

1. All manufactured homes shall be connected to a public water and sanitary sewer system or a private water and sewer system approved by the state department of health.
2. All installations for disposal of surface stormwater must be approved by the state department of health.
3. All utility connections shall be as approved by the city.
4. All utilities shall be underground. There shall be no overhead wires or supporting poles except those essential for street or other lighting.

5. The method of garbage, waste, and trash disposal must be approved by the city.
  6. Owner shall pay any required sewer connection fees to the city.
- (d) *Streets*.
1. Streets shall be hard surfaced as approved by the city.
  2. Streets shall have a hard surfaced curb and gutter.
  3. The minimum paved street width, shall be 32 feet unless city council approval is given for a 28-foot rural section.
- (e) *Recreation*. All manufactured home parks/developments shall have at least ten percent of the land areas developed for recreational use (tennis courts, childrens' play equipment, swimming pool, golf green, etc.) developed and maintained at the owner-operator's expense, unless the city agrees to maintain the recreational land.
- (f) *Lighting*. Artificial light shall be maintained during all hours of darkness in all buildings containing public toilets, laundry equipment and the like.

(Code 1996, § 17.14.060; Ord. No. 153-10, § 1, 8-9-2010)

#### Sec 66-352 Yard And Area Requirements

The following are yard and area regulations for the R-4 manufactured home district.

- (a) Minimum lot area for each manufactured home: 4,000 square feet of land area for the exclusive use of the occupant.
- (b) Minimum lot width: 40 feet.
- (c) Minimum lot depth: 100 feet.
- (d) Minimum road frontage: 16 feet in width on an approved roadway.
- (e) The corner of each manufactured home site shall be marked and each site shall be numbered.
- (f) Yard dimensions:
  1. Front yard setback: 20 feet from the road right-of-way or lot line.
  2. Side yard setback: minimum of six feet from the (interior) lot lines.
  3. Corner side yard setback: minimum of ten feet from the lot line or road right-of-way.
  4. Rear yard setback: minimum of ten feet from the lot line or easement line if applicable.
  5. No unit or building shall be located within 30 feet of the exterior boundary of any manufactured home park/district.
- (g) Wetland setback:
  1. A 20-foot natural buffer shall be maintained adjacent to all wetlands on lots created after the adoption of this chapter.
  2. A minimum 40-foot setback is required for all structures adjacent to all wetlands on lots created after the adoption of this chapter.
- (h) Floor elevation:
  1. The lowest floor elevation for new or redevelopment will be three feet above the highest known groundwater level.

2. The lowest floor elevation for new or redevelopment will be two feet above the 100-year flood elevation.

(Code 1996, § 17.14.070; Ord. No. 153-10, § 1, 8-9-2010)

#### Sec 66-353 Fencing, Screening, And Landscaping Requirements

The following fencing, screening and landscaping requirements apply to all developments in the R-4 manufactured home district:

- (a) A green belt, at least 20 feet in width, shall be located along all boundaries of the manufactured home park/development, except where it is crossed by driveways, streets and roads.
- (b) Additional fencing, screening and landscaping standards and requirements are contained in section 66-970 et seq.

(Code 1996, § 17.14.080)

#### Sec 66-354 Signs

All signs within the district shall comply with section 66-821 et seq.

(Code 1996, § 17.14.090)

#### Sec 66-355 Off-Street Parking And Loading

The following parking and loading regulations apply in the R-4 manufactured home district:

- (a) Each manufactured home site shall have off-street parking space for two automobiles.
- (b) Each manufactured home park shall maintain a hard surfaced off-street parking lot for guests of occupants in the amount of one space for each five manufactured home sites.
- (c) Access drives off roads to all parking spaces and home sites shall be hard surfaced.

(Code 1996, § 17.14.100)

### AFTER REPEAL

#### Sec 66-346 Purpose

The purpose of the R-4 manufactured home district is to provide for manufactured home uses in an appropriate, safe, sanitary and attractive environment.

(Code 1996, § 17.14.010)

#### Sec 66-347 Permitted Uses

The following are permitted uses within a R-4 manufactured home district:

- (a) Manufactured homes in manufactured home parks/developments.

(Code 1996, § 17.14.020)

#### Sec 66-348 Accessory Uses

The following are accessory uses within a R-4 manufactured home district:

- (a) Off-street private parking facilities.
- (b) Recreational vehicles and equipment properly located on property.
- (c) Swimming pools which have the necessary city permits, tennis courts and other recreational facilities.
- (d) Fencing, screening and landscaping as provided and regulated by section 66-970 et seq.
- (e) Signs in conformance with section 66-821 et seq.
- (f) Central office and community building.
- (g) Rental shop, renting tools and equipment to residents of park and others. Any outside storage areas must be approved by planning agency.
- (h) Storage shed not to exceed ten feet by 12 feet or a private garage if the lots are independently owned.
- (i) Home occupation in accordance with section 66-942.
- (j) Essential service buildings of 1,000 square feet or less.
- (k) Rummage/garage sales (see definition).

(Code 1996, § 17.14.030; Ord. No. 153-10, § 1, 8-9-2010)

#### Sec 66-349 Conditional Uses

There are no allowed conditional uses within a R-4 manufactured home district.

(Code 1996, § 17.14.040)

#### Sec 66-350 District Regulations

- (a) General provisions:
  1. Previously owned manufactured homes shall be pre-approved before moving one into a Manufactured Home Park. No manufactured home for residential purposes, under 24 feet in width shall be permitted on any site within the city unless the site is part of a manufactured home park/development approved by the state department of administration in accordance with Minn. Stats. § 327.14.2, Minnesota State Building Code.
  2. Manufactured homes shall not be used for residential purposes in the city if they:
    - a. Do not conform to the requirements of the vehicle code of the state.
    - b. Are in an unsanitary condition or have an exterior in bad repair.

- c. Are structurally unsound and do not protect the inhabitants against all elements.
  - d. Do not have adequate sewage facilities as required by the city council in accordance with the state department of health regulations.
  - e. Do not meet Manufactures Specification and State Building Codes.
3. No tents shall be used for other than recreational purposes in a manufactured home park/development.
  4. Access to manufactured home park/developments shall be as approved by the city.
  5. Manufactured home parks shall have an adequate central community building with the following features:
    - a. Laundry drying areas and machines.
    - b. Laundry washing machines.
    - c. Emergency shelter.
    - d. Public toilets and lavatories.

Such buildings shall have central heating and be maintained in safe, clean and sanitary condition.

6. Expansions to existing manufactured home parks/developments shall be subject to the provision placed on subdivisions within the city subdivision ordinances (located in chapter 54 of this Code).
  7. Manufactured homes in existing parks/developments that are located in floodplain districts are nonconforming uses and may be replaced only if in compliance with the following conditions:
    - a. The manufactured home lies in the flood fringe district.
    - b. The manufactured home is anchored with tie downs that comply with Manufactures Specifications or the Minnesota State Building Code and subsection d. below.
    - c. The manufactured home owner or renter is notified that the manufactured home site lies in the floodplain and may be subject to flooding.
    - d. The manufactured home park owner develops a flood emergency plan consistent with the time available after a flood warning. The plan shall be filed with and approved by the department of natural resources.
  8. Emergency shelter shall be updated and inspected between the 1st of April and the 1st of May of each year.
    - a. Emergency shelters shall be:
      - i. Approved by city council.
      - ii. Structurally sound.
      - iii. Provide adequate room for the residents of the manufactured home park.
      - iv. Provide easy access into the storm shelter.
- (b) A site plan shall be submitted to the planning agency and city council in accordance with procedures outlined and information required in chapter 54.

(Code 1996, § 17.14.050; Ord. No. 153-10, § 1, 8-9-2010)

Sec 66-351 Design Standards

The following are minimum design standards for the R-4 manufactured home district:

- (a) *Enclosure.* The area beneath a manufactured home shall be enclosed, except that such enclosure must have access for inspection and vented to code.
- (b) *Anchoring.* Anchoring and support system for manufactured homes shall not be permanently affixed to foundations and installed to Manufactures Specifications/Minnesota State Building Code. When manufactures specification are not available then anchoring shall meet the state department of administration, building code division and the number of ties shall be in accordance with the following table:

**Number of Ties Required per Side of Singlewide<sup>1</sup> Manufactured Homes<sup>2</sup>**

Length of Manufactured Home (Feet) <sup>3</sup>	No. of Vertical Ties	No. of Diagonal Ties <sup>5</sup>	Alternative Method <sup>4</sup>	
			No. of Bailing Straps <sup>4</sup>	No. of Diagonal Ties <sup>6</sup>
(1)	(2)	(3)	(4)	(5)
Up to 40	2	3	2	3
40—46	2	3	2	3
46—49	2	3	2	3
49—54	2	3	2	3
54—58	2	4	2	4
58—64	2	4	2	4
64—70	2	4	2	5
70—73	2	4	2	5
73—84	2	5	2	5

<sup>1</sup>Doublewide manufactured homes require only the diagonal ties specified in column 3, and these shall be placed along the outer sidewalls.

<sup>2</sup>Except when the anchoring system is designated and approved by a registered professional engineer or architect.

<sup>3</sup>Length of manufactured home (as used in this table) means length excluding draw bar.

<sup>4</sup>Alternate method. When this method is used, an approved reinforcement means shall be provided. If bailing is used to accomplish this reinforcement, the provisions of Part 1350.2600, subpart 2, item f, shall apply.

<sup>5</sup>Diagonal ties in this method shall deviate at least 40 degrees from vertical.

<sup>6</sup>Diagonal ties in this method shall be 45 degrees plus five degrees from vertical and shall be attached to the nearest main frame member.

(c) *Utilities.*

1. All manufactured homes shall be connected to a public water and sanitary sewer system or a private water and sewer system approved by the state department of health.
2. All installations for disposal of surface stormwater must be approved by the state department of health.
3. All utility connections shall be as approved by the city.
4. All utilities shall be underground. There shall be no overhead wires or supporting poles except those essential for street or other lighting.
5. The method of garbage, waste, and trash disposal must be approved by the city.
6. Owner shall pay any required sewer connection fees to the city.

(d) *Streets.*

1. Streets shall be hard surfaced as approved by the city.
2. Streets shall have a hard surfaced curb and gutter.
3. The minimum paved street width, shall be 32 feet unless city council approval is given for a 28-foot rural section.

(e) *Recreation.* All manufactured home parks/developments shall have at least ten percent of the land areas developed for recreational use (tennis courts, childrens' play equipment, swimming pool, golf green, etc.) developed and maintained at the owner-operator's expense, unless the city agrees to maintain the recreational land.

(f) *Lighting.* Artificial light shall be maintained during all hours of darkness in all buildings containing public toilets, laundry equipment and the like.

(Code 1996, § 17.14.060; Ord. No. 153-10, § 1, 8-9-2010)

### Sec 66-352 Yard And Area Requirements

The following are yard and area regulations for the R-4 manufactured home district.

- (a) Minimum lot area for each manufactured home: 4,000 square feet of land area for the exclusive use of the occupant.
- (b) Minimum lot width: 40 feet.
- (c) Minimum lot depth: 100 feet.
- (d) Minimum road frontage: 16 feet in width on an approved roadway.

- (e) The corner of each manufactured home site shall be marked and each site shall be numbered.
- (f) Yard dimensions:
  - 1. Front yard setback: 20 feet from the road right-of-way or lot line.
  - 2. Side yard setback: minimum of six feet from the (interior) lot lines.
  - 3. Corner side yard setback: minimum of ten feet from the lot line or road right-of-way.
  - 4. Rear yard setback: minimum of ten feet from the lot line or easement line if applicable.
  - 5. No unit or building shall be located within 30 feet of the exterior boundary of any manufactured home park/district.
- (g) Wetland setback:
  - 1. A 20-foot natural buffer shall be maintained adjacent to all wetlands on lots created after the adoption of this chapter.
  - 2. A minimum 40-foot setback is required for all structures adjacent to all wetlands on lots created after the adoption of this chapter.
- (h) Floor elevation:
  - 1. The lowest floor elevation for new or redevelopment will be three feet above the highest known groundwater level.
  - 2. The lowest floor elevation for new or redevelopment will be two feet above the 100-year flood elevation.

(Code 1996, § 17.14.070; Ord. No. 153-10, § 1, 8-9-2010)

#### Sec 66-353 Fencing, Screening, And Landscaping Requirements

The following fencing, screening and landscaping requirements apply to all developments in the R-4 manufactured home district:

- (a) A green belt, at least 20 feet in width, shall be located along all boundaries of the manufactured home park/development, except where it is crossed by driveways, streets and roads.
- (b) Additional fencing, screening and landscaping standards and requirements are contained in section 66-970 et seq.

(Code 1996, § 17.14.080)

#### Sec 66-354 Signs

All signs within the district shall comply with section 66-821 et seq.

(Code 1996, § 17.14.090)

#### Sec 66-355 Off-Street Parking And Loading

The following parking and loading regulations apply in the R-4 manufactured home district:

- (a) Each manufactured home site shall have off-street parking space for two automobiles.
- (b) Each manufactured home park shall maintain a hard surfaced off-street parking lot for guests of occupants in the amount of one space for each five manufactured home sites.
- (c) Access drives off roads to all parking spaces and home sites shall be hard surfaced.

(Code 1996, § 17.14.100)

~~DIVISION 6 R-4 MANUFACTURED HOME RESIDENTIAL DISTRICT~~ *(Repealed)*

~~Sec 66-346 Purpose~~ *(Repealed)*

~~Sec 66-347 Permitted Uses~~ *(Repealed)* ~~See~~

~~66-348 Accessory Uses~~ *(Repealed)* ~~Sec 66-~~

~~349 Conditional Uses~~ *(Repealed)* ~~Sec 66-~~

~~350 District Regulations~~ *(Repealed)* ~~Sec 66-~~

~~351 Design Standards~~ *(Repealed)*

~~Sec 66-352 Yard And Area Requirements~~ *(Repealed)*

~~Sec 66-353 Fencing, Screening, And Landscaping Requirements~~ *(Repealed)*

~~Sec 66-354 Signs~~ *(Repealed)*

~~Sec 66-355 Off Street Parking And Loading~~ *(Repealed)*

~~Sec 66-346 Purpose~~ *(Repealed)*

~~Sec 66-347 Permitted Uses~~ *(Repealed)* ~~See~~

~~66-348 Accessory Uses~~ *(Repealed)* ~~Sec 66-~~

~~349 Conditional Uses~~ *(Repealed)* ~~Sec 66-~~

~~350 District Regulations~~ *(Repealed)* ~~Sec 66-~~

~~351 Design Standards~~ *(Repealed)*

~~Sec 66-352 Yard And Area Requirements~~ *(Repealed)*

~~Sec 66-353 Fencing, Screening, And Landscaping Requirements~~ *(Repealed)*

~~Sec 66-354 Signs~~ *(Repealed)*

~~Sec 66-355 Off Street Parking And Loading~~ *(Repealed)*

**SECTION 4:**            **AMENDMENT** “DIVISION 7 AG-1 AGRICULTURAL DISTRICT” of the North Branch City Code is hereby *amended* as follows:

**BEFORE AMENDMENT**

DIVISION 7 AG-1 AGRICULTURAL DISTRICT

**AFTER AMENDMENT**

DIVISION 7 AG-~~1~~ AGRICULTURAL DISTRICT

**SECTION 5:**            **REPEAL** “DIVISION 8 AG-2 AGRICULTURAL DISTRICT” of the North Branch City Code is hereby *repealed* as follows:

**BEFORE REPEAL**

DIVISION 8 AG-2 AGRICULTURAL DISTRICT

Sec 66-415 Purpose

The purpose of the AG-2 agricultural district is to preserve, promote, maintain and enhance the use of land for agricultural purposes and to protect such land from encroachment by nonagricultural uses.

(Code 1996, § 17.17.010)

Sec 66-416 Permitted Uses

The following are permitted uses in the AG-2 agricultural district:

- (a) Agriculture, including farm dwellings and agricultural related buildings and structures subject to state pollution control standards.
- (b) Commercial agricultural uses.
- (c) Public parks, recreational areas, historical sites, wildlife areas and game refuges.
- (d) Single-family residences.
- (e) Boarding (house) home, foster children. Restricted to serving six or fewer persons.
- (f) Day care home. Restricted to a family dwelling in which foster care, supervision, and training for children of school or pre-school age, out of their own home is provided during part of a day (less than 24 hours) with no overnight accommodations or facilities and children are delivered and removed daily. All such uses shall be licensed in accordance with state law and state department of public welfare regulations and such facilities are restricted to serving ten or fewer persons.

- (g) A state licensed residential facility serving from one to six mentally or physically disabled persons.
- (h) Solar farms as a principal use, in accordance with the provisions of article XI (solar energy systems) of the zoning ordinance.
- (i) Yard Waste Composting as licensed and regulated by section 18-300 et seq

(Code 1996, § 17.17.020; Ord. No. 153-10, § 1, 8-9-2010; Ord. No. 211-14, § 2, 7-28-2014)

#### Sec 66-417 Accessory Uses

The following are permitted accessory uses in the AG-2 agricultural district:

1. Operation and storage of such vehicles, equipment and machinery which are incidental to permitted or conditional uses allowed in this district.
2. Home occupations as regulated by section 66-942.
3. Fencing, screening and landscaping in compliance with section 66-421.
4. Boat houses, piers and docks.
5. Signs in compliance with section 66-821 et seq.
6. Essential services.
7. Essential service buildings of 1,000 square feet or less.
8. Rummage/garage sales (see definition).
9. Accessory Structures non-agricultural related.

(Code 1996, § 17.17.030; Ord. No. 153-10, § 1, 8-9-2010)

#### Sec 66-417.5 Interim Uses

The following uses are interim uses in the AG2 (agricultural) district that require city council approval of an interim use permit and shall be in conformance with the standards specified in section 66-64 of this chapter and the additional standards specified below:

- (a) One temporary manufactured home for the property owners to occupy when rebuilding their primary residence after a fire, flood, tornado, wind damage or other destructive event or for the parents, grandparents or children of the property owners subject to:
  1. The manufactured home would be located on a parcel of at least one-half acre (21,780 square feet) of buildable land with one permanent dwelling. The occupant(s) of either the manufactured home or the permanent dwelling must be:
    - a. The parents(s) or grandparents of the occupant of the other residence on the property; or
    - b. A child, sister, brother or grandchild who has full or total disability as classified by Social Security, Worker's compensation or a doctor and who resides in or will reside in one of the residences.
  2. The applicant shall submit with the initial application and annually thereafter, a signed statement certifying that the occupants of the manufactured home is a parent, grandparent, child, sister or brother who suffers a full or total disability

as classified by Social Security, Worker's Compensation or a doctor. The statement shall describe the need that makes it necessary for parents. Grandparents or relative of the first degree to live on the same parcel with the children or children or a release that will allow the city administrator or his/her designee to verify the disability.

3. The owner shall remove the manufactured home from the site within 120 days of such time as it or the permanent residence ceases to be occupied by a parent, grandparent, child, grandchild, sister or brother.
4. The owner shall not make the manufactured home a permanent residence.
5. The manufactured home shall not require the creation of a separate well.
6. An on-site sewage treatment system to serve the manufactured home can be installed on the property in accordance to all city and state standards or if possible, the owners may attach the sewage system for the manufactured home to an existing on-site sewage system if the existing system has enough capacity for additional users.
7. The placement of the proposed manufactured home must meet all setback standards and shall not cause drainage or stormwater run-off problems for adjacent properties.
8. The owner shall not place the manufactured home in a front yard.
9. The owner submitting to the city an escrow, issued in the name of the city and payable to the city, for the sum of \$5,000.00 that the city may draw down at its sole discretion for the purposes including, but not limited to, the cost of capping and closing of any separate on-site sewage treatment systems, wells, administrative and legal fees and the repayment of delinquent personal property taxes on the manufactured home. The city shall hold the escrow for as long as the manufactured home is on the property. The city shall hold the escrow for as long as the manufactured home is on the property and shall return the escrow within 90 days of the completion of all necessary site restoration.

(Ord. No. 210-14, § 5, 7-14-2014)

#### Sec 66-418 Condition Uses

The following are conditional uses in the AG-2 agricultural district, which require a conditional use permit based upon procedures, factors and conditions set forth in and regulated by section 66-62 et seq.:

- (a) Public- or semi-public recreational buildings and neighborhood or community centers; public and private educational institutions, limited to elementary, junior high, senior high schools and post secondary facilities; and religious institutions such as churches, chapels, temples and synagogues.
- (b) Governmental and public utility buildings and structures necessary for the health, safety and general welfare of the community.
- (c) Commercial outdoor recreational areas including golf courses and clubhouse country clubs, swimming pools which have the necessary city permits and similar facilities.

- (d) Commercial riding stables and similar uses.
- (e) Recreational, travel vehicle campsites, not including manufactured homes.
- (f) Bed and breakfast inns.
- (g) Living quarters for persons employed on the premises.
- (h) Licensed day care facility located in the same building or parcel as a religious institution such as churches, chapels, temples, and synagogues, provided the regulations of the Human Services Licensing Act, Minn. Stats. ch. 245A, and the state building, fire and health regulations are satisfactorily met.
- (i) Manufactured homes not meeting the design standards set forth in section 66-419 under the following conditions:
  1. The manufactured home must be used only as a temporary accessory residence for farm workers employed on the premises.
  2. The parcel is a bona fide farm as defined under city ordinances or receives green acres credits and has a minimum of 40 acres.
  3. A \$2,500.00 performance bond, letter of credit, or cash escrow is posted for each structure to ensure the removal of the temporary dwelling.
  4. Adequate sewage facilities must be provided.
  5. No more than six temporary accessory residences may be placed on one lot of record.
  6. The conditional use permit shall be renewed annually.
  7. The manufactured home shall be anchored in accordance to 2MCAR 1.90103 of the State Administrative Code and section 66-351(2).
  8. The manufactured home shall have minimum width of 12 feet and contain a minimum of 640 square feet.
  9. The manufactured home design shall comply with all state and federal standards, including chapter 4630 of the state department of health administrative rules.
- (j) Multiple principal buildings on a lot of record for churches and schools provided the buildings are under common ownership and the buildings are used for related uses.
- (k) Residential planned unit developments as regulated by section 66-788 et seq.
- (l) Plumbing in accessory structures subject to the following:
  1. The accessory structure shall not be converted into living area. The conditional use is for bathroom facilities only.
  2. The property may be inspected at any time to assure compliance with the conditional use permit.
  3. If the accessory structure is converted into living area then all cost associated with converting it back including any legal fees are the responsibility of the property owner.
- (m) Buildings only owned and used by religious institutions for support or related functions or activities of a religious institution.

(Code 1996, § 17.17.040; Ord. No. 102, § 1 (17.17.045), 10-24-2005; Ord. No. 135-09, § 1, 5-11-2009; Ord. No. 139-09, § 1, 8-10-2009; Ord. No. 153-10, § 1, 8-9-2010; Ord. No. 224-15, § 7, 4-28-2015)

Sec 66-419 Design Standards

The following are minimum design standards for the AG-2 agricultural district:

- (a) Dwelling units in this zoning district must meet the following minimum structural design standards:
  - 1. Minimum ground floor area shall be 800 square feet for a single story dwelling. A dwelling unit with one and a half or more stories shall have a minimum of 800 square feet on main floor.
  - 2. Permanent full perimeter footings; with foundation walls of concrete, concrete block, wood, or any other approved material or method. Decks and porches are allowed on pier type footings.
  - 3. Minimum width: 24 feet.
  - 4. A minimum roof pitch of 4/12, 4" vertical rise for each 12" horizontal run.
  - 5. Provisions for decks must be shown on original plans when a sliding glass door, patio door, etc., are installed.
  - 6. Compliance with the requirements of the State Building Code.
- (b) Garages in this zoning district must meet the following minimum structural design standards:
  - 1. Rear or side yard or attached garage required except when the garage is located in the front yard on lots nominally five acres or larger.
  - 2. Minimum size: 400 square feet.
- (c) Accessory buildings in this zoning district must meet the following minimum structural design standards:
  - 1. Shall not be erected within six feet of any lot boundary or alley. Accessory structures shall not be constructed in the front yard and shall be setback at least 50 feet from the property line.
  - 2. Additional standards and requirements for accessory buildings are contained in section 66-898.
- (d) Agricultural accessory buildings in this zoning district must meet the following minimum structural design standards:
  - 1. Only those lots of ten acres or more and which receive green acres credits or are being used for an agricultural use as described in section 66-170 et seq., may use the provisions pertaining to agricultural accessory buildings.
  - 2. There are no size or quantity limitations on agricultural accessory buildings.
  - 3. A locate/site permit is required for all agricultural accessory buildings.
  - 4. Agriculture accessory buildings shall not be erected within six feet of any lot boundary or alley.
  - 5. Accessory buildings on lots in the AG zoning district which are not ten acres or receive green acres credits shall not be closer than six feet from the lot line. Size and height shall be regulated by section 66-898

(Code 1996, § 17.17.050; Ord. No. 153-10, § 1, 8-9-2010; Ord. No. 187-12, § 1, 4-9-2012)

Sec 66-420 Yard, Area, And Building Size Requirements

The following are yard, area and building size regulations for permitted dwellings units in the AG-2 agricultural district.

- (a) Lot area: a minimum of ten acres.
- (b) Lot width: minimum of 300 feet.
- (c) Minimum lot depth: 500 feet.
- (d) Yard dimensions:
  - 1. Front yard setback: minimum 50 feet from the lot line or road right-of-way if applicable.
  - 2. Side yard setback (each side): minimum 50 feet from the lot line.
  - 3. Rear yard setback: minimum of 50 feet from the lot line.
- (e) Maximum building height: 35 feet for principal residence or dwelling unit.
- (f) Maximum impervious area: 50 percent.
- (g) Wetland setback:
  - 1. A 20-foot natural buffer shall be maintained adjacent to all wetlands on lots created after the adoption of this chapter.
  - 2. A minimum 40-foot setback is required for all structures adjacent to all wetlands on lots created after the adoption of this chapter.
- (h) Floor elevation:
  - 1. The lowest floor elevation for new or redevelopment will be three feet above the highest known groundwater level.
  - 2. The lowest floor elevation for new or redevelopment will be two feet above the 100-year flood elevation.

(Code 1996, § 17.17.060; Ord. No. 153-10, § 1, 8-9-2010)

#### Sec 66-421 Fencing, Screening, And Landscaping Requirements

The fencing, screening and landscaping requirements in section 66-970 et seq. shall apply to all developments in the AG-2 agricultural district except for the following:

- (a) Permits are not required for fences on bona fide farms in the AG-2 zone.

(Code 1996, § 17.17.070)

#### Sec 66-422 Signs

All signs within the AG-2 agricultural district shall comply with section 66-821 et seq.

(Code 1996, § 17.17.080)

#### Sec 66-423 Off-Street Parking Loading

For permitted single-family dwellings, two off-street parking and loading spaces shall be provided and maintained. All other uses must comply with section 66-848 et seq.

(Code 1996, § 17.17.090)

Sec 66-424 Animals In AG-2 District

AFTER REPEAL

Sec 66-415 Purpose

The purpose of the AG-2 agricultural district is to preserve, promote, maintain and enhance the use of land for agricultural purposes and to protect such land from encroachment by nonagricultural uses.

(Code 1996, § 17.17.010)

Sec 66-416 Permitted Uses

The following are permitted uses in the AG-2 agricultural district:

- (a) Agriculture, including farm dwellings and agricultural related buildings and structures subject to state pollution control standards.
- (b) Commercial agricultural uses.
- (c) Public parks, recreational areas, historical sites, wildlife areas and game refuges.
- (d) Single-family residences.
- (e) Boarding (house) home, foster children. Restricted to serving six or fewer persons.
- (f) Day care home. Restricted to a family dwelling in which foster care, supervision, and training for children of school or pre-school age, out of their own home is provided during part of a day (less than 24 hours) with no overnight accommodations or facilities and children are delivered and removed daily. All such uses shall be licensed in accordance with state law and state department of public welfare regulations and such facilities are restricted to serving ten or fewer persons.
- (g) A state licensed residential facility serving from one to six mentally or physically disabled persons.
- (h) Solar farms as a principal use, in accordance with the provisions of article XI (solar energy systems) of the zoning ordinance.
- (i) Yard Waste Composting as licensed and regulated by section 18-300 et seq

(Code 1996, § 17.17.020; Ord. No. 153-10, § 1, 8-9-2010; Ord. No. 211-14, § 2, 7-28-2014)

Sec 66-417 Accessory Uses

The following are permitted accessory uses in the AG-2 agricultural district:

1. Operation and storage of such vehicles, equipment and machinery which are incidental to permitted or conditional uses allowed in this district.
2. Home occupations as regulated by section 66-942.
3. Fencing, screening and landscaping in compliance with section 66-421.
4. Boat houses, piers and docks.

5. Signs in compliance with section 66-821 et seq.
6. Essential services.
7. Essential service buildings of 1,000 square feet or less.
8. Rummage/garage sales (see definition).
9. Accessory Structures non-agricultural related.

(Code 1996, § 17.17.030; Ord. No. 153-10, § 1, 8-9-2010)

#### Sec 66-417.5 Interim Uses

The following uses are interim uses in the AG2 (agricultural) district that require city council approval of an interim use permit and shall be in conformance with the standards specified in section 66-64 of this chapter and the additional standards specified below:

- (a) One temporary manufactured home for the property owners to occupy when rebuilding their primary residence after a fire, flood, tornado, wind damage or other destructive event or for the parents, grandparents or children of the property owners subject to:
  1. The manufactured home would be located on a parcel of at least one-half acre (21,780 square feet) of buildable land with one permanent dwelling. The occupant(s) of either the manufactured home or the permanent dwelling must be:
    - a. The parents(s) or grandparents of the occupant of the other residence on the property; or
    - b. A child, sister, brother or grandchild who has full or total disability as classified by Social Security, Worker's compensation or a doctor and who resides in or will reside in one of the residences.
  2. The applicant shall submit with the initial application and annually thereafter, a signed statement certifying that the occupants of the manufactured home is a parent, grandparent, child, sister or brother who suffers a full or total disability as classified by Social Security, Worker's Compensation or a doctor. The statement shall describe the need that makes it necessary for parents. Grandparents or relative of the first degree to live on the same parcel with the children or children or a release that will allow the city administrator or his/her designee to verify the disability.
  3. The owner shall remove the manufactured home from the site within 120 days of such time as it or the permanent residence ceases to be occupied by a parent, grandparent, child, grandchild, sister or brother.
  4. The owner shall not make the manufactured home a permanent residence.
  5. The manufactured home shall not require the creation of a separate well.
  6. An on-site sewage treatment system to serve the manufactured home can be installed on the property in accordance to all city and state standards or if possible, the owners may attach the sewage system for the manufactured home to an existing on-site sewage system if the existing system has enough capacity for additional users.

7. The placement of the proposed manufactured home must meet all setback standards and shall not cause drainage or stormwater run-off problems for adjacent properties.
8. The owner shall not place the manufactured home in a front yard.
9. The owner submitting to the city an escrow, issued in the name of the city and payable to the city, for the sum of \$5,000.00 that the city may draw down at its sole discretion for the purposes including, but not limited to, the cost of capping and closing of any separate on-site sewage treatment systems, wells, administrative and legal fees and the repayment of delinquent personal property taxes on the manufactured home. The city shall hold the escrow for as long as the manufactured home is on the property. The city shall hold the escrow for as long as the manufactured home is on the property and shall return the escrow within 90 days of the completion of all necessary site restoration.

(Ord. No. 210-14, § 5, 7-14-2014)

#### Sec 66-418 Condition Uses

The following are conditional uses in the AG-2 agricultural district, which require a conditional use permit based upon procedures, factors and conditions set forth in and regulated by section 66-62 et seq.:

- (a) Public- or semi-public recreational buildings and neighborhood or community centers; public and private educational institutions, limited to elementary, junior high, senior high schools and post secondary facilities; and religious institutions such as churches, chapels, temples and synagogues.
- (b) Governmental and public utility buildings and structures necessary for the health, safety and general welfare of the community.
- (c) Commercial outdoor recreational areas including golf courses and clubhouse country clubs, swimming pools which have the necessary city permits and similar facilities.
- (d) Commercial riding stables and similar uses.
- (e) Recreational, travel vehicle campsites, not including manufactured homes.
- (f) Bed and breakfast inns.
- (g) Living quarters for persons employed on the premises.
- (h) Licensed day care facility located in the same building or parcel as a religious institution such as churches, chapels, temples, and synagogues, provided the regulations of the Human Services Licensing Act, Minn. Stats. ch. 245A, and the state building, fire and health regulations are satisfactorily met.
- (i) Manufactured homes not meeting the design standards set forth in section 66-419 under the following conditions:
  1. The manufactured home must be used only as a temporary accessory residence for farm workers employed on the premises.
  2. The parcel is a bona fide farm as defined under city ordinances or receives green acres credits and has a minimum of 40 acres.

3. A \$2,500.00 performance bond, letter of credit, or cash escrow is posted for each structure to ensure the removal of the temporary dwelling.
  4. Adequate sewage facilities must be provided.
  5. No more than six temporary accessory residences may be placed on one lot of record.
  6. The conditional use permit shall be renewed annually.
  7. The manufactured home shall be anchored in accordance to 2MCAR 1.90103 of the State Administrative Code and section 66-351(2).
  8. The manufactured home shall have minimum width of 12 feet and contain a minimum of 640 square feet.
  9. The manufactured home design shall comply with all state and federal standards, including chapter 4630 of the state department of health administrative rules.
- (j) Multiple principal buildings on a lot of record for churches and schools provided the buildings are under common ownership and the buildings are used for related uses.
- (k) Residential planned unit developments as regulated by section 66-788 et seq.
- (l) Plumbing in accessory structures subject to the following:
1. The accessory structure shall not be converted into living area. The conditional use is for bathroom facilities only.
  2. The property may be inspected at any time to assure compliance with the conditional use permit.
  3. If the accessory structure is converted into living area then all cost associated with converting it back including any legal fees are the responsibility of the property owner.
- (m) Buildings only owned and used by religious institutions for support or related functions or activities of a religious institution.

(Code 1996, § 17.17.040; Ord. No. 102, § 1 (17.17.045), 10-24-2005; Ord. No. 135-09, § 1, 5-11-2009; Ord. No. 139-09, § 1, 8-10-2009; Ord. No. 153-10, § 1, 8-9-2010; Ord. No. 224-15, § 7, 4-28-2015)

#### Sec 66-419 Design Standards

The following are minimum design standards for the AG-2 agricultural district:

- (a) Dwelling units in this zoning district must meet the following minimum structural design standards:
1. Minimum ground floor area shall be 800 square feet for a single story dwelling. A dwelling unit with one and a half or more stories shall have a minimum of 800 square feet on main floor.
  2. Permanent full perimeter footings; with foundation walls of concrete, concrete block, wood, or any other approved material or method. Decks and porches are allowed on pier type footings.
  3. Minimum width: 24 feet.
  4. A minimum roof pitch of 4/12, 4" vertical rise for each 12" horizontal run.

5. Provisions for decks must be shown on original plans when a sliding glass door, patio door, etc., are installed.
  6. Compliance with the requirements of the State Building Code.
- (b) Garages in this zoning district must meet the following minimum structural design standards:
1. Rear or side yard or attached garage required except when the garage is located in the front yard on lots nominally five acres or larger.
  2. Minimum size: 400 square feet.
- (c) Accessory buildings in this zoning district must meet the following minimum structural design standards:
1. Shall not be erected within six feet of any lot boundary or alley. Accessory structures shall not be constructed in the front yard and shall be setback at least 50 feet from the property line.
  2. Additional standards and requirements for accessory buildings are contained in section 66-898.
- (d) Agricultural accessory buildings in this zoning district must meet the following minimum structural design standards:
1. Only those lots of ten acres or more and which receive green acres credits or are being used for an agricultural use as described in section 66-170 et seq., may use the provisions pertaining to agricultural accessory buildings.
  2. There are no size or quantity limitations on agricultural accessory buildings.
  3. A locate/site permit is required for all agricultural accessory buildings.
  4. Agriculture accessory buildings shall not be erected within six feet of any lot boundary or alley.
  5. Accessory buildings on lots in the AG zoning district which are not ten acres or receive green acres credits shall not be closer than six feet from the lot line. Size and height shall be regulated by section 66-898

(Code 1996, § 17.17.050; Ord. No. 153-10, § 1, 8-9-2010; Ord. No. 187-12, § 1, 4-9-2012)

#### Sec 66-420 Yard, Area, And Building Size Requirements

The following are yard, area and building size regulations for permitted dwellings units in the AG-2 agricultural district.

- (a) Lot area: a minimum of ten acres.
- (b) Lot width: minimum of 300 feet.
- (c) Minimum lot depth: 500 feet.
- (d) Yard dimensions:
  1. Front yard setback: minimum 50 feet from the lot line or road right-of-way if applicable.
  2. Side yard setback (each side): minimum 50 feet from the lot line.
  3. Rear yard setback: minimum of 50 feet from the lot line.
- (e) Maximum building height: 35 feet for principal residence or dwelling unit.
- (f) Maximum impervious area: 50 percent.
- (g) Wetland setback:

1. A 20-foot natural buffer shall be maintained adjacent to all wetlands on lots created after the adoption of this chapter.
2. A minimum 40-foot setback is required for all structures adjacent to all wetlands on lots created after the adoption of this chapter.

(h) Floor elevation:

1. The lowest floor elevation for new or redevelopment will be three feet above the highest known groundwater level.
2. The lowest floor elevation for new or redevelopment will be two feet above the 100-year flood elevation.

(Code 1996, § 17.17.060; Ord. No. 153-10, § 1, 8-9-2010)

#### Sec 66-421 Fencing, Screening, And Landscaping Requirements

The fencing, screening and landscaping requirements in section 66-970 et seq. shall apply to all developments in the AG-2 agricultural district except for the following:

- (a) Permits are not required for fences on bona fide farms in the AG-2 zone.

(Code 1996, § 17.17.070)

#### Sec 66-422 Signs

All signs within the AG-2 agricultural district shall comply with section 66-821 et seq.

(Code 1996, § 17.17.080)

#### Sec 66-423 Off-Street Parking Loading

For permitted single-family dwellings, two off-street parking and loading spaces shall be provided and maintained. All other uses must comply with section 66-848 et seq.

(Code 1996, § 17.17.090)

#### Sec 66-424 Animals In AG-2 District

### ~~DIVISION 8 AG-2 AGRICULTURAL DISTRICT~~ *(Repealed)*

#### ~~Sec 66-415 Purpose~~ *(Repealed)*

#### ~~Sec 66-416 Permitted Uses~~ *(Repealed)*

#### ~~Sec 66-417 Accessory Uses~~ *(Repealed)*

#### ~~Sec 66-417.5 Interim Uses~~ *(Repealed)*

#### ~~Sec 66-418 Condition Uses~~ *(Repealed)*

~~Sec 66-419 Design Standards (Repealed)~~

~~Sec 66-420 Yard, Area, And Building Size Requirements (Repealed)~~

~~Sec 66-421 Fencing, Screening, And Landscaping Requirements (Repealed)~~

~~Sec 66-422 Signs (Repealed)~~

~~Sec 66-423 Off-Street Parking Loading (Repealed)~~

~~Sec 66-424 Animals In AG-2 District (Repealed)~~

~~Sec 66-415 Purpose (Repealed)~~

~~Sec 66-416 Permitted Uses (Repealed)~~

~~Sec 66-417 Accessory Uses (Repealed)~~

~~Sec 66-417.5 Interim Uses (Repealed)~~

~~Sec 66-418 Condition Uses (Repealed)~~

~~Sec 66-419 Design Standards (Repealed)~~

~~Sec 66-420 Yard, Area, And Building Size Requirements (Repealed)~~

~~Sec 66-421 Fencing, Screening, And Landscaping Requirements (Repealed)~~

~~Sec 66-422 Signs (Repealed)~~

~~Sec 66-423 Off-Street Parking Loading (Repealed)~~

~~Sec 66-424 Animals In AG-2 District (Repealed)~~

**SECTION 6:            REPEAL** “Sec 66-212 Transitional Lots” of the North Branch City Code is hereby *repealed* as follows:

#### BEFORE REPEAL

Sec 66-212 Transitional Lots

The following are yard, area and building size regulations for transitional lots, one tier between sewered and unsewered lots (1 to 2 acres in size) for permitted single-family detached dwellings in the R-1 single-family residential district:

- (a) Minimum lot area: 21,000 square feet.
- (b) Minimum lot width at the front yard setback line: 110 feet.

- (c) Minimum lot depth: 150 feet.
- (d) Yard dimensions:
  - 1. Front yard setback: 30 feet from the lot line or road right-of-way if applicable.
  - 2. Side yard setback (each side): Minimum of ten feet from the interior lot line(s).
  - 3. Corner side yard setback: 30 feet from the lot line or road right-of way.
  - 4. Rear yard setback for interior lots: 30 feet from the lot line.
  - 5. Rear yard setback for corner lots: 15 feet from the lot line.
- (e) Wetland setback:
  - 1. A 20-foot natural buffer shall be maintained adjacent to all wetlands on lots created after the adoption of this chapter.
  - 2. A minimum 40-foot setback is required for all structures adjacent to all wetlands on lots created after adoption of this chapter.
- (f) Maximum building height: 35 feet.
- (g) Maximum impervious area: 50 percent.
- (h) These regulations shall not be modified or varied by a planned unit development.
- (i) Floor elevation:
  - 1. The lowest floor elevation for new or redevelopment will be three feet above the highest known groundwater level.
  - 2. The lowest floor elevation for new or redevelopment will be two feet above the 100-year flood elevation.

(Ord. No. 104, § 1(17.06.065), 12-12-2005; Ord. No. 153-10, § 1, 8-9-2010)

#### AFTER REPEAL

#### ~~Sec 66-212 Transitional Lots (Repealed)~~

~~The following are yard, area and building size regulations for transitional lots, one tier between sewerred and unsewerred lots (1 to 2 acres in size) for permitted single family detached dwellings in the R-1 single family residential district:~~

- ~~(a) Minimum lot area: 21,000 square feet.~~
- ~~(b) Minimum lot width at the front yard setback line: 110 feet.~~
- ~~(c) Minimum lot depth: 150 feet.~~
- ~~(d) Yard dimensions:
  - 1. Front yard setback: 30 feet from the lot line or road right-of-way if applicable.
  - 2. Side yard setback (each side): Minimum of ten feet from the interior lot line(s).
  - 3. Corner side yard setback: 30 feet from the lot line or road right-of way.
  - 4. Rear yard setback for interior lots: 30 feet from the lot line.
  - 5. Rear yard setback for corner lots: 15 feet from the lot line.~~
- ~~(e) Wetland setback:
  - 1. A 20-foot natural buffer shall be maintained adjacent to all wetlands on lots created after the adoption of this chapter.
  - 2. A minimum 40-foot setback is required for all structures adjacent to all wetlands on lots created after adoption of this chapter.~~
- ~~(f) Maximum building height: 35 feet.~~

- (g) Maximum impervious area: 50 percent.
- (h) These regulations shall not be modified or varied by a planned unit development.
- (i) Floor elevation:
  - 1. The lowest floor elevation for new or redevelopment will be three feet above the highest known groundwater level.
  - 2. The lowest floor elevation for new or redevelopment will be two feet above the 100-year flood elevation.

~~(Ord. No. 104, § 1(17.06.065), 12-12-2005; Ord. No. 153-10, § 1, 8-9-2010)~~

**SECTION 7:            REPEAL** “Sec 66-277 Transitional Lots” of the North Branch City Code is hereby *repealed* as follows:

#### BEFORE REPEAL

##### Sec 66-277 Transitional Lots

The following are yard, area and building size regulations for transitional lots, one tier between sewer and unsewered lots (one to two acres in size) for permitted single-family detached dwellings in the R-2 medium-density residential district.

- (a) Minimum lot area: 21,000 square feet.
- (b) Minimum lot width at the front yard setback line: 110 feet.
- (c) Minimum lot depth: 150 feet.
- (d) Yard dimensions:
  - 1. Front yard setback: 30 feet from the lot line or road right-of-way if applicable.
  - 2. Side yard setback (each side): minimum of ten feet from the interior lot line(s).
  - 3. Corner side yard setback: 30 feet from the lot line or road right-of-way.
  - 4. Rear yard setback for interior lots: 30 feet from the lot line.
  - 5. Rear yard setback for corner lots: 15 feet from the lot line.
- (e) Wetland setback:
  - 1. A 20-foot natural buffer shall be maintained adjacent to all wetlands on lots created after the adoption of this chapter.
  - 2. A minimum 40-foot setback is required for all structures adjacent to all wetlands on lots created after the adoption of this chapter.
- (f) Maximum building height: 35 feet.
- (g) Maximum impervious area: 50 percent.
- (h) These regulations shall not be modified or varied by a planned unit development.
- (i) Floor elevation:
  - 1. The lowest floor elevation for new or redevelopment will be three feet above the highest known groundwater level.
  - 2. The lowest floor elevation for new or redevelopment will be two feet above the 100-year flood elevation.

(Ord. No. 104, § 1(17.10.065), 12-12-2005; Ord. No. 153-10, § 1, 8-9-2010)

AFTER REPEAL

~~Sec 66-277 Transitional Lots (Repealed)~~

~~The following are yard, area and building size regulations for transitional lots, one tier between sewerred and unsewerred lots (one to two acres in size) for permitted single family detached dwellings in the R-2 medium density residential district.~~

- (a) Minimum lot area: 21,000 square feet.
- (b) Minimum lot width at the front yard setback line: 110 feet.
- (c) Minimum lot depth: 150 feet.
- (d) Yard dimensions:
  - 1. Front yard setback: 30 feet from the lot line or road right-of-way if applicable.
  - 2. Side yard setback (each side): minimum of ten feet from the interior lot line(s).
  - 3. Corner side yard setback: 30 feet from the lot line or road right-of-way.
  - 4. Rear yard setback for interior lots: 30 feet from the lot line.
  - 5. Rear yard setback for corner lots: 15 feet from the lot line.
- (e) Wetland setback:
  - 1. A 20-foot natural buffer shall be maintained adjacent to all wetlands on lots created after the adoption of this chapter.
  - 2. A minimum 40-foot setback is required for all structures adjacent to all wetlands on lots created after the adoption of this chapter.
- (f) Maximum building height: 35 feet.
- (g) Maximum impervious area: 50 percent.
- (h) These regulations shall not be modified or varied by a planned unit development.
- (i) Floor elevation:
  - 1. The lowest floor elevation for new or redevelopment will be three feet above the highest known groundwater level.
  - 2. The lowest floor elevation for new or redevelopment will be two feet above the 100-year flood elevation.

~~(Ord. No. 104, § 1(17.10.065), 12-12-2005; Ord. No. 153-10, § 1, 8-9-2010)~~

**SECTION 8:            AMENDMENT** “Sec 66-536 Required Parking” of the North Branch City Code is hereby *amended* as follows:

BEFORE AMENDMENT

Sec 66-536 Required Parking

AFTER AMENDMENT

Sec 66-~~536~~548 Required Parking

**SECTION 9: REPEAL** “DIVISION 10 CS CONSERVATION SUBDIVISION OVERLAY DISTRICT” of the North Branch City Code is hereby *repealed* as follows:

**BEFORE REPEAL**

DIVISION 10 CS CONSERVATION SUBDIVISION OVERLAY DISTRICT

Sec 66-481 Purpose

The purpose of this section is to identify subdivisions approved under an old ordinance and the approved setbacks for those subdivisions. All uses, design standards, fencing, screening landscaping and parking requirements shall be the same as the underlying zoning district. The following subdivisions were approved under these regulations: Chain Lake Preserve, Chain Lake Preserve First Addition, Chain Lake Preserve 2nd Addition, Country View Estates Plat 6, Eagles Nest Preserve, Edgewater Commons, Northern Preserve, Sunny Meadows and Tall Timbers.

(Code 1996, § 17.20.010)

Sec 66-482 Yard, Area And Building Size Requirements

- (a) Yard, area and building size requirements in the CS conservation subdivision district shall be as follows:
1. Lot area: Minimum of ten acres in unsewered areas except for lots in conservation subdivisions approved prior to January 1, 2001 where the minimum lot area is 15,000 sq. feet.
  2. Lot width at front yard setback line: minimum of 100 feet.
  3. Minimum lot depth: 150 feet.
  4. Yard dimensions:
    - a. Front yard setback: 30 feet from the lot line or road right-of-way if applicable.
    - b. Side yard setback (each side): minimum of ten feet from the interior lot line.
    - c. Corner side yard setback: minimum of 30 feet from lot line or road right-of-way if applicable.
    - d. Rear yard setback for interior lots: minimum of 30 feet from the lot line.
    - e. Rear yard setback for corner lots: 15 feet from the lot line.
  5. Maximum building height: 35 feet.
  6. Maximum impervious area: 50 percent.
  7. Wetland setback:

- a. A 20-foot natural buffer shall be maintained adjacent to all wetlands on lots created after the adoption of this chapter.
  - b. A minimum 40-foot setback is required for all structures adjacent to all wetlands on lots created after the adoption of this chapter.
8. Floor elevation:
- a. The lowest floor elevation for new or redevelopment will be three feet above the highest known groundwater level.
  - b. The lowest floor elevation for new or redevelopment will be two feet above the 100-year flood elevation.
- (b) Designated open space must be restricted from further development to retain or protect natural, scenic, or open-space areas and assure its availability for agricultural, forest, recreational, or open-space use; protect natural resources, maintain or enhance air and water quality, preserve the historical, architectural, archeological or cultural aspects of property.
  - (c) If the conservation subdivision in the future becomes located in the North Branch Urban Services Area (NBUSA) and water and sewer utilities are extended to the conservation subdivision, the fee holder may develop the open space under the applicable North Branch guidelines, if the development's homeowners' association, upon a vote of its members, elects to develop the open space.
  - (d) Recreational uses are prohibited above or within 50 feet of communal drainfields.
  - (e) No new lots may be created within these existing conservation subdivisions unless municipal utilities are available.

(Code 1996, § 17.20.021; Ord. No. 153-10, § 1, 8-9-2010)

#### AFTER REPEAL

#### Sec 66-481 Purpose

The purpose of this section is to identify subdivisions approved under an old ordinance and the approved setbacks for those subdivisions. All uses, design standards, fencing, screening landscaping and parking requirements shall be the same as the underlying zoning district. The following subdivisions were approved under these regulations: Chain Lake Preserve, Chain Lake Preserve First Addition, Chain Lake Preserve 2nd Addition, Country View Estates Plat 6, Eagles Nest Preserve, Edgewater Commons, Northern Preserve, Sunny Meadows and Tall Timbers.

(Code 1996, § 17.20.010)

#### Sec 66-482 Yard, Area And Building Size Requirements

- (a) Yard, area and building size requirements in the CS conservation subdivision district shall be as follows:
  - 1. Lot area: Minimum of ten acres in unsewered areas except for lots in conservation subdivisions approved prior to January 1, 2001 where the minimum lot area is 15,000 sq. feet.

2. Lot width at front yard setback line: minimum of 100 feet.
  3. Minimum lot depth: 150 feet.
  4. Yard dimensions:
    - a. Front yard setback: 30 feet from the lot line or road right-of-way if applicable.
    - b. Side yard setback (each side): minimum of ten feet from the interior lot line.
    - c. Corner side yard setback: minimum of 30 feet from lot line or road right-of-way if applicable.
    - d. Rear yard setback for interior lots: minimum of 30 feet from the lot line.
    - e. Rear yard setback for corner lots: 15 feet from the lot line.
  5. Maximum building height: 35 feet.
  6. Maximum impervious area: 50 percent.
  7. Wetland setback:
    - a. A 20-foot natural buffer shall be maintained adjacent to all wetlands on lots created after the adoption of this chapter.
    - b. A minimum 40-foot setback is required for all structures adjacent to all wetlands on lots created after the adoption of this chapter.
  8. Floor elevation:
    - a. The lowest floor elevation for new or redevelopment will be three feet above the highest known groundwater level.
    - b. The lowest floor elevation for new or redevelopment will be two feet above the 100-year flood elevation.
- (b) Designated open space must be restricted from further development to retain or protect natural, scenic, or open-space areas and assure its availability for agricultural, forest, recreational, or open-space use; protect natural resources, maintain or enhance air and water quality, preserve the historical, architectural, archeological or cultural aspects of property.
- (c) If the conservation subdivision in the future becomes located in the North Branch Urban Services Area (NBUSA) and water and sewer utilities are extended to the conservation subdivision, the fee holder may develop the open space under the applicable North Branch guidelines, if the development's homeowners' association, upon a vote of its members, elects to develop the open space.
- (d) Recreational uses are prohibited above or within 50 feet of communal drainfields.
- (e) No new lots may be created within these existing conservation subdivisions unless municipal utilities are available.

(Code 1996, § 17.20.021; Ord. No. 153-10, § 1, 8-9-2010)

~~DIVISION 10 CS CONSERVATION SUBDIVISION OVERLAY DISTRICT~~ (Repealed)

~~Sec 66-481 Purpose~~ (Repealed)

~~Sec 66-482 Yard, Area And Building Size Requirements~~ (Repealed)

~~Sec 66-481 Purpose~~ (Repealed)

~~Sec 66-482 Yard, Area And Building Size Requirements~~ (Repealed)

**SECTION 10:**        **REPEAL** “Sec 66-393 Animals In AG-1 Districts” of the North Branch City Code is hereby *repealed* as follows:

BEFORE REPEAL

Sec 66-393 Animals In AG-1 Districts

AFTER REPEAL

~~Sec 66-393 Animals In AG-1 Districts~~ (Repealed)

**SECTION 11:**        **AMENDMENT** “DIVISION 12 B-2 LIMITED BUSINESS DISTRICT” of the North Branch City Code is hereby *amended* as follows:

BEFORE AMENDMENT

DIVISION 12 B-2 LIMITED BUSINESS DISTRICT

AFTER AMENDMENT

DIVISION 12 ~~B-2 LIMITED~~BN BUSINESS ~~DISTRICT~~NEIGHBORHOOD

**SECTION 12:**        **AMENDMENT** “DIVISION 13 B-3 REGIONAL BUSINESS DISTRICT” of the North Branch City Code is hereby *amended* as follows:

BEFORE AMENDMENT

DIVISION 13 B-3 REGIONAL BUSINESS DISTRICT

AFTER AMENDMENT

DIVISION 13 ~~B-3 REGIONAL~~ BUSINESS DISTRICT

**SECTION 13:**        **REPEAL** “DIVISION 14 I-1 LIGHT INDUSTRIAL/OFFICE DISTRICT” of the North Branch City Code is hereby *repealed* as follows:

## BEFORE REPEAL

### DIVISION 14 I-1 LIGHT INDUSTRIAL/OFFICE DISTRICT

#### Sec 66-595 Purpose

The purpose of the I-1 light industrial/office district is to establish and preserve areas for light industrial and office use that blend in with the surroundings, minimizes impact to surrounding land uses, and provide an employment center for the city.

(Code 1996, § 17.27.010)

#### Sec 66-596 Permitted Uses

The following are permitted uses within the I-1 light industrial/office district:

- (a) Art supplies manufacturing.
- (b) Bakery products, wholesale.
- (c) Blank books, looseleaf binders, fabrication and assembly.
- (d) Books and book binding.
- (e) Cabinets and woodworking establishments.
- (f) Clothing manufacturing.
- (g) Camera and photographic manufacturing.
- (h) Dental instruments and supply.
- (i) Frozen food locker.
- (j) Jewelry manufacturing.
- (k) Laboratories.
- (l) Mail order houses.
- (m) Warehousing.
- (n) Medical and surgical instrument manufacturing and supply.
- (o) Printing and publishing establishments.
- (p) Buildings containing offices for professional and other service industries, as well as headquarters for businesses and corporations.
- (q) Upholstering shops.
- (r) Carpet cleaning.

(Code 1996, § 17.27.020)

#### Sec 66-597 Accessory Uses

The following are permitted accessory uses in the I-1 light industrial/office district:

- (a) Commercial or business buildings and structures for a use accessory to the principle use.
- (b) Off-street parking as regulated by section 66-848 et seq.
- (c) Off-street loading as regulated by section 66-848 et seq.

- (d) Fencing, screening and landscaping as permitted and regulated by section 66-970 et seq.
- (e) Signs as regulated by section 66-821 et seq.
- (f) Essential services.
- (g) Essential service buildings of 1,000 square feet or less.

(Code 1996, § 17.27.030; Ord. No. 198-13, § 1, 5-28-2013)

#### Sec 66-598 Conditional Uses

The following are conditional uses in the I-1 industrial district that require a conditional use permit based upon procedures set forth in and regulated by section 66-62 et seq.:

- (a) Multiple principle buildings on a lot of record.
- (b) Industrial research laboratories.
- (c) Laboratories, instrument testing and medical.
- (d) Mini-storage units.
- (e) Outdoor storage shall be a conditional use permit. Paving and screening of this storage area shall be addressed as part of the conditional use permit. Expansion of existing outdoor storage areas shall require a conditional use permit.
- (f) Limited recreational facilities on the perimeter of the park.
- (g) Industrial planned unit developments regulated by section 66-788 et seq.

(Code 1996, § 17.27.040; Ord. No. 102, § 1(17.27.045), 10-24-2005; Ord. No. 153-10, § 1, 8-9-2010)

#### Sec 66-599 Area And Bulk Regulations

Area and bulk regulations in the I-1 light industrial/office district are as follows:

- (a) Lot area:
  - 1. Minimum of 10,000 square feet for lots with municipal utilities.
  - 2. Minimum of ten acres for lots without municipal utilities.
- (b) Lot width at front yard setback line:
  - 1. Minimum of 100 feet for lots with municipal utilities.
  - 2. Minimum of 300 feet for lots without municipal utilities.
- (c) Minimum lot depth:
  - 1. 100 feet for lots with municipal utilities.
  - 2. 300 feet for lots without municipal utilities.
- (d) Yard dimensions:
  - 1. Front yard setback:
    - a. 20 feet from the lot line or road right-of-way if applicable for lots with municipal utilities.
    - b. 50 feet for lots without municipal utilities.
  - 2. Side yard (each side):

- a. Minimum 20 feet from the lot line for lots with municipal utilities.
  - b. 50 feet for lots without municipal utilities.
- 3. Rear yard:
  - a. Minimum of 20 feet from the lot line for lots with municipal utilities.
  - b. 50 feet for lots without municipal utilities.
- (e) Maximum building height: 45 feet
- (f) Maximum impervious area: 75 percent.
- (g) Wetland setback:
  - 1. A 20-foot natural buffer shall be maintained adjacent to all wetlands on lots created after the adoption of this chapter.
  - 2. A minimum 40-foot setback is required for all structures adjacent to all wetlands on lots created after the adoption of this chapter.
- (h) Floor elevation:
  - 1. The lowest floor elevation for new or redevelopment will be three feet above the highest known groundwater level.
  - 2. The lowest floor elevation for new or redevelopment will be two feet above the 100-year flood elevation.

(Code 1996, § 17.27.050; Ord. No. 153-10, § 1, 8-9-2010)

#### Sec 66-600 Fencing, Screening, And Landscaping Requirements

The fencing, screening and landscaping requirements in section 66-970 et seq. shall apply to all developments in the I-1 light industrial/office district.

(Code 1996, § 17.27.060)

#### Sec 66-601 Required Parking

For permitted uses, four parking spaces per 1,000 square feet of gross floor area shall be provided and maintained unless otherwise regulated in section 66-848 et seq.

(Code 1996, § 17.27.070)

#### Sec 66-602 Performance Standards

All uses allowed in the I-1 light industrial/office district shall comply with all applicable federal, state and local nuisance and pollution laws, ordinances and regulations.

(Code 1996, § 17.27.080)

#### Sec 66-603 Design Standards

All structures in this zoning district must meet the city design guidelines and be approved by the city design committee.

(Code 1996, § 17.27.090; Ord. No. 153-10, § 1, 8-9-2010)

## AFTER REPEAL

### Sec 66-595 Purpose

The purpose of the I-1 light industrial/office district is to establish and preserve areas for light industrial and office use that blend in with the surroundings, minimizes impact to surrounding land uses, and provide an employment center for the city.

(Code 1996, § 17.27.010)

### Sec 66-596 Permitted Uses

The following are permitted uses within the I-1 light industrial/office district:

- (a) Art supplies manufacturing.
- (b) Bakery products, wholesale.
- (c) Blank books, looseleaf binders, fabrication and assembly.
- (d) Books and book binding.
- (e) Cabinets and woodworking establishments.
- (f) Clothing manufacturing.
- (g) Camera and photographic manufacturing.
- (h) Dental instruments and supply.
- (i) Frozen food locker.
- (j) Jewelry manufacturing.
- (k) Laboratories.
- (l) Mail order houses.
- (m) Warehousing.
- (n) Medical and surgical instrument manufacturing and supply.
- (o) Printing and publishing establishments.
- (p) Buildings containing offices for professional and other service industries, as well as headquarters for businesses and corporations.
- (q) Upholstering shops.
- (r) Carpet cleaning.

(Code 1996, § 17.27.020)

### Sec 66-597 Accessory Uses

The following are permitted accessory uses in the I-1 light industrial/office district:

- (a) Commercial or business buildings and structures for a use accessory to the principle use.
- (b) Off-street parking as regulated by section 66-848 et seq.
- (c) Off-street loading as regulated by section 66-848 et seq.
- (d) Fencing, screening and landscaping as permitted and regulated by section 66-970 et seq.

- (e) Signs as regulated by section 66-821 et seq.
- (f) Essential services.
- (g) Essential service buildings of 1,000 square feet or less.

(Code 1996, § 17.27.030; Ord. No. 198-13, § 1, 5-28-2013)

#### Sec 66-598 Conditional Uses

The following are conditional uses in the I-1 industrial district that require a conditional use permit based upon procedures set forth in and regulated by section 66-62 et seq.:

- (a) Multiple principle buildings on a lot of record.
- (b) Industrial research laboratories.
- (c) Laboratories, instrument testing and medical.
- (d) Mini-storage units.
- (e) Outdoor storage shall be a conditional use permit. Paving and screening of this storage area shall be addressed as part of the conditional use permit. Expansion of existing outdoor storage areas shall require a conditional use permit.
- (f) Limited recreational facilities on the perimeter of the park.
- (g) Industrial planned unit developments regulated by section 66-788 et seq.

(Code 1996, § 17.27.040; Ord. No. 102, § 1(17.27.045), 10-24-2005; Ord. No. 153-10, § 1, 8-9-2010)

#### Sec 66-599 Area And Bulk Regulations

Area and bulk regulations in the I-1 light industrial/office district are as follows:

- (a) Lot area:
  - 1. Minimum of 10,000 square feet for lots with municipal utilities.
  - 2. Minimum of ten acres for lots without municipal utilities.
- (b) Lot width at front yard setback line:
  - 1. Minimum of 100 feet for lots with municipal utilities.
  - 2. Minimum of 300 feet for lots without municipal utilities.
- (c) Minimum lot depth:
  - 1. 100 feet for lots with municipal utilities.
  - 2. 300 feet for lots without municipal utilities.
- (d) Yard dimensions:
  - 1. Front yard setback:
    - a. 20 feet from the lot line or road right-of-way if applicable for lots with municipal utilities.
    - b. 50 feet for lots without municipal utilities.
  - 2. Side yard (each side):
    - a. Minimum 20 feet from the lot line for lots with municipal utilities.
    - b. 50 feet for lots without municipal utilities.

3. Rear yard:
  - a. Minimum of 20 feet from the lot line for lots with municipal utilities.
  - b. 50 feet for lots without municipal utilities.
- (e) Maximum building height: 45 feet
- (f) Maximum impervious area: 75 percent.
- (g) Wetland setback:
  1. A 20-foot natural buffer shall be maintained adjacent to all wetlands on lots created after the adoption of this chapter.
  2. A minimum 40-foot setback is required for all structures adjacent to all wetlands on lots created after the adoption of this chapter.
- (h) Floor elevation:
  1. The lowest floor elevation for new or redevelopment will be three feet above the highest known groundwater level.
  2. The lowest floor elevation for new or redevelopment will be two feet above the 100-year flood elevation.

(Code 1996, § 17.27.050; Ord. No. 153-10, § 1, 8-9-2010)

#### Sec 66-600 Fencing, Screening, And Landscaping Requirements

The fencing, screening and landscaping requirements in section 66-970 et seq. shall apply to all developments in the I-1 light industrial/office district.

(Code 1996, § 17.27.060)

#### Sec 66-601 Required Parking

For permitted uses, four parking spaces per 1,000 square feet of gross floor area shall be provided and maintained unless otherwise regulated in section 66-848 et seq.

(Code 1996, § 17.27.070)

#### Sec 66-602 Performance Standards

All uses allowed in the I-1 light industrial/office district shall comply with all applicable federal, state and local nuisance and pollution laws, ordinances and regulations.

(Code 1996, § 17.27.080)

#### Sec 66-603 Design Standards

All structures in this zoning district must meet the city design guidelines and be approved by the city design committee.

(Code 1996, § 17.27.090; Ord. No. 153-10, § 1, 8-9-2010)

~~DIVISION 14 I-1 LIGHT INDUSTRIAL/OFFICE DISTRICT~~ (Repealed)

~~Sec 66-595 Purpose (Repealed)~~

~~Sec 66-596 Permitted Uses (Repealed)~~

~~Sec 66-597 Accessory Uses (Repealed)~~

~~Sec 66-598 Conditional Uses (Repealed)~~

~~Sec 66-599 Area And Bulk Regulations (Repealed)~~

~~Sec 66-600 Fencing, Screening, And Landscaping Requirements (Repealed)~~

~~Sec 66-601 Required Parking (Repealed)~~

~~Sec 66-602 Performance Standards (Repealed)~~

~~Sec 66-603 Design Standards (Repealed)~~

~~Sec 66-595 Purpose (Repealed)~~

~~Sec 66-596 Permitted Uses (Repealed)~~

~~Sec 66-597 Accessory Uses (Repealed)~~

~~Sec 66-598 Conditional Uses (Repealed)~~

~~Sec 66-599 Area And Bulk Regulations (Repealed)~~

~~Sec 66-600 Fencing, Screening, And Landscaping Requirements (Repealed)~~

~~Sec 66-601 Required Parking (Repealed)~~

~~Sec 66-602 Performance Standards (Repealed)~~

~~Sec 66-603 Design Standards (Repealed)~~

**SECTION 14:            AMENDMENT “DIVISION 15 I-2 GENERAL INDUSTRIAL DISTRICT” of the North Branch City Code is hereby *amended* as follows:**

**BEFORE AMENDMENT**

DIVISION 15 I-2 GENERAL INDUSTRIAL DISTRICT

**AFTER AMENDMENT**

DIVISION 15 I-~~2-GENERAL~~ INDUSTRIAL DISTRICT

**SECTION 15:**            **REPEAL** “DIVISION 16 I-3 PLANNED INDUSTRIAL DISTRICT” of the North Branch City Code is hereby *repealed* as follows:

**BEFORE REPEAL**

DIVISION 16 I-3 PLANNED INDUSTRIAL DISTRICT

Sec 66-655 Purpose

The purpose of the I-3 planned industrial district is to establish and provide areas for quality industrial and related uses of such a nature that they do not create serious problems of compatibility with other nonindustrial types of land uses.

(Code 1996, § 17.29.010)

Sec 66-656 Permitted Uses

The following are permitted uses within the I-3 planned industrial district:

- (a) Assembly and fabrication from component parts or materials already processed or manufactured into their usable forms.
- (b) Art supplies and manufacturing.
- (c) Bakery products, wholesale.
- (d) Blank books, loose-leaf binders, fabrication and assembly.
- (e) Books and book binding.
- (f) Cabinets and woodworking establishments.
- (g) Carpentry, cabinet and plumbing shop.
- (h) Clothing manufacturing.
- (i) Camera and photographic manufacturing.
- (j) Confectionery and related products, manufacturing and packaging.
- (k) Dental instruments and supply.
- (l) Business-to-business dry cleaning establishments and laundries.
- (m) Frozen food locker.
- (n) Jewelry manufacturing.
- (o) Laboratories, including industrial research, instrument testing and medical.
- (p) Machine and metal shops.
- (q) Mail order houses.
- (r) Manufacturing, wholesaling, warehousing, and related establishments, except that the city prohibits all asphalt plants and asphalt manufacturing.
- (s) Medical and surgical instrument manufacturing and supply.
- (t) Optical manufacturing and assembly.
- (u) Printing and publishing establishments.
- (v) Radio, television, and computer assembly and parts fabrication.
- (w) Telephone and telegraph manufacturing and assembly.

- (x) Temperature control manufacturing and assembly.
- (y) Construction-related business.
- (z) Offices.
- (aa) Showrooms.
- (ab) Distribution center.
- (ac) Uses similar to the above uses as determined by the city.

(Code 1996, § 17.29.020; Ord. No. 202-13, § 2, 10-28-2013; Ord. No. 208-14, § 1, 3-24-2014)

#### Sec 66-657 Accessory Uses

The following are permitted accessory uses in the I-3 planned industrial district:

- (a) Commercial or business buildings and structures for a use accessory to the principle use.
- (b) Off-street parking as regulated by section 66-848 et seq.
- (c) Off-street loading as regulated by section 66-848 et seq.
- (d) Fencing, screening and landscaping as permitted and regulated by section 66-970 et seq.
- (e) Signs as regulated by section 66-821 et seq.
- (f) Essential services.
- (g) Essential service buildings of 1,000 square feet or less.

(Code 1996, § 17.29.030; Ord. No. 198-13, § 1, 5-28-2013)

#### Sec 66-658 Conditional Uses

The following are conditional uses in the I-3 planned industrial district that require a conditional use permit approved by the city council based upon procedures set forth in and regulated by section 66-62 et seq.:

- (a) Multiple principle buildings on a lot of record.
- (b) Plumbing fixture and equipment wholesale.
- (c) Outdoor storage. Expansion of outdoor storage shall require a conditional use permit unless the proposed expansion was specifically identified in the original conditional use permit application regarding location, size, use, screening, paving and storage types.
- (d) Industrial planned unit developments as regulated by section 66-788 et seq.
- (e) Truck terminal or transportation/motor freight terminal.
- (f) Uses similar to the above described conditional uses as determined by the city.

(Code 1996, § 17.29.040; Ord. No. 102, § 1 (17.29.045), 10-24-2005; Ord. No. 153-10, § 1, 8-9-2010; Ord. No. 208-14, § 1, 3-24-2014)

#### Sec 66-659 Area And Bulk Regulations

Area and bulk regulations in the I-3 planned industrial district shall be as follows:

- (a) Lot area:
  - 1. Minimum of 10,000 square feet and connected to municipal utilities.
- (b) Lot width at front yard setback line:
  - 1. Minimum of 100 feet.
- (c) Minimum lot depth:
  - 1. 100 feet for lots.
- (d) Yard dimensions:
  - 1. Front yard setback:
    - a. 20 feet from the lot line or road right-of-way if applicable.
  - 2. Side yard setback (each side):
    - a. Minimum of 20 feet from the lot line.
  - 3. Rear yard setback:
    - a. Minimum of 20 feet from the lot line.

#### Density Transfer Credits (RR - Rural Residential)

- (e) Maximum building height: 75 feet.
- (f) Maximum impervious area: 75 percent.
- (g) Wetland setback:
  - 1. A 20-foot natural buffer shall be maintained adjacent to all wetlands on lots created after the adoption of this chapter.
  - 2. A minimum 40-foot setback is required for all structures adjacent to all wetlands on lots created after the adoption of this chapter.
- (h) Floor elevation:
  - 1. The lowest floor elevation for new or redevelopment will be three feet above the highest known groundwater level.
  - 2. The lowest floor elevation for new or redevelopment will be two feet above the 100-year flood elevation.

(Code 1996, § 17.29.050; Ord. No. 153-10, § 1, 8-9-2010; Ord. No. 208-14, § 1, 3-24-2014)

#### Sec 66-660 Fencing, Screening, And Landscaping Requirements

The fencing, screening and landscaping requirements in section 66-970 et seq. shall apply to all developments in the I-3 planned industrial district.

(Code 1996, § 17.29.060)

#### Sec 66-661 Required Parking

For permitted uses, four parking spaces per 1,000 square feet of gross floor area of all principal and accessory structures shall be provided and maintained unless otherwise regulated in section 66-848 et seq.

(Code 1996, § 17.29.070)

#### Sec 66-662 Performance Standards

All uses allowed in the I-3 planned industrial district shall comply with all applicable federal, state and local nuisance and pollution laws, ordinances and regulations.

(Code 1996, § 17.29.080)

#### Sec 66-663 Design Standards

All structures in this zoning district must meet the city design guidelines and be approved by the city design committee.

(Code 1996, § 17.29.090; Ord. No. 153-10, § 1, 8-9-2010)

#### Sec 66-664 Screening

- (a) All outside storage requires a conditional use permit and, in addition to any other conditions imposed by the governing authority, must be screened.
- (b) All screening shall have gates or other means of blocking vision through access points. Gates shall match screening and be properly maintained.
- (c) All vehicles in excess of three-quarter ton capacity or equipment, shall be screened with an eight foot high fence of 90 percent opacity. Storage shall not be allowed in trucks, trailers, or similar containers.

(Code 1996, § 17.29.100)

#### Sec 66-665 Paved Surface

All vehicular driving and parking areas shall be paved and be surrounded with poured-in-place concrete curb and gutter, except in special circumstances such as off-road heavy equipment storage areas or contractor (nonretail) material storage areas with approval by the planning agency.

(Code 1996, § 17.29.110)

#### Sec 66-666 Waste

- (a) All solid waste materials, debris, refuse, or garbage shall be kept within a completely enclosed building or properly contained in closed containers and stored in racks designed for such purposes. All liquid wastes containing any organic or toxic matter shall be discharged in a manner prescribed by the governing authority.
- (b) All waste shall be placed in containers or enclosures in a manner not constituting a nuisance by reason of wind-litter, disorderly appearance, or abnormal fire hazard.

- (c) All waste containers or racking not in an enclosed building shall be completely screened for its full height but not less than eight feet.
- (d) No outside incinerators or trash burners shall be installed, erected or utilized on any lot.

(Code 1996, § 17.29.120)

#### Sec 66-667 Nonpermitted Buildings And Temporary Buildings

- (a) No trailer, basement, tent, shack, garage, barn or other out-building shall at any time be used for human habitation, temporarily or permanently; nor shall any structure of temporary character be maintained upon a building site, except as temporarily incidental to building construction.
- (b) Temporary construction trailers used in conjunction with a building project are not considered temporary buildings and therefore are permitted during construction.
- (c) No temporary buildings and structures for any purpose shall be erected on the site without written approval from the city.
- (d) Temporary structures will only be approved for extenuating circumstances. One year after construction begins, all temporary buildings and their supporting systems shall be removed from the site and the original site improvements returned to their original condition.

(Code 1996, § 17.29.130)

#### Sec 66-668 Maintenance Of Vacant Lots Or Tracts

All owners of vacant lots or tracts shall keep them clean, mowed, and maintained in a manner that will not depreciate other property value.

(Code 1996, § 17.29.140)

#### Sec 66-669 (Reserved)

**Editor's note** — Ord. No. 208-14, § 1, adopted March 24, 2014, repealed § 66-669, which pertained to minimum development value and derived from § 17.29.150 of the 1996 Code.

### AFTER REPEAL

#### Sec 66-655 Purpose

The purpose of the I-3 planned industrial district is to establish and provide areas for quality industrial and related uses of such a nature that they do not create serious problems of compatibility with other nonindustrial types of land uses.

(Code 1996, § 17.29.010)

#### Sec 66-656 Permitted Uses

The following are permitted uses within the I-3 planned industrial district:

- (a) Assembly and fabrication from component parts or materials already processed or manufactured into their usable forms.
- (b) Art supplies and manufacturing.
- (c) Bakery products, wholesale.
- (d) Blank books, loose-leaf binders, fabrication and assembly.
- (e) Books and book binding.
- (f) Cabinets and woodworking establishments.
- (g) Carpentry, cabinet and plumbing shop.
- (h) Clothing manufacturing.
- (i) Camera and photographic manufacturing.
- (j) Confectionery and related products, manufacturing and packaging.
- (k) Dental instruments and supply.
- (l) Business-to-business dry cleaning establishments and laundries.
- (m) Frozen food locker.
- (n) Jewelry manufacturing.
- (o) Laboratories, including industrial research, instrument testing and medical.
- (p) Machine and metal shops.
- (q) Mail order houses.
- (r) Manufacturing, wholesaling, warehousing, and related establishments, except that the city prohibits all asphalt plants and asphalt manufacturing.
- (s) Medical and surgical instrument manufacturing and supply.
- (t) Optical manufacturing and assembly.
- (u) Printing and publishing establishments.
- (v) Radio, television, and computer assembly and parts fabrication.
- (w) Telephone and telegraph manufacturing and assembly.
- (x) Temperature control manufacturing and assembly.
- (y) Construction-related business.
- (z) Offices.
- (aa) Showrooms.
- (ab) Distribution center.
- (ac) Uses similar to the above uses as determined by the city.

(Code 1996, § 17.29.020; Ord. No. 202-13, § 2, 10-28-2013; Ord. No. 208-14, § 1, 3-24-2014)

#### Sec 66-657 Accessory Uses

The following are permitted accessory uses in the I-3 planned industrial district:

- (a) Commercial or business buildings and structures for a use accessory to the principle use.
- (b) Off-street parking as regulated by section 66-848 et seq.
- (c) Off-street loading as regulated by section 66-848 et seq.
- (d) Fencing, screening and landscaping as permitted and regulated by section 66-970 et seq.

- (e) Signs as regulated by section 66-821 et seq.
- (f) Essential services.
- (g) Essential service buildings of 1,000 square feet or less.

(Code 1996, § 17.29.030; Ord. No. 198-13, § 1, 5-28-2013)

#### Sec 66-658 Conditional Uses

The following are conditional uses in the I-3 planned industrial district that require a conditional use permit approved by the city council based upon procedures set forth in and regulated by section 66-62 et seq.:

- (a) Multiple principle buildings on a lot of record.
- (b) Plumbing fixture and equipment wholesale.
- (c) Outdoor storage. Expansion of outdoor storage shall require a conditional use permit unless the proposed expansion was specifically identified in the original conditional use permit application regarding location, size, use, screening, paving and storage types.
- (d) Industrial planned unit developments as regulated by section 66-788 et seq.
- (e) Truck terminal or transportation/motor freight terminal.
- (f) Uses similar to the above described conditional uses as determined by the city.

(Code 1996, § 17.29.040; Ord. No. 102, § 1 (17.29.045), 10-24-2005; Ord. No. 153-10, § 1, 8-9-2010; Ord. No. 208-14, § 1, 3-24-2014)

#### Sec 66-659 Area And Bulk Regulations

Area and bulk regulations in the I-3 planned industrial district shall be as follows:

- (a) Lot area:
  - 1. Minimum of 10,000 square feet and connected to municipal utilities.
- (b) Lot width at front yard setback line:
  - 1. Minimum of 100 feet.
- (c) Minimum lot depth:
  - 1. 100 feet for lots.
- (d) Yard dimensions:
  - 1. Front yard setback:
    - a. 20 feet from the lot line or road right-of-way if applicable.
  - 2. Side yard setback (each side):
    - a. Minimum of 20 feet from the lot line.
  - 3. Rear yard setback:
    - a. Minimum of 20 feet from the lot line.

Density Transfer Credits (RR - Rural Residential)

- (e) Maximum building height: 75 feet.
- (f) Maximum impervious area: 75 percent.
- (g) Wetland setback:
  - 1. A 20-foot natural buffer shall be maintained adjacent to all wetlands on lots created after the adoption of this chapter.
  - 2. A minimum 40-foot setback is required for all structures adjacent to all wetlands on lots created after the adoption of this chapter.
- (h) Floor elevation:
  - 1. The lowest floor elevation for new or redevelopment will be three feet above the highest known groundwater level.
  - 2. The lowest floor elevation for new or redevelopment will be two feet above the 100-year flood elevation.

(Code 1996, § 17.29.050; Ord. No. 153-10, § 1, 8-9-2010; Ord. No. 208-14, § 1, 3-24-2014)

#### Sec 66-660 Fencing, Screening, And Landscaping Requirements

The fencing, screening and landscaping requirements in section 66-970 et seq. shall apply to all developments in the I-3 planned industrial district.

(Code 1996, § 17.29.060)

#### Sec 66-661 Required Parking

For permitted uses, four parking spaces per 1,000 square feet of gross floor area of all principal and accessory structures shall be provided and maintained unless otherwise regulated in section 66-848 et seq.

(Code 1996, § 17.29.070)

#### Sec 66-662 Performance Standards

All uses allowed in the I-3 planned industrial district shall comply with all applicable federal, state and local nuisance and pollution laws, ordinances and regulations.

(Code 1996, § 17.29.080)

#### Sec 66-663 Design Standards

All structures in this zoning district must meet the city design guidelines and be approved by the city design committee.

(Code 1996, § 17.29.090; Ord. No. 153-10, § 1, 8-9-2010)

#### Sec 66-664 Screening

- (a) All outside storage requires a conditional use permit and, in addition to any other conditions imposed by the governing authority, must be screened.
- (b) All screening shall have gates or other means of blocking vision through access points. Gates shall match screening and be properly maintained.
- (c) All vehicles in excess of three-quarter ton capacity or equipment, shall be screened with an eight foot high fence of 90 percent opacity. Storage shall not be allowed in trucks, trailers, or similar containers.

(Code 1996, § 17.29.100)

#### Sec 66-665 Paved Surface

All vehicular driving and parking areas shall be paved and be surrounded with poured-in-place concrete curb and gutter, except in special circumstances such as off-road heavy equipment storage areas or contractor (nonretail) material storage areas with approval by the planning agency.

(Code 1996, § 17.29.110)

#### Sec 66-666 Waste

- (a) All solid waste materials, debris, refuse, or garbage shall be kept within a completely enclosed building or properly contained in closed containers and stored in racks designed for such purposes. All liquid wastes containing any organic or toxic matter shall be discharged in a manner prescribed by the governing authority.
- (b) All waste shall be placed in containers or enclosures in a manner not constituting a nuisance by reason of wind-litter, disorderly appearance, or abnormal fire hazard.
- (c) All waste containers or racking not in an enclosed building shall be completely screened for its full height but not less than eight feet.
- (d) No outside incinerators or trash burners shall be installed, erected or utilized on any lot.

(Code 1996, § 17.29.120)

#### Sec 66-667 Nonpermitted Buildings And Temporary Buildings

- (a) No trailer, basement, tent, shack, garage, barn or other out-building shall at any time be used for human habitation, temporarily or permanently; nor shall any structure of temporary character be maintained upon a building site, except as temporarily incidental to building construction.
- (b) Temporary construction trailers used in conjunction with a building project are not considered temporary buildings and therefore are permitted during construction.
- (c) No temporary buildings and structures for any purpose shall be erected on the site without written approval from the city.
- (d) Temporary structures will only be approved for extenuating circumstances. One year after construction begins, all temporary buildings and their supporting systems shall be

removed from the site and the original site improvements returned to their original condition.

(Code 1996, § 17.29.130)

Sec 66-668 Maintenance Of Vacant Lots Or Tracts

All owners of vacant lots or tracts shall keep them clean, mowed, and maintained in a manner that will not depreciate other property value.

(Code 1996, § 17.29.140)

Sec 66-669 (Reserved)

**Editor's note** — Ord. No. 208-14, § 1, adopted March 24, 2014, repealed § 66-669, which pertained to minimum development value and derived from § 17.29.150 of the 1996 Code.

~~DIVISION 16 I-3 PLANNED INDUSTRIAL DISTRICT~~ *(Repealed)*

~~Sec 66-655 Purpose~~ *(Repealed)*

~~Sec 66-656 Permitted Uses~~ *(Repealed)*

~~Sec 66-657 Accessory Uses~~ *(Repealed)*

~~Sec 66-658 Conditional Uses~~ *(Repealed)*

~~Sec 66-659 Area And Bulk Regulations~~ *(Repealed)*

~~Sec 66-660 Fencing, Screening, And Landscaping Requirements~~ *(Repealed)*

~~Sec 66-661 Required Parking~~ *(Repealed)*

~~Sec 66-662 Performance Standards~~ *(Repealed)*

~~Sec 66-663 Design Standards~~ *(Repealed)*

~~Sec 66-664 Screening~~ *(Repealed)* See

~~66-665 Paved Surface~~ *(Repealed)* See

~~66-666 Waste~~ *(Repealed)*

~~Sec 66-667 Nonpermitted Buildings And Temporary Buildings~~ *(Repealed)*

~~Sec 66-668 Maintenance Of Vacant Lots Or Tracts~~ *(Repealed)*

~~Sec 66-669 (Reserved) (Repealed)~~

~~Sec 66-655 Purpose (Repealed)~~

~~Sec 66-656 Permitted Uses (Repealed)~~

~~Sec 66-657 Accessory Uses (Repealed)~~

~~Sec 66-658 Conditional Uses (Repealed)~~

~~Sec 66-659 Area And Bulk Regulations (Repealed)~~

~~Sec 66-660 Fencing, Screening, And Landscaping Requirements (Repealed)~~

~~Sec 66-661 Required Parking (Repealed)~~

~~Sec 66-662 Performance Standards (Repealed)~~

~~Sec 66-663 Design Standards (Repealed)~~

~~Sec 66-664 Screening (Repealed) See~~

~~66-665 Paved Surface (Repealed) See~~

~~66-666 Waste (Repealed)~~

~~Sec 66-667 Nonpermitted Buildings And Temporary Buildings (Repealed)~~

~~Sec 66-668 Maintenance Of Vacant Lots Or Tracts (Repealed)~~

~~Sec 66-669 (Reserved) (Repealed)~~

**SECTION 16:**            **AMENDMENT** “DIVISION 17 I-4 INDUSTRIAL DISTRICT” of the North Branch City Code is hereby *amended* as follows:

BEFORE AMENDMENT

DIVISION 17 I-4 INDUSTRIAL DISTRICT

AFTER AMENDMENT

DIVISION 17 I-42 INDUSTRIAL DISTRICT

**SECTION 17:**            **AMENDMENT** “Sec 66-6 Uses Not Provided For Within Zoning Districts” of the North Branch City Code is hereby *amended* as follows:

## BEFORE AMENDMENT

Sec 66-6 Uses Not Provided For Within Zoning Districts

In any zoning district if a use is neither specifically permitted nor denied, the use shall be considered prohibited.

(Code 1996, § 17.02.070)

## AFTER AMENDMENT

Sec 66-6 Uses ~~Not Provided For~~ Within Zoning Districts

~~In any zoning district if a use is neither specifically permitted nor denied, the use shall be considered prohibited.~~

The uses permitted in each zoning district is as set forth in the official uses chart as set forth below. Click on [Zoning District Use Table](#).

(Code 1996, § 17.02.070)

**SECTION 18:**        **AMENDMENT** “Sec 66-41 Administrating Officer” of the North Branch City Code is hereby *amended* as follows:

## BEFORE AMENDMENT

Sec 66-41 Administrating Officer

This article shall be administered and enforced by the planning director who shall be appointed by the city council.

(Code 1996, § 17.48.010)

## AFTER AMENDMENT

Sec 66-41 Administrating Officer

This article shall be administered and enforced by the Community Development Director who shall act as the planning Director ~~who shall be appointed by the city council.~~

(Code 1996, § 17.48.010)

**SECTION 19:**        **AMENDMENT** “Sec 66-62 Planning Commission Powers And Duties” of the North Branch City Code is hereby *amended* as follows:

## BEFORE AMENDMENT

### Sec 66-62 Planning Commission Powers And Duties

In requests for amendments and conditional use permits, the planning commission shall act in its capacity as the planning commission of the city. In requests for variances and appeals the planning commission shall act as the board of adjustment and appeals. The planning commission acting as itself or as the board of adjustment and appeals shall have the following powers:

- (a) To hear the recommended requests for amendments and conditional use permits consistent with the provisions of this division;
- (b) To hear and decide appeals where it is alleged that there is an error in any order, requirement, decisions or determination made by an administrative official in the enforcement of this division;
- (c) To hear requests for variances from the literal provisions of this chapter in instances where their strict enforcement would cause undue hardship because of circumstances unique to the individual property under consideration.

The planning commission acting as itself or as the board of adjustments and appeals is only advisory, the city council shall either approve or deny all requests.

(Code 1996, § 17.50.010; Ord. No. 153-10, § 1, 8-9-2010)

## AFTER AMENDMENT

### Sec 66-62 Planning Commission Powers And Duties

In requests for amendments and conditional use permits, the planning commission shall act in its capacity as the planning commission of the city. ~~In requests for variances and appeals the planning commission shall act as the board of adjustment and appeals.~~ The planning commission acting as itself or as the board of adjustment and appeals shall have the following ~~duties~~powers:

- (a) To hear the recommended requests for amendments and conditional use permits consistent with the provisions of this division;
- (b) To hear appeals and make recommendations~~decide appeals~~ where it is alleged that there is an error in any order, requirement, decisions or determination made by an administrative official in the enforcement of this division;
- (c) To hear requests for variances from the literal provisions of this chapter in instances where their strict enforcement would cause undue hardship because of circumstances unique to the individual property under consideration.

The planning commission ~~acting as itself or as the board of adjustments and appeals~~ is only advisory, the city council shall either approve or deny all requests.

(Code 1996, § 17.50.010; Ord. No. 153-10, § 1, 8-9-2010)

**SECTION 20:**        **AMENDMENT** “Sec 66-207 Permitted Uses” of the North Branch City Code is hereby *amended* as follows:

**BEFORE AMENDMENT**

Sec 66-207 Permitted Uses

The following are permitted uses in an R-1 single-family residential district:

- (a) Single-family detached dwellings; dwellings within the Urban Service Area must be connected to municipal utilities.
- (b) Boarding (house) home, foster children. Restricted to serving six or fewer persons.
- (c) Day care home. All such uses shall be licensed in accordance with state law and state department of public welfare regulations.
- (d) A state licensed residential facility serving from one to six mentally or physically disabled persons.
- (e) Public parks and playgrounds.

(Code 1996, § 17.06.020; Ord. No. 153-10, § 1, 8-9-2010)

**AFTER AMENDMENT**

Sec 66-207 Permitted Uses

The ~~following are permitted~~ uses permitted in an R-1 single-family residential district shall be as set forth in section 66-6:

- ~~(a) Single family detached dwellings; dwellings within the Urban Service Area must be connected to municipal utilities.~~
- ~~(b) Boarding (house) home, foster children. Restricted to serving six or fewer persons.~~
- ~~(c) Day care home. All such uses shall be licensed in accordance with state law and state department of public welfare regulations.~~
- ~~(d) A state licensed residential facility serving from one to six mentally or physically disabled persons.~~
- ~~(e) Public parks and playgrounds.~~

(Code 1996, § 17.06.020; Ord. No. 153-10, § 1, 8-9-2010)

**SECTION 21:            AMENDMENT** “Sec 66-208 Accessory Uses” of the North Branch City Code is hereby *amended* as follows:

**BEFORE AMENDMENT**

Sec 66-208 Accessory Uses

The following are permitted accessory uses in an R-1 single-family residential district:

- (a) Private garages, parking spaces and carports for licensed and operable passenger cars and trucks not to exceed a gross capacity of 9,000 pounds, as regulated by section 66-848 et seq. Private garages are intended for use to store the private passenger vehicles of the family or families resident upon the premises, and in which no business, service or industry is carried on. Such space can be rented to nonresidents of the property for private passenger vehicles and/or noncommercial vehicles, trailers or equipment if sufficient off-street parking in full compliance with this article is provided elsewhere on the property. Such garage shall not be used for the storage of more than one commercial vehicle owned or operated by a resident per dwelling unit.
- (b) Recreational vehicles and equipment properly stored on the property.
- (c) Home occupations in accordance with section 66-942.
- (d) Noncommercial greenhouses and conservatories.
- (e) Swimming pools which have the necessary city permits, tennis courts and other recreational facilities which are operated for the enjoyment and convenience of the residents of the principal use and their guests.
- (f) Tool houses, sheds and similar buildings for storage of domestic supplies and noncommercial recreational equipment.
- (g) Boarding or renting of rooms to not more than one person.
- (h) Essential services.
- (i) Fencing, screening and landscaping as permitted and regulated by section 66-970 et seq.
- (j) Boat houses, piers and docks.
- (k) Signs in compliance with section 66-821 et seq.
- (l) Essential service buildings of 1,000 square feet or less.
- (m) Rummage/garage sales (see definition).

(Code 1996, § 17.06.030; Ord. No. 153-10, § 1, 8-9-2010)

**AFTER AMENDMENT**

Sec 66-208 Accessory Uses

The ~~following are~~ permitted accessory uses in an R-1 single-family residential district: shall be as set forth in section 66-6.

- ~~(a) Private garages, parking spaces and carports for licensed and operable passenger cars and trucks not to exceed a gross capacity of 9,000 pounds, as regulated by section 66-~~

~~848 et seq. Private garages are intended for use to store the private passenger vehicles of the family or families resident upon the premises, and in which no business, service or industry is carried on. Such space can be rented to nonresidents of the property for private passenger vehicles and/or noncommercial vehicles, trailers or equipment if sufficient off-street parking in full compliance with this article is provided elsewhere on the property. Such garage shall not be used for the storage of more than one commercial vehicle owned or operated by a resident per dwelling unit.~~

- ~~(b) Recreational vehicles and equipment properly stored on the property.~~
- ~~(c) Home occupations in accordance with section 66-942.~~
- ~~(d) Noncommercial greenhouses and conservatories.~~
- ~~(e) Swimming pools which have the necessary city permits, tennis courts and other recreational facilities which are operated for the enjoyment and convenience of the residents of the principal use and their guests.~~
- ~~(f) Tool houses, sheds and similar buildings for storage of domestic supplies and noncommercial recreational equipment.~~
- ~~(g) Boarding or renting of rooms to not more than one person.~~
- ~~(h) Essential services.~~
- ~~(i) Fencing, screening and landscaping as permitted and regulated by section 66-970 et seq.~~
- ~~(j) Boat houses, piers and docks.~~
- ~~(k) Signs in compliance with section 66-821 et seq.~~
- ~~(l) Essential service buildings of 1,000 square feet or less.~~
- ~~(m) Rummage/garage sales (see definition).~~

(Code 1996, § 17.06.030; Ord. No. 153-10, § 1, 8-9-2010)

**SECTION 22:**            **AMENDMENT** “Sec 66-209 Conditional Uses” of the North Branch City Code is hereby *amended* as follows:

#### BEFORE AMENDMENT

Sec 66-209 Conditional Uses

The following are conditional uses in an R-1 single-family residential district that require a conditional use permit based upon procedures, factors and conditions set forth in and regulated by [section 66-62](#) et seq.:

- (a) Public or semi-public recreational buildings and neighborhood or community centers; public and private educational institutions; religious institutions; and ancillary structures, activities and services that are operated in support of these conditionally approved uses. Multiple principal buildings on a lot of record for churches and schools are allowed provided the buildings are under common ownership and the buildings are used for related uses.

- (b) Governmental and public utility buildings and structures necessary for the health, safety and general welfare of the community.
- (c) Two-family attached dwellings meeting all applicable yard size and setback requirements connected to municipal utilities.
- (d) Bed and breakfast inns.
- (e) Licensed day care facility located in the same building or parcel as a religious institution such as churches, chapels, temples, and synagogues, provided the regulations of the Human Services Licensing Act, Minn. Stats. ch. 245A, and the state building, fire and health regulations are satisfactorily met.
- (f) Administrative offices for nonprofit and not-for-profit uses conducted by tax-exempt entities provided there is no client intake, no counseling or no product collection, distribution or sales conducted on the property.
- (g) Residential planned unit developments as regulated by [section 66-788](#) et seq.
- (h) Plumbing in accessory structures subject to the following:
  1. The accessory structure shall not be converted to a dwelling unit. The conditional use is for bathroom facilities only.
  2. The property may be inspected at any time to assure compliance.
  3. All costs associated with future conversion is the responsibility of the owner.

(Code 1996, § 17.06.040; Ord. No. 102, § 1(17.06.045), 10-24-2005; Ord. No. 153-10, § 1, 8-9-2010; Ord. No. 216-14, § 1, 9-22-2014; Ord. No. 224-15, § 2, 4-28-2015)

#### AFTER AMENDMENT

#### Sec 66-209 Conditional Uses

The ~~following are~~ conditional uses in an R-1 single-family residential district that require a conditional use permit based upon procedures, factors and conditions set forth in and regulated by [section 66-62](#) et seq ~~shall be as set forth in section 66-6.~~

- ~~(a) Public or semi-public recreational buildings and neighborhood or community centers; public and private educational institutions; religious institutions; and ancillary structures, activities and services that are operated in support of these conditionally approved uses. Multiple principal buildings on a lot of record for churches and schools are allowed provided the buildings are under common ownership and the buildings are used for related uses.~~
- ~~(b) Governmental and public utility buildings and structures necessary for the health, safety and general welfare of the community.~~
- ~~(c) Two-family attached dwellings meeting all applicable yard size and setback requirements connected to municipal utilities.~~
- ~~(d) Bed and breakfast inns.~~
- ~~(e) Licensed day care facility located in the same building or parcel as a religious institution such as churches, chapels, temples, and synagogues, provided the regulations of the Human Services Licensing Act, Minn. Stats. ch. 245A, and the state building, fire and health regulations are satisfactorily met.~~

- ~~(f) Administrative offices for nonprofit and not for profit uses conducted by tax exempt entities provided there is no client intake, no counseling or no product collection, distribution or sales conducted on the property.~~
- ~~(g) Residential planned unit developments as regulated by section 66-788 et seq.~~
- ~~(h) Plumbing in accessory structures subject to the following:
  - ~~1. The accessory structure shall not be converted to a dwelling unit. The conditional use is for bathroom facilities only.~~
  - ~~2. The property may be inspected at any time to assure compliance.~~
  - ~~3. All costs associated with future conversion is the responsibility of the owner.~~~~

(Code 1996, § 17.06.040; Ord. No. 102, § 1(17.06.045), 10-24-2005; Ord. No. 153-10, § 1, 8-9-2010; Ord. No. 216-14, § 1, 9-22-2014; Ord. No. 224-15, § 2, 4-28-2015)

**SECTION 23:**            **AMENDMENT** “Sec 66-210 Design Standards” of the North Branch City Code is hereby *amended* as follows:

#### BEFORE AMENDMENT

Sec 66-210 Design Standards

The following are minimum design standards for the R-1 single-family residential district:

- (a) Dwelling units in this zoning district must meet the following minimum structural design standards:
  - 1. Minimum square footage:
    - a. *Single-family detached dwelling.* Minimum ground floor area shall be 800 square feet for a single story dwelling. A dwelling unit with one and a half or more stories shall have a minimum of 800 square feet on main floor.
    - b. *Two-family attached dwelling.* Minimum ground floor area shall be 800 square feet for a single story dwelling. A dwelling unit with one and a half more stories shall have a minimum of 800 square feet on main floor.
  - 2. Permanent full perimeter footings; with foundation walls of concrete, concrete block, wood, or any other approved material or method. Decks and porches are allowed on pier type footings.
  - 3. Minimum width: 24 feet.
  - 4. A minimum roof pitch of 4/12, 4" vertical rise for each 12" horizontal run.
  - 5. Provisions for decks must be shown on original plans when a sliding glass door, patio door, etc. are installed.
  - 6. Compliance with the requirements of the State Building Code.
- (b) Garages in this zoning district must meet the following minimum structural design standards:

1. Rear or side yard or attached garage required.
  2. Minimum size: 400 square feet.
- (c) Accessory buildings in this zoning district must meet the following minimum structural design standards:
1. Shall not be erected within six feet of any lot boundary or alley.
  2. Additional standards and requirements for accessory buildings are contained in section 66-898.
- (d) Driveways in this zoning district must meet the following minimum design standards:
1. Shall be constructed from a hard, impervious or permeable surface such as bituminous or concrete. Said surface shall be of such character as is suitable and in harmony with similar improvements in the surrounding area.
  2. Shall be completed within the same time frame as that of the building permit.

(Code 1996, § 17.06.050; Ord. No. 153-10, § 1, 8-9-2010; Ord. No. 187-12, § 1, 4-9-2012)

## AFTER AMENDMENT

### Sec 66-210 Design Standards

The following are minimum design standards for the R-1 single-family residential district:

- (a) ~~Dwelling units in this zoning district must meet the following minimum structural design standards:~~ The design standards in each zoning district are as set forth in the official design standards chart as set forth below. Click on [Dimensional Standard Table](#).
1. ~~Minimum square footage:~~
    - a. ~~Single family detached dwelling. Minimum ground floor area shall be 800 square feet for a single story dwelling. A dwelling unit with one and a half or more stories shall have a minimum of 800 square feet on main floor.~~
    - b. ~~Two family attached dwelling. Minimum ground floor area shall be 800 square feet for a single story dwelling. A dwelling unit with one and a half more stories shall have a minimum of 800 square feet on main floor.~~
  2. ~~Permanent full perimeter footings; with foundation walls of concrete, concrete block, wood, or any other approved material or method. Decks and porches are allowed on pier type footings.~~
  3. ~~Minimum width: 24 feet.~~
  4. ~~A minimum roof pitch of 4/12, 4" vertical rise for each 12" horizontal run.~~
  5. ~~Provisions for decks must be shown on original plans when a sliding glass door, patio door, etc. are installed.~~
  6. ~~Compliance with the requirements of the State Building Code.~~
- (b) ~~Garages in this zoning district must meet the following minimum structural design standards:~~
1. ~~Rear or side yard or attached garage required.~~

- ~~2. Minimum size: 400 square feet.~~
- (c) ~~Accessory buildings in this zoning district must meet the following minimum structural design standards:~~
  - ~~1. Shall not be erected within six feet of any lot boundary or alley.~~
  - ~~2. Additional standards and requirements for accessory buildings are contained in section 66-898.~~
- (d) Driveways in this zoning district must meet the following minimum design standards:
  - 1. Shall be constructed from a hard, impervious or permeable surface such as bituminous or concrete. Said surface shall be of such character as is suitable and in harmony with similar improvements in the surrounding area.
  - 2. Shall be completed within the same time frame as that of the building permit.

(Code 1996, § 17.06.050; Ord. No. 153-10, § 1, 8-9-2010; Ord. No. 187-12, § 1, 4-9-2012)

**SECTION 24:**            **AMENDMENT** “Sec 66-211 Yard, Area, Building Size Requirements” of the North Branch City Code is hereby *amended* as follows:

#### BEFORE AMENDMENT

Sec 66-211 Yard, Area, Building Size Requirements

The following are yard, area and building size regulations for permitted single-family detached dwellings in the R-1 single-family residential district:

- (a) Minimum lot area:
  - 1. Minimum of 12,000 square feet for lots within the Urban Service Area.
  - 2. Minimum of ten acres for lots outside the Urban Service Area.
  - 3. Minimum of 1.0 acre buildable for lots created within Urban Service Area that are not connected to municipal services that are established according to the terms of an approved PUD under Sections 66-788 through 66-798.
- (b) Minimum lot width at front yard setback line:
  - 1. 85 feet for interior lots and 100 feet for corner lots within the Urban Service Area.
  - 2. 110 feet for lots outside the Urban Service Area.
  - 3. 110 feet for lots created within the Urban Service Area that are not connected to municipal services that are established according to the terms of an approved PUD under Sections 66-788 through 66-798.
- (c) Minimum lot depth:
  - 1. 100 feet for lots within the Urban Service Area.
  - 2. 300 feet for lots outside the Urban Service Area.

3. 300 feet for lots created within the Urban Service Area that are not connected to municipal services that are established according to the terms of an approved PUD under Sections 66-788 through 66-798.
- (d) Yard dimensions:
1. Front yard setback:
    - a. 30 feet from the lot line or road right-of-way if applicable for lots within the Urban Service Area.
    - b. 40 feet from the lot line or road right-of-way if applicable for lots outside the Urban Service Area.
    - c. 40 feet from the lot line or road right-of-way if applicable for lots created within the Urban Service Area that are not connected to municipal services that are established according to the terms of an approved PUD under Sections 66-788 through 66-798.
  2. Side yard setback (each side):
    - a. Minimum of six feet from the interior lot line(s).
    - b. Minimum of ten feet from the interior lot line(s) for lots outside the Urban Service Area.
  3. Corner side yard setback: 30 feet from the lot line or road right-of-way.
  4. Rear yard setback for interior lots: 30 feet from the lot line.
  5. Rear yard setback for corner lots: 15 feet from the lot line.
- (e) Wetland setback:
1. A 20-foot natural buffer shall be maintained adjacent to all wetlands on lots created after the adoption of this chapter.
  2. A minimum 40-foot setback is required for all structures adjacent to all wetlands on lots created after the adoption of this chapter.
- (f) Maximum building height: 35 feet.
- (g) Maximum impervious area: 50 percent.
- (h) Floor elevation:
1. The lowest floor elevation for new or redevelopment will be three feet above the highest known groundwater level.
  2. The lowest floor elevation for new or redevelopment will be two feet above the 100-year flood elevation.

(Code 1996, § 17.06.060; Ord. No. 104, § 1(17.06.065), 12-12-2005; Ord. No. 153-10, § 1, 8-9-2010)

## AFTER AMENDMENT

### Sec 66-211 Yard, Area, Building Size Requirements

The ~~following are~~ yard, area and building size regulations for permitted single-family detached dwellings in the R-1 single-family residential district as set forth in the official design standards chart as set forth in 66-210:

~~(a) Minimum lot area:~~

- ~~1. Minimum of 12,000 square feet for lots within the Urban Service Area.~~
- ~~2. Minimum of ten acres for lots outside the Urban Service Area.~~

3. ~~Minimum of 1.0 acre buildable for lots created within Urban Service Area that are not connected to municipal services that are established according to the terms of an approved PUD under Sections 66-788 through 66-798.~~

~~(b) Minimum lot width at front yard setback line:~~

1. ~~85 feet for interior lots and 100 feet for corner lots within the Urban Service Area.~~
2. ~~110 feet for lots outside the Urban Service Area.~~
3. ~~110 feet for lots created within the Urban Service Area that are not connected to municipal services that are established according to the terms of an approved PUD under Sections 66-788 through 66-798.~~

~~(c) Minimum lot depth:~~

1. ~~100 feet for lots within the Urban Service Area.~~
2. ~~300 feet for lots outside the Urban Service Area.~~
3. ~~300 feet for lots created within the Urban Service Area that are not connected to municipal services that are established according to the terms of an approved PUD under Sections 66-788 through 66-798.~~

~~(d) Yard dimensions:~~

1. ~~Front yard setback:~~
  - a. ~~30 feet from the lot line or road right-of-way if applicable for lots within the Urban Service Area.~~
  - b. ~~40 feet from the lot line or road right-of-way if applicable for lots outside the Urban Service Area.~~
  - c. ~~40 feet from the lot line or road right-of-way if applicable for lots created within the Urban Service Area that are not connected to municipal services that are established according to the terms of an approved PUD under Sections 66-788 through 66-798.~~
2. ~~Side yard setback (each side):~~
  - a. ~~Minimum of six feet from the interior lot line(s).~~
  - b. ~~Minimum of ten feet from the interior lot line(s) for lots outside the Urban Service Area.~~
3. ~~Corner side yard setback: 30 feet from the lot line or road right-of-way.~~
4. ~~Rear yard setback for interior lots: 30 feet from the lot line.~~
5. ~~Rear yard setback for corner lots: 15 feet from the lot line.~~

~~(e) Wetland setback:~~

1. ~~A 20-foot natural buffer shall be maintained adjacent to all wetlands on lots created after the adoption of this chapter.~~
2. ~~A minimum 40-foot setback is required for all structures adjacent to all wetlands on lots created after the adoption of this chapter.~~

~~(f) Maximum building height: 35 feet.~~

~~(g) Maximum impervious area: 50 percent.~~

~~(h) Floor elevation:~~

1. ~~The lowest floor elevation for new or redevelopment will be three feet above the highest known groundwater level.~~

~~2. The lowest floor elevation for new or redevelopment will be two feet above the 100-year flood elevation.~~

(Code 1996, § 17.06.060; Ord. No. 104, § 1(17.06.065), 12-12-2005; Ord. No. 153-10, § 1, 8-9-2010)

**SECTION 25:**        **AMENDMENT** “Sec 66-272 Permitted Uses” of the North Branch City Code is hereby *amended* as follows:

#### BEFORE AMENDMENT

Sec 66-272 Permitted Uses

The following are permitted uses in an R-2 medium-density residential district:

- (a) Single-family detached dwellings connected to municipal utilities.
- (b) Two-family attached dwelling units connected to municipal utilities.
- (c) Boarding (house) home, foster children. Restricted to serving six or fewer persons.
- (d) Day care home. All such uses shall be licensed in accordance with state law and state department of public welfare regulations.
- (e) A state licensed residential facility serving from one to six mentally or physically disabled persons.
- (f) Public parks and playgrounds.
- (g) Two-unit attached townhomes.

(Code 1996, § 17.10.020; Ord. No. 153-10, § 1, 8-9-2010)

#### AFTER AMENDMENT

Sec 66-272 Permitted Uses

The ~~following are~~ permitted uses in an R-2 medium-density residential district: shall be as set forth in Section 66-6.

- ~~(a) Single-family detached dwellings connected to municipal utilities.~~
- ~~(b) Two-family attached dwelling units connected to municipal utilities.~~
- ~~(c) Boarding (house) home, foster children. Restricted to serving six or fewer persons.~~
- ~~(d) Day care home. All such uses shall be licensed in accordance with state law and state department of public welfare regulations.~~
- ~~(e) A state licensed residential facility serving from one to six mentally or physically disabled persons.~~
- ~~(f) Public parks and playgrounds.~~
- ~~(g) Two-unit attached townhomes.~~

~~(Code 1996, § 17.10.020; Ord. No. 153-10, § 1, 8-9-2010)~~

**SECTION 26:            AMENDMENT** “Sec 66-273 Accessory Uses” of the North Branch City Code is hereby *amended* as follows:

**BEFORE AMENDMENT**

Sec 66-273 Accessory Uses

The following are permitted accessory uses in the R-2 medium-density residential district:

- (a) Private garages, parking spaces, and carports for licensed and operable passenger cars and trucks not to exceed a gross capacity of 9,000 pounds, as regulated by section 66-848 et seq. Private garages are intended for use to store the private passenger vehicles of the family or families resident upon the premises, and in which no business, service, or industry is carried on. Such space can be rented to nonresidents of the property for private passenger vehicles and/or noncommercial vehicles, trailers, or equipment if sufficient off-street parking in full compliance with this article is provided elsewhere on the property. Such garage shall not be used for the storage of more than one commercial vehicle owned or operated by a resident per dwelling unit.
- (b) Recreational vehicles and equipment properly located on the property.
- (c) Home occupations in accordance with section 66-942.
- (d) Noncommercial greenhouses and conservatories.
- (e) Swimming pools which have the necessary city permits, tennis courts and other recreational facilities which are operated for the enjoyment and convenience of the residents of the principal use and their guests.
- (f) Tool houses, sheds, and similar buildings for storage of domestic supplies and noncommercial recreational equipment.
- (g) Boarding or renting of rooms to not more than one person.
- (h) Essential services.
- (i) Fencing, screening, and landscaping as permitted and regulated by section 66-970 et seq.
- (j) Boat houses, piers, and docks.
- (k) Signs in compliance with section 66-821 et seq.
- (l) Off-street loading.
- (m) Essential service buildings of 1,000 square feet or less.
- (n) Rummage/garage sales (see definition).

(Code 1996, § 17.10.030; Ord. No. 153-10, § 1, 8-9-2010)

**AFTER AMENDMENT**

Sec 66-273 Accessory Uses

The ~~following are~~ permitted accessory uses in the R-2 medium-density residential district shall be as set forth in Section 66-6:

- ~~(a) Private garages, parking spaces, and carports for licensed and operable passenger cars and trucks not to exceed a gross capacity of 9,000 pounds, as regulated by section 66-848 et seq. Private garages are intended for use to store the private passenger vehicles of the family or families resident upon the premises, and in which no business, service, or industry is carried on. Such space can be rented to nonresidents of the property for private passenger vehicles and/or noncommercial vehicles, trailers, or equipment if sufficient off-street parking in full compliance with this article is provided elsewhere on the property. Such garage shall not be used for the storage of more than one commercial vehicle owned or operated by a resident per dwelling unit.~~
- ~~(b) Recreational vehicles and equipment properly located on the property.~~
- ~~(c) Home occupations in accordance with section 66-942.~~
- ~~(d) Noncommercial greenhouses and conservatories.~~
- ~~(e) Swimming pools which have the necessary city permits, tennis courts and other recreational facilities which are operated for the enjoyment and convenience of the residents of the principal use and their guests.~~
- ~~(f) Tool houses, sheds, and similar buildings for storage of domestic supplies and noncommercial recreational equipment.~~
- ~~(g) Boarding or renting of rooms to not more than one person.~~
- ~~(h) Essential services.~~
- ~~(i) Fencing, screening, and landscaping as permitted and regulated by section 66-970 et seq.~~
- ~~(j) Boat houses, piers, and docks.~~
- ~~(k) Signs in compliance with section 66-821 et seq.~~
- ~~(l) Off-street loading.~~
- ~~(m) Essential service buildings of 1,000 square feet or less.~~
- ~~(n) Rummage/garage sales (see definition).~~

~~(Code 1996, § 17.10.030; Ord. No. 153-10, § 1, 8-9-2010)~~

**SECTION 27:**            **AMENDMENT** “Sec 66-274 Conditional Uses” of the North Branch City Code is hereby *amended* as follows:

**BEFORE AMENDMENT**

Sec 66-274 Conditional Uses

The following are conditional uses in the R-2 medium-density residential district that require a conditional use permit based upon procedures, factors and conditions set forth in and regulated by section 66-62 et seq.:

- (a) Townhouses with three or four units connected to municipal utilities.

- (b) Multiple family dwelling structures containing not more than four units connected to municipal utilities.
- (c) Public- or semi-public recreational buildings and neighborhood or community centers, public and private educational institutions, limited to elementary, junior high, senior high schools and post secondary facilities; and religious institutions such as churches, chapels, temples and synagogues.
- (d) Governmental and public utility buildings and structures necessary for the health, safety and general welfare of the community.
- (e) Bed and breakfast inns.
- (f) Recreational instruction as an accessory use.
- (g) Licensed childcare center located in the same building or parcel as a religious institution such as churches, chapels, temples, and synagogues, provided the regulations of the Human Services Licensing Act, Minn. Stats. ch. 245A, and the state building, fire and health regulations are satisfactorily met.
- (h) Nonprofit uses conducted by tax-exempt entities provided the property is adjacent to commercially zoned property.
- (i) Multiple principal buildings on a lot of record for churches and schools provided the buildings are under common ownership and the buildings are used for related uses.
- (j) Residential planned unit developments as regulated by section 66-788 et seq.
- (k) Buildings only owned and used by religious institutions for support or related functions or activities of a religious institution.

(Code 1996, § 17.10.040; Ord. No. 102, § 1 (17.10.045), 10-24-2005; Ord. No. 153-10, § 1, 8-9-2010; Ord. No. 224-15, § 4, 4-28-2015)

#### AFTER AMENDMENT

##### Sec 66-274 Conditional Uses

The ~~following are~~ conditional uses in the R-2 medium-density residential district that require a conditional use permit based upon procedures, factors and conditions set forth in and regulated by section 66-62 et seq. shall be as set forth in Section 66-6.:

- ~~(a) Townhouses with three or four units connected to municipal utilities.~~
- ~~(b) Multiple family dwelling structures containing not more than four units connected to municipal utilities.~~
- ~~(c) Public or semi-public recreational buildings and neighborhood or community centers, public and private educational institutions, limited to elementary, junior high, senior high schools and post secondary facilities; and religious institutions such as churches, chapels, temples and synagogues.~~
- ~~(d) Governmental and public utility buildings and structures necessary for the health, safety and general welfare of the community.~~
- ~~(e) Bed and breakfast inns.~~
- ~~(f) Recreational instruction as an accessory use.~~

- ~~(g) Licensed childcare center located in the same building or parcel as a religious institution such as churches, chapels, temples, and synagogues, provided the regulations of the Human Services Licensing Act, Minn. Stats. ch. 245A, and the state building, fire and health regulations are satisfactorily met.~~
- ~~(h) Nonprofit uses conducted by tax-exempt entities provided the property is adjacent to commercially-zoned property.~~
- ~~(i) Multiple principal buildings on a lot of record for churches and schools provided the buildings are under common ownership and the buildings are used for related uses.~~
- ~~(j) Residential planned unit developments as regulated by section 66-788 et seq.~~
- ~~(k) Buildings only owned and used by religious institutions for support or related functions or activities of a religious institution.~~

(Code 1996, § 17.10.040; Ord. No. 102, § 1 (17.10.045), 10-24-2005; Ord. No. 153-10, § 1, 8-9-2010; Ord. No. 224-15, § 4, 4-28-2015)

**SECTION 28:**            **AMENDMENT** “Sec 66-275 Design Standards” of the North Branch City Code is hereby *amended* as follows:

**BEFORE AMENDMENT**

Sec 66-275 Design Standards

The following are minimum design standards for the R-2 medium-density residential district:

- (a) Dwelling units in this zoning district must meet the following minimum structural design standards:
  - 1. Minimum square footage:
    - a. Single-family detached dwelling. Minimum ground floor area shall be 800 square feet for a single story dwelling. A dwelling unit with one and a half or more stories shall have a minimum of 800 square feet on main floor.
    - b. Two-family dwelling units. Minimum ground floor area shall be 800 square feet for a single story dwelling. A dwelling unit with one and a half or more stories shall have a minimum of 800 square feet on main floor.
    - c. Apartment-type dwelling units:

Apartment Type	Minimum Square Footage of Unit
Efficiency	400 square feet
1 bedroom	650 square feet
2 bedroom	750 square feet

3 bedroom	850 square feet
-----------	-----------------

2. Permanent full perimeter footings; with foundation walls of concrete, concrete block, wood, or any other approved material or design. Decks and porches are allowed on pier type footings.
  3. Minimum width: 24 feet.
  4. A minimum roof pitch of 4/12, 4" vertical rise for each 12" horizontal run.
  5. Provisions for decks must be shown on original plans when a sliding glass door, patio door, etc., are installed.
  6. Compliance with the requirements of the State Building Code.
- (b) Garages in this zoning district must meet the following minimum structural design standards for one and two-family dwellings:
1. Rear or side yard or attached garage required.
  2. Minimum size for garages: 400 square feet per unit.
- (c) Accessory buildings in this zoning district must meet the following minimum structural design standards:
1. Shall not be erected within six feet of any lot boundary or alley.
  2. Additional standards and requirements for accessory buildings are contained in section 66-898.
- (d) Driveways in this zoning district must meet the following minimum design standards:
1. Shall be constructed from a hard, impervious or permeable surface such as bituminous or concrete. Said surface shall be of such character as is suitable and in harmony with similar improvements in the surrounding area.
  2. Shall be completed within the same time frame as that of the building permit.

(Code 1996, § 17.10.050; Ord. No. 153-10, § 1, 8-9-2010; Ord. No. 187-12, § 1, 4-9-2012)

## AFTER AMENDMENT

### Sec 66-275 Design Standards

The ~~following are~~ minimum design standards for the R-2 medium-density residential district:

- (a) Dwelling ~~are as set forth in the official design standards chart as set forth in 66-210.~~ units in this zoning district must meet the following minimum structural design standards:
1. ~~Minimum square footage:~~
    - a. ~~Single family detached dwelling. Minimum ground floor area shall be 800 square feet for a single story dwelling. A dwelling unit with one and a half or more stories shall have a minimum of 800 square feet on main floor.~~
    - b. ~~Two family dwelling units. Minimum ground floor area shall be 800 square feet for a single story dwelling. A dwelling unit with one and a half or more stories shall have a minimum of 800 square feet on main floor.~~

~~e. Apartment type dwelling units:~~

<del>Apartment Type</del>	<del>Minimum Square Footage of Unit</del>
<del>Efficiency</del>	<del>400 square feet</del>
<del>1 bedroom</del>	<del>650 square feet</del>
<del>2 bedroom</del>	<del>750 square feet</del>
<del>3 bedroom</del>	<del>850 square feet</del>

- ~~2. Permanent full perimeter footings; with foundation walls of concrete, concrete block, wood, or any other approved material or design. Decks and porches are allowed on pier type footings.~~
- ~~3. Minimum width: 24 feet.~~
- ~~4. A minimum roof pitch of 4/12, 4" vertical rise for each 12" horizontal run.~~
- ~~5. Provisions for decks must be shown on original plans when a sliding glass door, patio door, etc., are installed.~~
- ~~6. Compliance with the requirements of the State Building Code.~~
- ~~(b) Garages in this zoning district must meet the following minimum structural design standards for one and two family dwellings:~~
  - ~~1. Rear or side yard or attached garage required.~~
  - ~~2. Minimum size for garages: 400 square feet per unit.~~
- ~~(c) Accessory buildings in this zoning district must meet the following minimum structural design standards:~~
  - ~~1. Shall not be erected within six feet of any lot boundary or alley.~~
  - ~~2. Additional standards and requirements for accessory buildings are contained in section 66-898.~~
- ~~(d) Driveways in this zoning district must meet the following minimum design standards:~~
  - ~~1. Shall be constructed from a hard, impervious or permeable surface such as bituminous or concrete. Said surface shall be of such character as is suitable and in harmony with similar improvements in the surrounding area.~~
  - ~~2. Shall be completed within the same time frame as that of the building permit.~~

~~(Code 1996, § 17.10.050; Ord. No. 153-10, § 1, 8-9-2010; Ord. No. 187-12, § 1, 4-9-2012)~~

**SECTION 29:            AMENDMENT** “Sec 66-276 Yard, Area, And Building Size Requirements; Single-Family” of the North Branch City Code is hereby *amended* as follows:

**BEFORE AMENDMENT**

Sec 66-276 Yard, Area, And Building Size Requirements; Single-Family

The following are yard, area and building size regulations for permitted single-family detached dwellings in the R-2 medium-density residential district:

- (a) Minimum lot area:
  - 1. Minimum of 12,000 square feet.
- (b) Minimum lot width at front yard setback line:
  - 1. 85 feet for interior lots.
  - 2. 100 feet for corner lots.
- (c) Minimum lot depth:
  - 1. 100 feet.
- (d) Yard dimensions:
  - 1. Front yard setback:
    - a. 30 feet from the lot line or road right-of-way if applicable.
  - 2. Side yard setback (each side):
    - a. Minimum of six feet from the interior lot line or zero if dwelling is an attached unit.
  - 3. Corner side yard setback: 30 feet from lot line or road right-of-way if applicable.
  - 4. Rear yard setback: 30 feet from the lot line for interior lots.
  - 5. Rear yard setback for corner lots: 15 feet from the lot line.
- (e) Wetland setback:
  - 1. A 20-foot natural buffer shall be maintained adjacent to all wetlands on lots created after the adoption of this chapter.
  - 2. A minimum 40-foot setback is required for all structures adjacent to all wetlands on lots created after the adoption of this chapter.
- (f) Maximum building height: 35 feet.
- (g) Maximum impervious area: 50 percent.
- (h) Floor elevation:
  - 1. The lowest floor elevation for new or redevelopment will be three feet above the highest known groundwater level.
  - 2. The lowest floor elevation for new or redevelopment will be two feet above the 100-year flood elevation.

(Code 1996, § 17.10.060; Ord. No. 153-10, § 1, 8-9-2010)

#### AFTER AMENDMENT

#### Sec 66-276 Yard, Area, And Building Size Requirements; Single-Family

The ~~following are~~ yard, area and building size regulations for permitted single-family detached dwellings in the R-2 medium-density residential district are as set forth in the official design standards chart as set forth in 66-210.:

- ~~(a) Minimum lot area:~~
  - ~~1. Minimum of 12,000 square feet.~~
- ~~(b) Minimum lot width at front yard setback line:~~
  - ~~1. 85 feet for interior lots.~~
  - ~~2. 100 feet for corner lots.~~
- ~~(c) Minimum lot depth:~~

1. ~~100 feet.~~
- (d) ~~Yard dimensions:~~
1. ~~Front yard setback:~~
    - a. ~~30 feet from the lot line or road right-of-way if applicable.~~
  2. ~~Side yard setback (each side):~~
    - a. ~~Minimum of six feet from the interior lot line or zero if dwelling is an attached unit.~~
  3. ~~Corner side yard setback: 30 feet from lot line or road right-of-way if applicable.~~
  4. ~~Rear yard setback: 30 feet from the lot line for interior lots.~~
  5. ~~Rear yard setback for corner lots: 15 feet from the lot line.~~
- (e) ~~Wetland setback:~~
1. ~~A 20-foot natural buffer shall be maintained adjacent to all wetlands on lots created after the adoption of this chapter.~~
  2. ~~A minimum 40-foot setback is required for all structures adjacent to all wetlands on lots created after the adoption of this chapter.~~
- (f) ~~Maximum building height: 35 feet.~~
- (g) ~~Maximum impervious area: 50 percent.~~
- (h) ~~Floor elevation:~~
1. ~~The lowest floor elevation for new or redevelopment will be three feet above the highest known groundwater level.~~
  2. ~~The lowest floor elevation for new or redevelopment will be two feet above the 100-year flood elevation.~~

(Code 1996, § 17.10.060; Ord. No. 153-10, § 1, 8-9-2010)

**SECTION 30:**            **AMENDMENT** “Sec 66-278 Yard, Area And Building Size Requirements; Two-Family” of the North Branch City Code is hereby *amended* as follows:

#### BEFORE AMENDMENT

Sec 66-278 Yard, Area And Building Size Requirements; Two-Family

The following are yard, area and building size regulations for permitted two-family dwellings units in the R-2 medium-density residential district.

- (a) Total lot area: a minimum of 7,500 square feet per dwelling unit.
- (b) Total lot width at front yard setback line: minimum of 100 feet
- (c) Total minimum lot depth: 100 feet
- (d) Yard dimensions:
  1. Front yard setback: 30 feet from the lot line or road right-of-way if applicable.
  2. Side yard setback: minimum of six feet from the interior lot lines or zero if dwelling unit is attached.

3. Corner side yard setback: minimum of 20 feet from the lot line or road right-of-way if applicable.
  4. Rear yard setback for interior lots: minimum of 30 feet from lot line.
  5. Rear yard setback for corner lots: 15 feet from the lot line.
- (e) Wetland setback:
1. A 20-foot natural buffer shall be maintained adjacent to all wetlands on lots created after the adoption of this chapter.
  2. A minimum 40-foot setback is required for all structures adjacent to all wetlands on lots created after the adoption of this chapter.
- (f) Maximum building height: 35 feet.
- (g) Maximum impervious area: 50 percent.
- (h) Floor elevation:
1. The lowest floor elevation for new or redevelopment will be three feet above the highest known groundwater level.
  2. The lowest floor elevation for new or redevelopment will be two feet above the 100-year flood elevation.

(Code 1996, § 17.10.070; Ord. No. 153-10, § 1, 8-9-2010)

#### AFTER AMENDMENT

#### Sec 66-278 Yard, Area And Building Size Requirements; Two-Family

The ~~following are~~ yard, area and building size regulations for permitted two-family dwellings units in the R-2 medium-density residential district are as set forth in the official design standards chart as set forth in 66-210.

- ~~(a) Total lot area: a minimum of 7,500 square feet per dwelling unit.~~
- ~~(b) Total lot width at front yard setback line: minimum of 100 feet~~
- ~~(c) Total minimum lot depth: 100 feet~~
- ~~(d) Yard dimensions:~~
- ~~1. Front yard setback: 30 feet from the lot line or road right-of-way if applicable.~~
  - ~~2. Side yard setback: minimum of six feet from the interior lot lines or zero if dwelling unit is attached.~~
  - ~~3. Corner side yard setback: minimum of 20 feet from the lot line or road right-of-way if applicable.~~
  - ~~4. Rear yard setback for interior lots: minimum of 30 feet from lot line.~~
  - ~~5. Rear yard setback for corner lots: 15 feet from the lot line.~~
- ~~(e) Wetland setback:~~
- ~~1. A 20-foot natural buffer shall be maintained adjacent to all wetlands on lots created after the adoption of this chapter.~~
  - ~~2. A minimum 40-foot setback is required for all structures adjacent to all wetlands on lots created after the adoption of this chapter.~~
- ~~(f) Maximum building height: 35 feet.~~
- ~~(g) Maximum impervious area: 50 percent.~~
- ~~(h) Floor elevation:~~

- ~~1. The lowest floor elevation for new or redevelopment will be three feet above the highest known groundwater level.~~
- ~~2. The lowest floor elevation for new or redevelopment will be two feet above the 100-year flood elevation.~~

~~(Code 1996, § 17.10.070; Ord. No. 153-10, § 1, 8-9-2010)~~

**SECTION 31:            AMENDMENT** “Sec 66-279 Yard, Area And Building Size Requirements; 3-4 Dwelling Units” of the North Branch City Code is hereby *amended* as follows:

### BEFORE AMENDMENT

Sec 66-279 Yard, Area And Building Size Requirements; 3-4 Dwelling Units

The following are yard, area and building size regulations for permitted developments containing three or more dwelling units in the R-2 medium-density residential district.

- (a) Total lot area: a minimum of 7,500 square feet per dwelling unit.
- (b) Total lot width at front yard setback line: a minimum of 150 feet.
- (c) Total minimum lot depth: 100 feet
- (d) Yard dimensions:
  1. Front yard setback: 30 feet from the lot line or road right-of-way if applicable.
  2. Side yard setback (each end of row): minimum of six feet from the interior lot lines or zero if dwelling unit is attached.
  3. Corner side yard setback: minimum of 30 feet from lot line or road right-of-way if applicable
  4. Rear yard setback for interior lots: minimum of 30 feet from the lot line.
  5. Rear yard setback for corner lots: minimum of 15 feet from the lot line.
- (e) Wetland setback:
  1. A 20-foot natural buffer shall be maintained adjacent to all wetlands on lots created after the adoption of this chapter.
  2. A minimum 40-foot setback is required for all structures adjacent to all wetlands on lots created after the adoption of this chapter.
- (f) Maximum building height: 35 feet.
- (g) Maximum impervious area: 50 percent.
- (h) Floor elevation:
  1. The lowest floor elevation for new or redevelopment will be three feet above the highest known groundwater level.
  2. The lowest floor elevation for new or redevelopment will be two feet above the 100-year flood elevation.

(Ord. No 104, § 1(17.10.075), 12-12-2005; Ord. No. 153-10, § 1, 8-9-2010)

## AFTER AMENDMENT

### Sec 66-279 Yard, Area And Building Size Requirements; 3-4 Dwelling Units

The ~~following are~~ yard, area and building size regulations for permitted developments containing three or more dwelling units in the R-2 medium-density residential district are as set forth in the official design standards chart as set forth in 66-210.

- ~~(a) Total lot area: a minimum of 7,500 square feet per dwelling unit.~~
- ~~(b) Total lot width at front yard setback line: a minimum of 150 feet.~~
- ~~(c) Total minimum lot depth: 100 feet~~
- ~~(d) Yard dimensions:~~
  - ~~1. Front yard setback: 30 feet from the lot line or road right-of-way if applicable.~~
  - ~~2. Side yard setback (each end of row): minimum of six feet from the interior lot lines or zero if dwelling unit is attached.~~
  - ~~3. Corner side yard setback: minimum of 30 feet from lot line or road right-of-way if applicable~~
  - ~~4. Rear yard setback for interior lots: minimum of 30 feet from the lot line.~~
  - ~~5. Rear yard setback for corner lots: minimum of 15 feet from the lot line.~~
- ~~(e) Wetland setback:~~
  - ~~1. A 20-foot natural buffer shall be maintained adjacent to all wetlands on lots created after the adoption of this chapter.~~
  - ~~2. A minimum 40-foot setback is required for all structures adjacent to all wetlands on lots created after the adoption of this chapter.~~
- ~~(f) Maximum building height: 35 feet.~~
- ~~(g) Maximum impervious area: 50 percent.~~
- ~~(h) Floor elevation:~~
  - ~~1. The lowest floor elevation for new or redevelopment will be three feet above the highest known groundwater level.~~
  - ~~2. The lowest floor elevation for new or redevelopment will be two feet above the 100-year flood elevation.~~

~~(Ord. No 104, § 1(17.10.075), 12-12-2005; Ord. No. 153-10, § 1, 8-9-2010)~~

**SECTION 32: AMENDMENT** “Sec 66-312 Permitted Uses” of the North Branch City Code is hereby *amended* as follows:

## BEFORE AMENDMENT

### Sec 66-312 Permitted Uses

The following are permitted uses in an R-3 high-density residential district:

- (a) Two-family dwelling units connected to municipal utilities;
- (b) Townhouses, up to eight attached units connected to municipal utilities;

- (c) Multiple family dwelling units containing 16 or less dwelling units connected to municipal utilities;
- (d) Boardinghouse (home);
- (e) Day care homes and day care nurseries provided the regulations of the state department of public welfare are satisfactorily met;
- (f) Public parks and playgrounds.

(Code 1996, § 17.12.020)

AFTER AMENDMENT

Sec 66-312 Permitted Uses

The ~~following are~~ permitted uses in an R-3 high-density residential district shall be as set forth in Sec 66-6.:

- ~~(a) Two family dwelling units connected to municipal utilities;~~
- ~~(b) Townhouses, up to eight attached units connected to municipal utilities;~~
- ~~(c) Multiple family dwelling units containing 16 or less dwelling units connected to municipal utilities;~~
- ~~(d) Boardinghouse (home);~~
- ~~(e) Day care homes and day care nurseries provided the regulations of the state department of public welfare are satisfactorily met;~~
- ~~(f) Public parks and playgrounds.~~

~~(Code 1996, § 17.12.020)~~

**SECTION 33:**            **AMENDMENT** “Sec 66-313 Accessory Uses” of the North Branch City Code is hereby *amended* as follows:

BEFORE AMENDMENT

Sec 66-313 Accessory Uses

The following are permitted accessory uses in an R-3 high-density residential district:

- (a) Private garages, parking spaces and carports for licensed and operable passenger cars and trucks not to exceed a gross capacity of 9,000 pounds, as regulated by section 66-848 et seq. Private garages are intended for use to store the private passenger vehicles of the family or families resident upon the premises, and in which no business, service or industry is carried on. Such space can be rented to nonresidents of the property for private passenger vehicles and/or noncommercial vehicles, trailers or equipment if sufficient off-street parking in full compliance with this chapter is provided elsewhere on the property. Such garage shall not be used for the storage of more than one commercial vehicle owned or operated by a resident per dwelling unit;

- (b) Recreational vehicles and equipment properly stored on the property;
- (c) Home occupations in accordance with section 66-942;
- (d) Noncommercial greenhouses and conservatories;
- (e) Swimming pools which have the necessary city permits, tennis courts and other recreational facilities which are operated for the enjoyment and convenience of the residents of the principal use and their guests;
- (f) Tool houses, sheds and similar buildings for storage of domestic supplies and noncommercial recreational equipment;
- (g) Boarding or renting of rooms to not more than one person;
- (h) Essential services;
- (i) Fencing, screening and landscaping as permitted and regulated by section 66-970 et seq.;
- (j) Boat houses, piers and docks;
- (k) Signs in compliance with section 66-821 et seq.;
- (l) Off-street loading;
- (m) Essential service buildings of 1,000 square feet or less.
- (n) Rummage/garage sales (see definition).

(Code 1996, § 17.12.030; Ord. No. 153-10, § 1, 8-9-2010)

#### AFTER AMENDMENT

##### Sec 66-313 Accessory Uses

The ~~following are~~ permitted accessory uses in an R-3 high-density residential district shall be as set forth in Sec 66-6:

- ~~(a) Private garages, parking spaces and carports for licensed and operable passenger cars and trucks not to exceed a gross capacity of 9,000 pounds, as regulated by section 66-848 et seq. Private garages are intended for use to store the private passenger vehicles of the family or families resident upon the premises, and in which no business, service or industry is carried on. Such space can be rented to nonresidents of the property for private passenger vehicles and/or noncommercial vehicles, trailers or equipment if sufficient off-street parking in full compliance with this chapter is provided elsewhere on the property. Such garage shall not be used for the storage of more than one commercial vehicle owned or operated by a resident per dwelling unit;~~
- ~~(b) Recreational vehicles and equipment properly stored on the property;~~
- ~~(c) Home occupations in accordance with section 66-942;~~
- ~~(d) Noncommercial greenhouses and conservatories;~~
- ~~(e) Swimming pools which have the necessary city permits, tennis courts and other recreational facilities which are operated for the enjoyment and convenience of the residents of the principal use and their guests;~~
- ~~(f) Tool houses, sheds and similar buildings for storage of domestic supplies and noncommercial recreational equipment;~~
- ~~(g) Boarding or renting of rooms to not more than one person;~~

- ~~(h) Essential services;~~
- ~~(i) Fencing, screening and landscaping as permitted and regulated by section 66-970 et seq.;~~
- ~~(j) Boat houses, piers and docks;~~
- ~~(k) Signs in compliance with section 66-821 et seq.;~~
- ~~(l) Off-street loading;~~
- ~~(m) Essential service buildings of 1,000 square feet or less;~~
- ~~(n) Rummage/garage sales (see definition).~~

~~(Code 1996, § 17.12.030; Ord. No. 153-10, § 1, 8-9-2010)~~

**SECTION 34:            AMENDMENT** “Sec 66-314 Conditional Uses” of the North Branch City Code is hereby *amended* as follows:

#### BEFORE AMENDMENT

Sec 66-314 Conditional Uses

The following are conditional uses in the R-3 high-density residential district that require a conditional use permit based upon procedures, factors and conditions set forth in and regulated by section 66-62 et seq.:

- (a) Multiple family dwelling structures containing 17 or more units connected to municipal utilities;
- (b) Public- or semi-public recreational buildings and neighborhood or community centers; public and private educational institutions, limited to elementary, junior high and senior high schools; and religious institutions such as churches, chapels, temples and synagogues;
- (c) Governmental and public utility buildings and structures necessary for the health, safety and general welfare of the community;
- (d) A state licensed residential facility under Minn. Stats. ch. 245A, serving from seven to 16 persons;
- (e) Nursing homes and assisted living facilities;
- (f) Multiple principal buildings on a lot of record for churches and schools provided the buildings are under common ownership and the buildings are used for related uses;
- (g) Nonprofit uses conducted by tax-exempt entities provided the property is adjacent to commercially zoned property;
- (h) Residential planned unit developments as regulated by section 66-788 et seq.
- (i) Buildings only owned and used by religious institutions for support or related functions or activities of a religious institution.

(Code 1996, § 17.12.030; Ord. No. 153-10, § 1, 8-9-2010; Ord. No. 224-15, § 5, 4-28-2015)

#### AFTER AMENDMENT

Sec 66-314 Conditional Uses

The following are conditional uses in the R-3 high-density residential district that require a conditional use permit based upon procedures, factors and conditions set forth in and regulated by section 66-62 et seq. shall be as set forth in Sec 66-6.:

- ~~(a) Multiple family dwelling structures containing 17 or more units connected to municipal utilities;~~
- ~~(b) Public or semi-public recreational buildings and neighborhood or community centers; public and private educational institutions, limited to elementary, junior high and senior high schools; and religious institutions such as churches, chapels, temples and synagogues;~~
- ~~(c) Governmental and public utility buildings and structures necessary for the health, safety and general welfare of the community;~~
- ~~(d) A state licensed residential facility under Minn. Stats. ch. 245A, serving from seven to 16 persons;~~
- ~~(e) Nursing homes and assisted living facilities;~~
- ~~(f) Multiple principal buildings on a lot of record for churches and schools provided the buildings are under common ownership and the buildings are used for related uses;~~
- ~~(g) Nonprofit uses conducted by tax-exempt entities provided the property is adjacent to commercially zoned property;~~
- ~~(h) Residential planned unit developments as regulated by section 66-788 et seq.~~
- ~~(i) Buildings only owned and used by religious institutions for support or related functions or activities of a religious institution.~~

(Code 1996, § 17.12.030; Ord. No. 153-10, § 1, 8-9-2010; Ord. No. 224-15, § 5, 4-28-2015)

**SECTION 35:            AMENDMENT** “Sec 66-315 Design Standards” of the North Branch City Code is hereby *amended* as follows:

**BEFORE AMENDMENT**

Sec 66-315 Design Standards

The following are minimum design standards for the R-3 high-density residential district:

- (a) Dwelling units in this zoning district must meet the following minimum structural design standards:
  - 1. Minimum square footage:
    - a. Two-family dwelling units:
      - i. Minimum ground floor area shall be 800 square feet for a single story dwelling.
      - i** A dwelling unit with one, two or more stories shall have a minimum of 800 square feet on the main floor.
    - b. Townhouses:

- i. Minimum ground floor area shall be 800 square feet for a single story dwelling.
  - i. A dwelling unit with one, two or more stories shall have a minimum of 800 square feet on the main floor.
- c. Apartment dwellings:

Apartment type	Minimum square footage of unit
Efficiency	400 sq. ft.
1 bedroom	650 sq. ft.
2 bedroom	750 sq. ft.
3 bedroom	850 sq. ft.

- 2. Permanent full perimeter footings; with foundation walls of concrete, concrete block, wood, or any other approved material or design. Decks and porches are allowed on pier type footings.
  - 3. Minimum width: 24 feet.
  - 4. A minimum roof pitch of 4/12, 4" vertical rise for each 12" horizontal run.
  - 5. Provisions for decks must be shown on original plans when a sliding glass door, patio door, etc., are installed.
  - 6. Compliance with the requirements of the State Building Code.
- (b) Garages in this zoning district must meet the following minimum structural design standards for two-family dwellings and not apartments:
- 1. Rear or side yard or attached garage required.
  - 2. Minimum size for garages: 400 square feet per unit.
  - 3. Provisions for an additional parking space must be provided on original plans for lots containing more than four units.
- (c) Accessory buildings in this zoning district must meet the following minimum structural design standards:
- 1. Shall not be erected within six feet of any lot boundary or alley.
  - 2. Additional standards and requirements for accessory buildings are contained in section 66-898.
- (d) Driveways in this zoning district must meet the following minimum design standards:
- 1. Shall be constructed from a hard, impervious or permeable surface such as bituminous or concrete. Said surface shall be of such character as is suitable and in harmony with similar improvements in the surrounding area.
  - 2. Shall be completed within the same time frame as that of the building permit.

(Code 1996, § 17.12.050; Ord. No. 153-10, § 1, 8-9-2010; Ord. No. 187-12, § 1, 4-9-2012)

AFTER AMENDMENT

The following are minimum design standards for the R-3 high-density residential district:

- (a) Dwelling are as set forth in the official design standards chart as set forth in 66-210. units in this zoning district must meet the following minimum structural design standards:

1. ~~Minimum square footage:~~

~~a. Two-family dwelling units:~~

~~i. Minimum ground floor area shall be 800 square feet for a single-story dwelling.~~

~~ii. A dwelling unit with one, two or more stories shall have a minimum of 800 square feet on the main floor.~~

~~b. Townhouses:~~

~~i. Minimum ground floor area shall be 800 square feet for a single-story dwelling.~~

~~ii. A dwelling unit with one, two or more stories shall have a minimum of 800 square feet on the main floor.~~

~~c. Apartment dwellings:~~

<del>Apartment type</del>	<del>Minimum square footage of unit</del>
<del>Efficiency</del>	<del>400 sq. ft.</del>
<del>1-bedroom</del>	<del>650 sq. ft.</del>
<del>2-bedroom</del>	<del>750 sq. ft.</del>
<del>3-bedroom</del>	<del>850 sq. ft.</del>

~~2. Permanent full-perimeter footings; with foundation walls of concrete, concrete block, wood, or any other approved material or design. Decks and porches are allowed on pier-type footings.~~

~~3. Minimum width: 24 feet.~~

~~4. A minimum roof pitch of 4/12, 4" vertical rise for each 12" horizontal run.~~

~~5. Provisions for decks must be shown on original plans when a sliding glass door, patio door, etc., are installed.~~

~~6. Compliance with the requirements of the State Building Code.~~

- (b) ~~Garages in this zoning district must meet the following minimum structural design standards for two-family dwellings and not apartments:~~

~~1. Rear or side yard or attached garage required.~~

~~2. Minimum size for garages: 400 square feet per unit.~~

~~3. Provisions for an additional parking space must be provided on original plans for lots containing more than four units.~~

- (c) ~~Accessory buildings in this zoning district must meet the following minimum structural design standards:~~

~~1. Shall not be erected within six feet of any lot boundary or alley.~~

~~2. Additional standards and requirements for accessory buildings are contained in section 66-898.~~

- (d) Driveways in this zoning district must meet the following minimum design standards:
1. Shall be constructed from a hard, impervious or permeable surface such as bituminous or concrete. Said surface shall be of such character as is suitable and in harmony with similar improvements in the surrounding area.
  2. Shall be completed within the same time frame as that of the building permit.

(Code 1996, § 17.12.050; Ord. No. 153-10, § 1, 8-9-2010; Ord. No. 187-12, § 1, 4-9-2012)

**SECTION 36:            AMENDMENT** “Sec 66-316 Yard, Area, Building Size Requirements; Two-Family Dwelling” of the North Branch City Code is hereby *amended* as follows:

**BEFORE AMENDMENT**

Sec 66-316 Yard, Area, Building Size Requirements; Two-Family Dwelling

The following are yard, area and building size regulations for permitted two-family dwellings units in the R-3 high-density residential district.

- (a) Total lot area: a minimum of 7,500 square feet per dwelling unit.
- (b) Total lot width at front yard setback line: minimum of 100 feet.
- (c) Total minimum lot depth: 100 feet.
- (d) Yard dimensions:
  1. Front yard setback: 30 feet from the lot line or road right-of-way if applicable.
  2. Side yard setback for interior lot lines: minimum of six feet from the lot line or zero if dwelling unit is attached.
  3. Corner side yard setback: minimum of 30 feet from the lot line or road right-of-way if applicable.
  4. Rear yard setback: minimum of 30 feet from the lot line.
  5. Rear yard setback for corner lots: 15 feet from the lot line.
- (e) Wetland setback:
  1. A 20-foot natural buffer shall be maintained adjacent to all wetlands on lots created after the adoption of this chapter.
  2. A minimum 40-foot setback is required for all structures adjacent to all wetlands on lots created after the adoption of this chapter.
- (f) Maximum building height: 35 feet.
- (g) Maximum impervious area: 50 percent.
- (h) Floor elevation:
  1. The lowest floor elevation for new or redevelopment will be three feet above the highest known groundwater level.
  2. The lowest floor elevation for new or redevelopment will be two feet above the 100-year flood elevation.

(Code 1996, § 17.12.060; Ord. No. 153-10, § 1, 8-9-2010)

## AFTER AMENDMENT

### Sec 66-316 Yard, Area, Building Size Requirements; Two-Family Dwelling

The ~~following are~~ yard, area and building size regulations for permitted two-family dwellings units in the R-3 high-density residential district are as set forth in the official design standards chart as set forth in 66-210.

- ~~(a) Total lot area: a minimum of 7,500 square feet per dwelling unit.~~
- ~~(b) Total lot width at front yard setback line: minimum of 100 feet.~~
- ~~(c) Total minimum lot depth: 100 feet.~~
- ~~(d) Yard dimensions:~~
  - ~~1. Front yard setback: 30 feet from the lot line or road right of way if applicable.~~
  - ~~2. Side yard setback for interior lot lines: minimum of six feet from the lot line or zero if dwelling unit is attached.~~
  - ~~3. Corner side yard setback: minimum of 30 feet from the lot line or road right of way if applicable.~~
  - ~~4. Rear yard setback: minimum of 30 feet from the lot line.~~
  - ~~5. Rear yard setback for corner lots: 15 feet from the lot line.~~
- ~~(e) Wetland setback:~~
  - ~~1. A 20-foot natural buffer shall be maintained adjacent to all wetlands on lots created after the adoption of this chapter.~~
  - ~~2. A minimum 40-foot setback is required for all structures adjacent to all wetlands on lots created after the adoption of this chapter.~~
- ~~(f) Maximum building height: 35 feet.~~
- ~~(g) Maximum impervious area: 50 percent.~~
- ~~(h) Floor elevation:~~
  - ~~1. The lowest floor elevation for new or redevelopment will be three feet above the highest known groundwater level.~~
  - ~~2. The lowest floor elevation for new or redevelopment will be two feet above the 100-year flood elevation.~~

~~(Code 1996, § 17.12.060; Ord. No. 153-10, § 1, 8-9-2010)~~

**SECTION 37: AMENDMENT** “Sec 66-318 Yard, Area, And Building Size Requirements; Townhouses” of the North Branch City Code is hereby *amended* as follows:

## BEFORE AMENDMENT

### Sec 66-318 Yard, Area, And Building Size Requirements; Townhouses

The following are yard, area and building size regulations for permitted townhouse developments containing three or more dwelling units in the R-3 high-density residential district.

- (a) Total lot area: a minimum of 7,500 square feet per dwelling unit.
- (b) Total width at front yard setback line: a minimum of 150 feet.
- (c) Total minimum lot depth: 100 feet.
- (d) Yard dimensions:
  - 1. Front yard setback: 30 feet from the lot line or road right-of-way if applicable.
  - 2. Side yard setback (each end of row): minimum of six feet from the (interior) lot lines or zero if dwelling unit is attached.
  - 3. Corner side yard setback: minimum of 30 feet from the lot line or road right-of-way if applicable.
  - 4. Rear yard setback for interior lots: minimum of 30 feet from the lot line.
  - 5. Rear yard setback for corner lots: minimum of 15 feet from the lot line.
- (e) Wetland setback:
  - 1. A 20-foot natural buffer shall be maintained adjacent to all wetlands on lots created after the adoption of this chapter.
  - 2. A minimum 40-foot setback is required for all structures adjacent to all wetlands on lots created after the adoption of this chapter.
- (f) Maximum building height: 35 feet.
- (g) Maximum impervious area: 70 percent.
- (h) Floor elevation:
  - 1. The lowest floor elevation for new or redevelopment will be three feet above the highest known groundwater level.
  - 2. The lowest floor elevation for new or redevelopment will be two feet above the 100-year flood elevation.

(Code 1996, § 17.12.070; Ord. No. 153-10, § 1, 8-9-2010)

#### AFTER AMENDMENT

#### Sec 66-318 Yard, Area, And Building Size Requirements; Townhouses

The ~~following are~~ yard, area and building size regulations for permitted townhouse developments containing three or more dwelling units in the R-3 high-density residential district are as set forth in the official design standards chart as set forth in 66-210.

- ~~(a) Total lot area: a minimum of 7,500 square feet per dwelling unit.~~
- ~~(b) Total width at front yard setback line: a minimum of 150 feet.~~
- ~~(c) Total minimum lot depth: 100 feet.~~
- ~~(d) Yard dimensions:~~
  - ~~1. Front yard setback: 30 feet from the lot line or road right-of-way if applicable.~~
  - ~~2. Side yard setback (each end of row): minimum of six feet from the (interior) lot lines or zero if dwelling unit is attached.~~

- ~~3. Corner side yard setback: minimum of 30 feet from the lot line or road right-of-way if applicable.~~
- ~~4. Rear yard setback for interior lots: minimum of 30 feet from the lot line.~~
- ~~5. Rear yard setback for corner lots: minimum of 15 feet from the lot line.~~

~~(e) Wetland setback:~~

- ~~1. A 20-foot natural buffer shall be maintained adjacent to all wetlands on lots created after the adoption of this chapter.~~
- ~~2. A minimum 40-foot setback is required for all structures adjacent to all wetlands on lots created after the adoption of this chapter.~~

~~(f) Maximum building height: 35 feet.~~

~~(g) Maximum impervious area: 70 percent.~~

~~(h) Floor elevation:~~

- ~~1. The lowest floor elevation for new or redevelopment will be three feet above the highest known groundwater level.~~
- ~~2. The lowest floor elevation for new or redevelopment will be two feet above the 100-year flood elevation.~~

~~(Code 1996, § 17.12.070; Ord. No. 153-10, § 1, 8-9-2010)~~

**SECTION 38:            AMENDMENT** “Sec 66-319 Yard, Area And Building Size Requirements; Apartment Dwellings” of the North Branch City Code is hereby *amended* as follows:

**BEFORE AMENDMENT**

Sec 66-319 Yard, Area And Building Size Requirements; Apartment Dwellings

The following are yard, area and building size regulations for apartment dwellings in the R-3 high-density residential district.

(a) Lot area:

- 1. Minimum square feet of lot area per dwelling unit:
  - a. Structures with four dwelling units or fewer shall have a minimum lot area of 20,000 sq. ft. An additional 2,500 sq. ft. is required for each unit over four.
  - b. Units for the elderly require 1,500 sq. ft. of lot area per dwelling unit with a 15,000 sq. ft. minimum lot size.
- 2. Apartment density bonus. A maximum of ten percent reduction in square feet of lot area per unit for multiple family dwellings is allowed based upon the following bonus features and square foot reductions:

Bonus Feature	Reduction Per Unit
Type two construction	100 sq. ft.
Elevator serving each floor	100 sq. ft.

Indoor recreation and social rooms with a minimum of 25 square feet per unit	50 sq. ft.
Outdoor recreational facilities as approved by the planning agency and city council	20 sq. ft.
One-half of the required parking underground or within the principle building	150 sq. ft.

- (b) Lot width at front yard setback line: minimum of 150 feet.
- (c) Minimum lot depth: 100 feet.
- (d) Yard dimensions:
  - 1. Front yard setback: 30 feet from the road right-of-way.
  - 2. Side yard setback (each side of apartment building): minimum of ten feet from the (interior) lot lines or easement line if applicable.
  - 3. Corner side yard setback: minimum of 30 feet from the lot line or road right-of-way.
  - 4. Rear yard setback for interior lots: minimum of 30 feet from the lot line or easement line if applicable.
  - 5. Rear yard setback for corner lots: 15 feet from the lot line.
- (e) Wetland setback:
  - 1. A 20-foot natural buffer shall be maintained adjacent to all wetlands on lots created after the adoption of this chapter.
  - 2. A minimum 40-foot setback is required for all structures adjacent to all wetlands on lots created after the adoption of this chapter.
- (f) Maximum building height: 42 feet.
- (g) Maximum impervious area is 75 percent. All the impervious area shall be appropriately landscaped with natural plant material. At least 75 percent of the pervious area shall be lawn or turf. Such landscaping shall include a minimum of one tree (2.5" caliper/5' height) for every dwelling unit.
- (h) Maximum building size: 16 dwelling units in a building unless a conditional use permit has been approved.
- (i) Maximum ground coverage: Not more than 35 percent of the lot shall be covered by main buildings and all accessory buildings.
- (j) Floor elevation:
  - 1. The lowest floor elevation for new or redevelopment will be three feet above the highest known groundwater level.
  - 2. The lowest floor elevation for new or redevelopment will be two feet above the 100-year flood elevation.

(Code 1996, § 17.12.080; Ord. No. 153-10, § 1, 8-9-2010)

#### AFTER AMENDMENT

Sec 66-319 Yard, Area And Building Size Requirements; Apartment Dwellings

The ~~following are~~ yard, area and building size regulations for apartment dwellings in the R-3 high-density residential district. are as set forth in the official design standards chart as set forth in 66-210.

~~(a) Lot area:~~

- ~~1. Minimum square feet of lot area per dwelling unit:
 
  - ~~a. Structures with four dwelling units or fewer shall have a minimum lot area of 20,000 sq. ft. An additional 2,500 sq. ft. is required for each unit over four.~~
  - ~~b. Units for the elderly require 1,500 sq. ft. of lot area per dwelling unit with a 15,000 sq. ft. minimum lot size.~~~~
- ~~2. Apartment density bonus. A maximum of ten percent reduction in square feet of lot area per unit for multiple family dwellings is allowed based upon the following bonus features and square foot reductions:~~

<del>Bonus Feature</del>	<del>Reduction Per Unit</del>
<del>Type two construction</del>	<del>100 sq. ft.</del>
<del>Elevator serving each floor</del>	<del>100 sq. ft.</del>
<del>Indoor recreation and social rooms with a minimum of 25 square feet per unit</del>	<del>50 sq. ft.</del>
<del>Outdoor recreational facilities as approved by the planning agency and city council</del>	<del>20 sq. ft.</del>
<del>One half of the required parking underground or within the principle building</del>	<del>150 sq. ft.</del>

~~(b) Lot width at front yard setback line: minimum of 150 feet.~~

~~(c) Minimum lot depth: 100 feet.~~

~~(d) Yard dimensions:~~

- ~~1. Front yard setback: 30 feet from the road right of way.~~
- ~~2. Side yard setback (each side of apartment building): minimum of ten feet from the (interior) lot lines or easement line if applicable.~~
- ~~3. Corner side yard setback: minimum of 30 feet from the lot line or road right of way.~~
- ~~4. Rear yard setback for interior lots: minimum of 30 feet from the lot line or easement line if applicable.~~
- ~~5. Rear yard setback for corner lots: 15 feet from the lot line.~~

~~(e) Wetland setback:~~

- ~~1. A 20-foot natural buffer shall be maintained adjacent to all wetlands on lots created after the adoption of this chapter.~~

~~2. A minimum 40-foot setback is required for all structures adjacent to all wetlands on lots created after the adoption of this chapter.~~

- ~~(f) Maximum building height: 42 feet.~~
- ~~(g) Maximum impervious area is 75 percent. All the impervious area shall be appropriately landscaped with natural plant material. At least 75 percent of the pervious area shall be lawn or turf. Such landscaping shall include a minimum of one tree (2.5" caliper/5' height) for every dwelling unit.~~
- ~~(h) Maximum building size: 16 dwelling units in a building unless a conditional use permit has been approved.~~
- ~~(i) Maximum ground coverage: Not more than 35 percent of the lot shall be covered by main buildings and all accessory buildings.~~
- ~~(j) Floor elevation:
  - ~~1. The lowest floor elevation for new or redevelopment will be three feet above the highest known groundwater level.~~
  - ~~2. The lowest floor elevation for new or redevelopment will be two feet above the 100-year flood elevation.~~~~

~~(Code 1996, § 17.12.080; Ord. No. 153-10, § 1, 8-9-2010)~~

**SECTION 39:**            **AMENDMENT** “Sec 66-384 Purpose” of the North Branch City Code is hereby *amended* as follows:

#### BEFORE AMENDMENT

Sec 66-384 Purpose

The purpose of the AG-1 agricultural district is to preserve, promote, maintain and enhance the use of land for agricultural purposes and to protect such land from encroachment by nonagricultural uses.

(Code 1996, § 17.16.010)

#### AFTER AMENDMENT

Sec 66-384 Purpose

The purpose of the AG-~~1~~ agricultural district is to preserve, promote, maintain and enhance the use of land for agricultural purposes and to protect such land from encroachment by nonagricultural uses.

(Code 1996, § 17.16.010)

**SECTION 40:            AMENDMENT** “Sec 66-385 Permitted Uses” of the North Branch City Code is hereby *amended* as follows:

**BEFORE AMENDMENT**

Sec 66-385 Permitted Uses

The following are permitted uses in the AG-1 agricultural district:

- (a) Agriculture, including farm dwellings and agricultural related buildings and structures subject to Minnesota Pollution Control Standards.
- (b) Commercial agricultural uses.
- (c) Public parks, recreational areas, historical sites, wildlife areas and game refuges.
- (d) Single-family residences.
- (e) Boarding (house) home, foster children. Restricted to serving six or fewer persons.
- (f) Day care home. Restricted to a family dwelling in which foster care, supervision, and training for children of school or pre-school age, out of their own home is provided during part of a day (less than 24 hours) with no overnight accommodations or facilities and children are delivered and removed daily. All such uses shall be licensed in accordance with state law and state department of public welfare regulations and such facilities are restricted to serving ten or fewer persons.
- (g) A state licensed residential facility serving from one to six mentally or physically disabled persons.
- (h) Solar farms as a principal use, in accordance with the provisions of article XI (solar energy systems) of the zoning ordinance.

(Code 1996, § 17.16.020; Ord. No. 153-10, § 1, 8-9-2010; Ord. No. 211-14, § 2, 7-28-2014)

**AFTER AMENDMENT**

Sec 66-385 Permitted Uses

The ~~following are~~ permitted uses in the AG-1 agricultural district shall be as set forth in Sec 66-6.:

- ~~(a) Agriculture, including farm dwellings and agricultural related buildings and structures subject to Minnesota Pollution Control Standards.~~
  - ~~(b) Commercial agricultural uses.~~
  - ~~(c) Public parks, recreational areas, historical sites, wildlife areas and game refuges.~~
  - ~~(d) Single-family residences.~~
  - ~~(e) Boarding (house) home, foster children. Restricted to serving six or fewer persons.~~
  - ~~(f) Day care home. Restricted to a family dwelling in which foster care, supervision, and training for children of school or pre-school age, out of their own home is provided during part of a day (less than 24 hours) with no overnight accommodations or facilities and children are delivered and removed daily. All such uses shall be licensed~~
-

in accordance with state law and state department of public welfare regulations and such facilities are restricted to serving ten or fewer persons.

~~(g) A state licensed residential facility serving from one to six mentally or physically disabled persons.~~

~~(h) Solar farms as a principal use, in accordance with the provisions of article XI (solar energy systems) of the zoning ordinance.~~

~~(Code 1996, § 17.16.020; Ord. No. 153-10, § 1, 8-9-2010; Ord. No. 211-14, § 2, 7-28-2014)~~

**SECTION 41:            AMENDMENT** “Sec 66-386 Accessory Uses” of the North Branch City Code is hereby *amended* as follows:

#### BEFORE AMENDMENT

Sec 66-386 Accessory Uses

The following are permitted accessory uses in the AG-1 agricultural district:

Operation and storage of such vehicles, equipment and machinery which are incidental to permitted or conditional uses allowed in this district.

Home occupations as regulated by section 66-942.

Fencing, screening and landscaping in compliance with section 66-390.

Boat houses, piers and docks.

Signs in compliance with section 66-821 et seq.

Essential services.

Essential service buildings of 1,000 square feet or less.

Rummage/garage sales (see definition).

Accessory Structures non-agricultural related.

(Code 1996, § 17.16.030; Ord. No. 153-10, § 1, 8-9-2010)

#### AFTER AMENDMENT

Sec 66-386 Accessory Uses

The ~~following are~~ permitted accessory uses in the AG-1 agricultural district shall be as set forth in Sec 66-6.:

~~Operation and storage of such vehicles, equipment and machinery which are incidental to permitted or conditional uses allowed in this district.~~

~~Home occupations as regulated by section 66-942.~~

~~Fencing, screening and landscaping in compliance with section 66-390.~~

~~Boat houses, piers and docks.~~

~~Signs in compliance with section 66-821 et seq.~~

~~Essential services.~~

~~Essential service buildings of 1,000 square feet or less.  
Rummage/garage sales (see definition).  
Accessory Structures non-agricultural related.~~

~~(Code 1996, § 17.16.030; Ord. No. 153-10, § 1, 8-9-2010)~~

**SECTION 42:**            **AMENDMENT** “Sec 66-386.5 Interim Uses” of the North Branch City Code is hereby *amended* as follows:

### BEFORE AMENDMENT

Sec 66-386.5 Interim Uses

The following uses are interim uses in the AG1 (agricultural) district that require city council approval of an interim use permit and shall be in conformance with the standards specified in section 66-64 of this ordinance and the additional standards specified below:

- (a) One temporary manufactured home for the property owners to occupy when rebuilding their primary residence after a fire, flood, tornado, wind damage or other destructive event or for the parents, grandparents or children of the property owners subject to:
  - 1. The manufactured home would be located on a parcel of at least one-half acre (21,780 square feet) of buildable land with one permanent dwelling. The occupant(s) of either the manufactured home or the permanent dwelling must be:
    - a. The parents(s) or grandparents of the occupant of the other residence on the property; or
    - b. A child, sister, brother or grandchild who has full or total disability as classified by Social Security, Worker's compensation or a doctor and who resides in or will reside in one of the residences.
  - 2. The applicant shall submit with the initial application and annually thereafter, a signed statement certifying that the occupants of the manufactured home is a parent, grandparent, child, sister or brother who suffers a full or total disability as classified by Social Security, Worker's Compensation or a doctor. The statement shall describe the need that makes it necessary for parents. Grandparents or relative of the first degree to live on the same parcel with the children or children or a release that will allow the city administrator or his/her designee to verify the disability.
  - 3. The owner shall remove the manufactured home from the site within 120 days of such time as it or the permanent residence ceases to be occupied by a parent, grandparent, grandchild, child, sister or brother.
  - 4. The owner shall not make the manufactured home a permanent residence.
  - 5. The manufactured home shall not require the creation of a separate well.

6. An on-site sewage treatment system to serve the manufactured home can be installed on the property in accordance to all city and state standards or if possible, the owners may attach the sewage system for the manufactured home to an existing on-site sewage system if the existing system has enough capacity for additional users.
7. The placement of the proposed manufactured home must meet all setback standards and shall not cause drainage or stormwater run-off problems for adjacent properties.
8. The owner shall not place the manufactured home in a front yard.
9. The owner submitting to the city an escrow, issued in the name of the city and payable to the city, for the sum of \$5,000.00 that the city may draw down at its sole discretion for the purposes including, but not limited to, the cost of capping and closing of any separate on-site sewage treatment systems or wells, site restoration, administrative and legal fees and the repayment of delinquent personal property taxes on the manufactured home. The city shall hold the escrow for as long as the manufactured home is on the property and shall return the escrow within 90 days of the completion of all necessary site restoration.

(Ord. No. 210-14, § 4, 7-14-2014)

#### AFTER AMENDMENT

##### Sec 66-386.5 Interim Uses

The following uses are interim uses in the AG+ (agricultural) district that require city council approval of an interim use permit and shall be in conformance with the standards specified in section 66-64 of this ordinance and the additional standards specified below:

- (a) One temporary manufactured home for the property owners to occupy when rebuilding their primary residence after a fire, flood, tornado, wind damage or other destructive event or for the parents, grandparents or children of the property owners subject to:
  1. The manufactured home would be located on a parcel of at least one-half acre (21,780 square feet) of buildable land with one permanent dwelling. The occupant(s) of either the manufactured home or the permanent dwelling must be:
    - a. The parents(s) or grandparents of the occupant of the other residence on the property; or
    - b. A child, sister, brother or grandchild who has full or total disability as classified by Social Security, Worker's compensation or a doctor and who resides in or will reside in one of the residences.
  2. The applicant shall submit with the initial application and annually thereafter, a signed statement certifying that the occupants of the manufactured home is a parent, grandparent, child, sister or brother who suffers a full or total disability as classified by Social Security, Worker's Compensation or a doctor. The

statement shall describe the need that makes it necessary for parents. Grandparents or relative of the first degree to live on the same parcel with the children or children or a release that will allow the city administrator or his/her designee to verify the disability.

3. The owner shall remove the manufactured home from the site within 120 days of such time as it or the permanent residence ceases to be occupied by a parent, grandparent, grandchild, child, sister or brother.
4. The owner shall not make the manufactured home a permanent residence.
5. The manufactured home shall not require the creation of a separate well.
6. An on-site sewage treatment system to serve the manufactured home can be installed on the property in accordance to all city and state standards or if possible, the owners may attach the sewage system for the manufactured home to an existing on-site sewage system if the existing system has enough capacity for additional users.
7. The placement of the proposed manufactured home must meet all setback standards and shall not cause drainage or stormwater run-off problems for adjacent properties.
8. The owner shall not place the manufactured home in a front yard.
9. The owner submitting to the city an escrow, issued in the name of the city and payable to the city, for the sum of \$5,000.00 that the city may draw down at its sole discretion for the purposes including, but not limited to, the cost of capping and closing of any separate on-site sewage treatment systems or wells, site restoration, administrative and legal fees and the repayment of delinquent personal property taxes on the manufactured home. The city shall hold the escrow for as long as the manufactured home is on the property and shall return the escrow within 90 days of the completion of all necessary site restoration.

(Ord. No. 210-14, § 4, 7-14-2014)

**SECTION 43:**            **AMENDMENT** “Sec 66-387 Conditional Uses” of the North Branch City Code is hereby *amended* as follows:

#### BEFORE AMENDMENT

Sec 66-387 Conditional Uses

The following are conditional uses in the AG-1 agricultural district, which require a conditional use permit based upon procedures, factors and conditions set forth in and regulated by section 66-62 et seq.:

- (a) Public- or semi-public recreational buildings and neighborhood or community centers; public and private educational institutions, limited to elementary, junior high, senior

high schools and post secondary facilities; and religious institutions such as churches, chapels, temples and synagogues.

- (b) Governmental and public utility buildings and structures necessary for the health, safety and general welfare of the community.
- (c) Commercial outdoor recreational areas including golf courses and clubhouse country clubs, swimming pools which have the necessary city permits and similar facilities.
- (d) Commercial riding stables and similar uses.
- (e) Recreational, travel vehicle campsites, not including manufactured homes.
- (f) Bed and breakfast inns.
- (g) Living quarters for persons employed on the premises.
- (h) Licensed day care facility located in the same building or parcel as a religious institution such as churches, chapels, temples, and synagogues, provided the regulations of the Human Services Licensing Act, Minn. Stats. ch. 245A, and the state building, fire and health regulations are satisfactorily met.
- (i) Multiple principal buildings on a lot of record for churches and schools provided the buildings are under common ownership and the buildings are used for related uses.
- (j) Residential planned unit development as regulated by section 66-788 et seq.
- (k) Plumbing in accessory structures subject to the following:
  - 1. The accessory structure shall not be converted into living area. The conditional use is for bathroom facilities only.
  - 2. The property may be inspected at any time to assure compliance with the conditional use permit.
  - 3. If the accessory structure is converted into living area then all cost associated with converting it back, including any legal fees, are the responsibility of the property owner.
- (l) Buildings only owned and used by religious institutions for support or related functions or activities of a religious institution.

(Code 1996, § 17.16.040; Ord. No. 102, § 1 (17.16.045), 10-24-2005; Ord. No. 135-09, § 1, 5-11-2009; Ord. No. 139-09, § 1, 8-10-2009; Ord. No. 153-10, § 1, 8-9-2010; Ord. No. 224-15, § 6, 4-28-2015)

## AFTER AMENDMENT

### Sec 66-387 Conditional Uses

The ~~following are conditional~~ uses in the AG-1 agricultural district, which require a conditional use permit based upon procedures, factors and conditions set forth in and regulated by section 66-62 et seq. shall be as set forth in Sec 66-6.:

- ~~(a) Public or semi-public recreational buildings and neighborhood or community centers; public and private educational institutions, limited to elementary, junior high, senior high schools and post secondary facilities; and religious institutions such as churches, chapels, temples and synagogues.~~
- ~~(b) Governmental and public utility buildings and structures necessary for the health, safety and general welfare of the community.~~

- ~~(c) Commercial outdoor recreational areas including golf courses and clubhouse country clubs, swimming pools which have the necessary city permits and similar facilities.~~
- ~~(d) Commercial riding stables and similar uses.~~
- ~~(e) Recreational, travel vehicle campsites, not including manufactured homes.~~
- ~~(f) Bed and breakfast inns.~~
- ~~(g) Living quarters for persons employed on the premises.~~
- ~~(h) Licensed day care facility located in the same building or parcel as a religious institution such as churches, chapels, temples, and synagogues, provided the regulations of the Human Services Licensing Act, Minn. Stats. ch. 245A, and the state building, fire and health regulations are satisfactorily met.~~
- ~~(i) Multiple principal buildings on a lot of record for churches and schools provided the buildings are under common ownership and the buildings are used for related uses.~~
- ~~(j) Residential planned unit development as regulated by section 66-788 et seq.~~
- ~~(k) Plumbing in accessory structures subject to the following:
 
  - ~~1. The accessory structure shall not be converted into living area. The conditional use is for bathroom facilities only.~~
  - ~~2. The property may be inspected at any time to assure compliance with the conditional use permit.~~
  - ~~3. If the accessory structure is converted into living area then all cost associated with converting it back, including any legal fees, are the responsibility of the property owner.~~~~
- ~~(l) Buildings only owned and used by religious institutions for support or related functions or activities of a religious institution.~~

~~(Code 1996, § 17.16.040; Ord. No. 102, § 1 (17.16.045), 10-24-2005; Ord. No. 135-09, § 1, 5-11-2009; Ord. No. 139-09, § 1, 8-10-2009; Ord. No. 153-10, § 1, 8-9-2010; Ord. No. 224-15, § 6, 4-28-2015)~~

**SECTION 44:**            **AMENDMENT** “Sec 66-388 Design Standards” of the North Branch City Code is hereby *amended* as follows:

**BEFORE AMENDMENT**

Sec 66-388 Design Standards

The following are minimum design standards for the AG-1 agricultural district:

- (a) Dwelling units in this zoning district must meet the following minimum structural design standards:
  1. Minimum ground floor area shall be 800 square feet for a single story dwelling. A dwelling unit with one and a half or more stories shall have a minimum of 800 square feet on main floor.

2. Permanent full perimeter footings; with foundation walls of concrete, concrete block, wood, or any other approved material or method. Decks and porches are allowed on pier type footings.
  3. Minimum width: 24 feet.
  4. A minimum roof pitch of 4/12, 4" vertical rise for each 12" horizontal run.
  5. Provisions for decks must be shown on original plans when a sliding glass door, patio door, etc. are installed.
  6. Compliance with the requirements of the State Building Code.
- (b) Garages in this zoning district must meet the following minimum structural design standards:
1. Rear or side yard or attached garage required except when the garage is located in the front yard on lots nominally five acres or larger.
  2. Minimum size: 400 square feet.
- (c) Accessory building in this zoning district must meet the following minimum structural design standards:
1. Shall not be erected within six feet of any lot boundary or alley. Corner side-yard setbacks shall apply to all accessory structures. Accessory structures shall not be constructed in the front yard except on lots nominally five acres or larger and shall be set back at least 50 feet from the front property line.
  2. Additional standards and requirements for accessory buildings are contained in section 66-898.
- (d) Accessory buildings in this zoning district must meet the following minimum structural design standards:
1. Only those lots of ten acres or more and which receive green acres credits or are being used for an agricultural use as described in section 66-170 et seq., may use the provisions pertaining to agricultural accessory buildings.
  2. There are no size or quantity limitations on agricultural accessory buildings.
  3. A locate/site permit is required for all agricultural accessory buildings.
  4. Agriculture accessory buildings shall not be erected within six feet of any lot boundary or alley.
  5. Accessory buildings on lots in the AG zoning district which are not ten acres or receive green acres credits shall not be closer than six feet from the lot line. Size and height shall be regulated by section 66-898.

(Code 1996, § 17.16.050; Ord. No. 153-10, § 1, 8-9-2010; Ord. No. 187-12, § 1, 4-9-2012)

#### AFTER AMENDMENT

#### Sec 66-388 Design Standards

The following are minimum design standards for the AG-1 agricultural district are set forth in the official design standards chart as set forth in 66-210.

~~(a) Dwelling units in this zoning district must meet the following minimum structural design standards:~~

- ~~1. Minimum ground floor area shall be 800 square feet for a single story dwelling. A dwelling unit with one and a half or more stories shall have a minimum of 800 square feet on main floor.~~
  - ~~2. Permanent full perimeter footings; with foundation walls of concrete, concrete block, wood, or any other approved material or method. Decks and porches are allowed on pier type footings.~~
  - ~~3. Minimum width: 24 feet.~~
  - ~~4. A minimum roof pitch of 4/12, 4" vertical rise for each 12" horizontal run.~~
  - ~~5. Provisions for decks must be shown on original plans when a sliding glass door, patio door, etc. are installed.~~
  - ~~6. Compliance with the requirements of the State Building Code.~~
- ~~(b) Garages in this zoning district must meet the following minimum structural design standards:~~
- ~~1. Rear or side yard or attached garage required except when the garage is located in the front yard on lots nominally five acres or larger.~~
  - ~~2. Minimum size: 400 square feet.~~
- ~~(c) Accessory building in this zoning district must meet the following minimum structural design standards:~~
- ~~1. Shall not be erected within six feet of any lot boundary or alley. Corner side-yard setbacks shall apply to all accessory structures. Accessory structures shall not be constructed in the front yard except on lots nominally five acres or larger and shall be set back at least 50 feet from the front property line.~~
  - ~~2. Additional standards and requirements for accessory buildings are contained in section 66-898.~~
- ~~(d) Accessory buildings in this zoning district must meet the following minimum structural design standards:~~
- ~~1. Only those lots of ten acres or more and which receive green acres credits or are being used for an agricultural use as described in section 66-170 et seq., may use the provisions pertaining to agricultural accessory buildings.~~
  - ~~2. There are no size or quantity limitations on agricultural accessory buildings.~~
  - ~~3. A locate/site permit is required for all agricultural accessory buildings.~~
  - ~~4. Agriculture accessory buildings shall not be erected within six feet of any lot boundary or alley.~~
  - ~~5. Accessory buildings on lots in the AG zoning district which are not ten acres or receive green acres credits shall not be closer than six feet from the lot line. Size and height shall be regulated by section 66-898.~~

~~(Code 1996, § 17.16.050; Ord. No. 153-10, § 1, 8-9-2010; Ord. No. 187-12, § 1, 4-9-2012)~~

**SECTION 45:            AMENDMENT** “Sec 66-389 Yard, Area, And Building Size Requirements” of the North Branch City Code is hereby *amended* as follows:

BEFORE AMENDMENT

Sec 66-389 Yard, Area, And Building Size Requirements

The following are yard, area and building size regulations for permitted dwellings units in the AG agricultural district.

- (a) Lot area: a minimum of ten acres.
- (b) Lot width: minimum of 300 feet.
- (c) Minimum lot depth: 500 feet.
- (d) Yard dimensions:
  - 1. Front yard setback: minimum 50 feet from the lot line or road right-of-way if applicable.
  - 2. Side yard setback (each side): minimum 50 feet from the interior lot line(s).
  - 3. Rear yard setback: minimum of 50 feet from the lot line.
- (e) Maximum building height: 35 feet for principal residence or dwelling unit.
- (f) Maximum impervious area: 50 percent.
- (g) Wetland setback:
  - 1. A 20-foot natural buffer shall be maintained adjacent to all wetlands on lots created after the adoption of this chapter.
  - 2. A minimum 40-foot setback is required for all structures adjacent to all wetlands on lots created after the adoption of this chapter.
- (h) Floor elevation:
  - 1. The lowest floor elevation for new or redevelopment will be three feet above the highest known groundwater level.
  - 2. The lowest floor elevation for new or redevelopment will be two feet above the 100-year flood elevation.

(Code 1996, § 17.16.060; Ord. No. 153-10, § 1, 8-9-2010)

AFTER AMENDMENT

Sec 66-389 Yard, Area, And Building Size Requirements

The ~~following are~~ yard, area and building size regulations for permitted dwellings units in the AG agricultural district are as set forth in the official design standards chart as set forth in 66-210.

- ~~(a) Lot area: a minimum of ten acres.~~
- ~~(b) Lot width: minimum of 300 feet.~~
- ~~(c) Minimum lot depth: 500 feet.~~
- ~~(d) Yard dimensions:~~
  - ~~1. Front yard setback: minimum 50 feet from the lot line or road right-of-way if applicable.~~
  - ~~2. Side yard setback (each side): minimum 50 feet from the interior lot line(s).~~
  - ~~3. Rear yard setback: minimum of 50 feet from the lot line.~~
- ~~(e) Maximum building height: 35 feet for principal residence or dwelling unit.~~

~~(f) Maximum impervious area: 50 percent.~~

~~(g) Wetland setback:~~

~~1. A 20-foot natural buffer shall be maintained adjacent to all wetlands on lots created after the adoption of this chapter.~~

~~2. A minimum 40-foot setback is required for all structures adjacent to all wetlands on lots created after the adoption of this chapter.~~

~~(h) Floor elevation:~~

~~1. The lowest floor elevation for new or redevelopment will be three feet above the highest known groundwater level.~~

~~2. The lowest floor elevation for new or redevelopment will be two feet above the 100-year flood elevation.~~

~~(Code 1996, § 17.16.060; Ord. No. 153-10, § 1, 8-9-2010)~~

**SECTION 46:**            **AMENDMENT** “Sec 66-390 Fencing, Screening, And Landscaping Requirements” of the North Branch City Code is hereby *amended* as follows:

#### BEFORE AMENDMENT

Sec 66-390 Fencing, Screening, And Landscaping Requirements

The fencing, screening and landscaping requirements in section 66-970 et seq. shall apply to all developments in the AG-1 agricultural district except for the following:

(a) Permits are not required for fences on bona fide farms in the AG-1 zone.

(Code 1996, § 17.16.070)

#### AFTER AMENDMENT

Sec 66-390 Fencing, Screening, And Landscaping Requirements

The fencing, screening and landscaping requirements in section 66-970 et seq. shall apply to all developments in the AG-~~1~~ agricultural district except for the following:

(a) Permits are not required for fences on bona fide farms in the AG-~~1~~ zone.

(Code 1996, § 17.16.070)

**SECTION 47:**            **AMENDMENT** “Sec 66-391 Signs” of the North Branch City Code is hereby *amended* as follows:

#### BEFORE AMENDMENT

Sec 66-391 Signs

All signs within the AG-1 agricultural district shall comply with section 66-821 et seq.

(Code 1996, § 17.16.080)

#### AFTER AMENDMENT

Sec 66-391 Signs

All signs within the AG-1 agricultural district shall comply with section 66-821 et seq.

(Code 1996, § 17.16.080)

**SECTION 48:**        **AMENDMENT** “Sec 66-448 Permitted Uses” of the North Branch City Code is hereby *amended* as follows:

#### BEFORE AMENDMENT

Sec 66-448 Permitted Uses

The following are permitted uses in the RR rural residential district:

- (a) Agriculture, including farm dwellings and agricultural related buildings and structures subject to state pollution control standards, but not including commercial feedlots or other commercial operations.
- (b) Public parks, recreational areas, wildlife areas and game refuges.
- (c) Single-family detached dwellings.
- (d) Boarding (house) home, foster children. Restricted to serving six or fewer persons.
- (e) Day care home. Restricted to a family dwelling in which foster care, supervision, and training for children of school or pre-school age, out of their own home is provided during part of a day (less than 24 hours) with no overnight accommodations or facilities and children are delivered and removed daily. All such uses shall be licensed in accordance with state law and state department of public welfare regulations and such facilities are restricted to serving ten or fewer persons.
- (f) A state licensed residential facility serving from one to six mentally or physically disabled persons.
- (g) Solar farms as a principal use, in accordance with the provisions of article XI (solar energy systems) of the zoning ordinance.

(Code 1996, § 17.18.020; Ord. No. 153-10, § 1, 8-9-2010; Ord. No. 211-14, § 2, 7-28-2014)

#### AFTER AMENDMENT

Sec 66-448 Permitted Uses

The ~~following are~~ permitted uses in the RR rural residential district shall be as set forth in Sec 66-6.:

- ~~(a) Agriculture, including farm dwellings and agricultural related buildings and structures subject to state pollution control standards, but not including commercial feedlots or other commercial operations.~~
- ~~(b) Public parks, recreational areas, wildlife areas and game refuges.~~
- ~~(c) Single family detached dwellings.~~
- ~~(d) Boarding (house) home, foster children. Restricted to serving six or fewer persons.~~
- ~~(e) Day care home. Restricted to a family dwelling in which foster care, supervision, and training for children of school or pre-school age, out of their own home is provided during part of a day (less than 24 hours) with no overnight accommodations or facilities and children are delivered and removed daily. All such uses shall be licensed in accordance with state law and state department of public welfare regulations and such facilities are restricted to serving ten or fewer persons.~~
- ~~(f) A state licensed residential facility serving from one to six mentally or physically disabled persons.~~
- ~~(g) Solar farms as a principal use, in accordance with the provisions of article XI (solar energy systems) of the zoning ordinance.~~

~~(Code 1996, § 17.18.020; Ord. No. 153-10, § 1, 8-9-2010; Ord. No. 211-14, § 2, 7-28-2014)~~

**SECTION 49:            AMENDMENT** “Sec 66-449 Accessory Uses” of the North Branch City Code is hereby *amended* as follows:

#### BEFORE AMENDMENT

Sec 66-449 Accessory Uses

The following are permitted accessory uses in the RR rural residential district:

1. Operation and storage of such vehicles, equipment and machinery which are incidental to permitted or conditional uses allowed in this district.
2. Home occupations in accordance with section 66-942.
3. Fencing, screening and landscaping in compliance with section 66-453.
4. Boat houses, piers and docks.
5. Signs in compliance with section 66-821 et seq.
6. Essential services.
7. Essential service buildings of 1,000 square feet or less.
8. Rummage/garage sales (see definition).
9. Accessory Structures non-agricultural related

(Code 1996, § 17.18.030; Ord. No. 153-10, § 1, 8-9-2010)

#### AFTER AMENDMENT

Sec 66-449 Accessory Uses

The ~~following are~~ permitted accessory uses in the RR rural residential district shall be as set forth in Sec 66-6:

- ~~1. Operation and storage of such vehicles, equipment and machinery which are incidental to permitted or conditional uses allowed in this district.~~
- ~~2. Home occupations in accordance with section 66-942.~~
- ~~3. Fencing, screening and landscaping in compliance with section 66-453.~~
- ~~4. Boat houses, piers and docks.~~
- ~~5. Signs in compliance with section 66-821 et seq.~~
- ~~6. Essential services.~~
- ~~7. Essential service buildings of 1,000 square feet or less.~~
- ~~8. Rummage/garage sales (see definition).~~
- ~~9. Accessory Structures non agricultural related~~

~~(Code 1996, § 17.18.030; Ord. No. 153-10, § 1, 8-9-2010)~~

**SECTION 50:**            **AMENDMENT** “Sec 66-450 Conditional Uses” of the North Branch City Code is hereby *amended* as follows:

**BEFORE AMENDMENT**

Sec 66-450 Conditional Uses

The following are conditional uses in the RR rural residential district which require a conditional use permit based upon procedures, conditions and factors set forth in and regulated by section 66-62 et seq.:

- (a) Public- or semi-public recreational buildings and neighborhood or community centers; public and private educational institutions; religious institutions; and ancillary structures, activities and services that are operated in support of these conditionally approved uses. Multiple principal buildings on a lot of record for churches and schools are allowed provided the buildings are under common ownership and the buildings are used for related uses.
- (b) Governmental and public utility buildings and structures necessary for the health, safety and general welfare of the community.
- (c) Commercial outdoor recreational areas including golf courses and clubhouse country clubs, swimming pools with the necessary city permits and similar facilities.
- (d) Commercial riding stables and similar uses.
- (e) Recreational, travel vehicle campsites, not including manufactured homes.
- (f) Bed and breakfast inns.
- (g) Living quarters of persons employed on the premises.

- (h) Licensed day care facility located in the same building or parcel as a religious institution such as churches, chapels, temples, and synagogues, provided the regulations of the Human Services Licensing Act, Minn. Stats. ch. 245A, and the state building, fire and health regulations are satisfactorily met.
- (i) Residential planned unit developments as regulated by chapter 66-788 et seq.
- (j) Plumbing in accessory structures subject to the following:
  1. The accessory structure shall not be converted into living area. The conditional use is for bathroom facilities only.
  2. The property may be inspected at any time to assure compliance with the conditional use permit.
  3. If the accessory structure is converted into living area then all cost associated with converting it back including any legal fees are the responsibility of the property owner.

(Code 1996, § 17.18.040; Ord. No. 135-09, § 1, 5-11-2009; Ord. No. 139-09, § 1, 8-10-2009; Ord. No. 153-10, § 1, 8-9-2010; Ord. No. 224-15, § 1, 4-28-2015)

## AFTER AMENDMENT

### Sec 66-450 Conditional Uses

The ~~following are~~ conditional uses in the RR rural residential district which require a conditional use permit based upon procedures, conditions and factors set forth in and regulated by section 66-62 et seq. shall be as set forth in Sec 66-6.:

- ~~(a) Public or semi-public recreational buildings and neighborhood or community centers; public and private educational institutions; religious institutions; and ancillary structures, activities and services that are operated in support of these conditionally approved uses. Multiple principal buildings on a lot of record for churches and schools are allowed provided the buildings are under common ownership and the buildings are used for related uses.~~
- ~~(b) Governmental and public utility buildings and structures necessary for the health, safety and general welfare of the community.~~
- ~~(c) Commercial outdoor recreational areas including golf courses and clubhouse country clubs, swimming pools with the necessary city permits and similar facilities.~~
- ~~(d) Commercial riding stables and similar uses.~~
- ~~(e) Recreational, travel vehicle campsites, not including manufactured homes.~~
- ~~(f) Bed and breakfast inns.~~
- ~~(g) Living quarters of persons employed on the premises.~~
- ~~(h) Licensed day care facility located in the same building or parcel as a religious institution such as churches, chapels, temples, and synagogues, provided the regulations of the Human Services Licensing Act, Minn. Stats. ch. 245A, and the state building, fire and health regulations are satisfactorily met.~~
- ~~(i) Residential planned unit developments as regulated by chapter 66-788 et seq.~~
- ~~(j) Plumbing in accessory structures subject to the following:~~

- ~~1. The accessory structure shall not be converted into living area. The conditional use is for bathroom facilities only.~~
- ~~2. The property may be inspected at any time to assure compliance with the conditional use permit.~~
- ~~3. If the accessory structure is converted into living area then all cost associated with converting it back including any legal fees are the responsibility of the property owner.~~

~~(Code 1996, § 17.18.040; Ord. No. 135-09, § 1, 5-11-2009; Ord. No. 139-09, § 1, 8-10-2009; Ord. No. 153-10, § 1, 8-9-2010; Ord. No. 224-15, § 1, 4-28-2015)~~

**SECTION 51:            AMENDMENT** “Sec 66-451 Design Standards” of the North Branch City Code is hereby *amended* as follows:

### BEFORE AMENDMENT

Sec 66-451 Design Standards

The following are minimum design standards for the RR rural residential district:

- (a) Dwelling units in this zoning district must meet the following minimum structural design standards:
  1. Minimum ground floor area shall be 800 square feet for a single story dwelling. A dwelling unit with one and a half or more stories shall have a minimum of 800 square feet on main floor.
  2. Permanent full perimeter footings; with foundation walls of concrete, concrete block, wood, or any other approved material or method. Decks and porches are allowed on pier type footings.
  3. Minimum width: 24 feet.
  4. A minimum roof pitch of 4/12, 4" vertical rise for each 12" horizontal run.
  5. Provisions for decks must be shown on original plans when a sliding glass door, patio door, etc. are installed.
  6. Compliance with the requirements of the State Building Code.
- (b) Garages in this zoning district must meet the following minimum structural design standards:
  1. Rear or side yard or attached garage required except when the garage is located in the front yard on lots nominally five acres or larger.
  2. Minimum size: 400 square feet.
- (c) Accessory buildings in this zoning district must meet the following minimum structural design standards:
  1. Shall not be erected within six feet of any lot boundary or alley.
  2. Additional standards and requirements for accessory buildings are contained in section 66-898.
  3. Accessory structures shall be not constructed in the front yard except on lots nominally five acres or larger, set back at least 40 feet from the front property line.

(Code 1996, § 17.18.050; Ord. No. 153-10, § 1, 8-9-2010; Ord. No. 187-12, § 1, 4-9-2012)

AFTER AMENDMENT

Sec 66-451 Design Standards

The ~~following are~~ minimum design standards for the RR rural residential district are as set forth in the official design standards chart as set forth in 66-210.:

- ~~(a) Dwelling units in this zoning district must meet the following minimum structural design standards:~~
- ~~1. Minimum ground floor area shall be 800 square feet for a single story dwelling. A dwelling unit with one and a half or more stories shall have a minimum of 800 square feet on main floor.~~
  - ~~2. Permanent full perimeter footings; with foundation walls of concrete, concrete block, wood, or any other approved material or method. Decks and porches are allowed on pier type footings.~~
  - ~~3. Minimum width: 24 feet.~~
  - ~~4. A minimum roof pitch of 4/12, 4" vertical rise for each 12" horizontal run.~~
  - ~~5. Provisions for decks must be shown on original plans when a sliding glass door, patio door, etc. are installed.~~
  - ~~6. Compliance with the requirements of the State Building Code.~~
- ~~(b) Garages in this zoning district must meet the following minimum structural design standards:~~
- ~~1. Rear or side yard or attached garage required except when the garage is located in the front yard on lots nominally five acres or larger.~~
  - ~~2. Minimum size: 400 square feet.~~
- ~~(c) Accessory buildings in this zoning district must meet the following minimum structural design standards:~~
- ~~1. Shall not be erected within six feet of any lot boundary or alley.~~
  - ~~2. Additional standards and requirements for accessory buildings are contained in section 66-898.~~
  - ~~3. Accessory structures shall be not constructed in the front yard except on lots nominally five acres or larger, set back at least 40 feet from the front property line.~~

~~(Code 1996, § 17.18.050; Ord. No. 153-10, § 1, 8-9-2010; Ord. No. 187-12, § 1, 4-9-2012)~~

**SECTION 52:**            **AMENDMENT** “Sec 66-452 Yard, Area, And Building Size Requirements” of the North Branch City Code is hereby *amended* as follows:

BEFORE AMENDMENT

## Sec 66-452 Yard, Area, And Building Size Requirements

The following are yard, area and building size regulations for permitted dwelling units in the RR rural residential district:

- (a) For lots outside of the Urban Service Area, a minimum of 1.0 acre buildable.
- (b) For lots within the Urban Service Area and connected to municipal utilities, 12000 ft<sup>2</sup>; provided however, no new lots can be created within Urban Service Area that are not connected to municipal services, unless they established according to the terms of an approved PUD under Sections 66-788 through 66-798.
- (c) Lots of record created prior to July 21, 2017 shall be deemed legal lots for purposes of this section but subject to the requirements of Sec. 58-76
- (d) Lot width at front yard setback line: minimum of 110 feet for property located within the 20-year growth area. A minimum of 110 feet for property located outside the 20-year growth area.
- (e) Minimum lot depth: 300 feet.
- (f) Yard dimensions:
  - 1. Front yard setback: 40 feet from the lot line or road right-of-way if applicable.
  - 2. Side yard setback (each side): minimum ten feet from the interior lot lines.
  - 3. Corner side yard setback: minimum of 30 feet from the lot line or road right-of-way if applicable.
  - 4. Rear yard setback for interior lots: minimum of 30 feet from the lot line.
  - 5. Rear yard setback for corner lots: 15 feet from the lot line.
- (g) Maximum building height: 35 feet.
- (h) Maximum impervious area: 50 percent.
- (i) Wetland setback:
  - 1. A 20-foot natural buffer shall be maintained adjacent to all wetlands on lots created after the adoption of this chapter.
  - 2. A minimum 40-foot setback is required for all structures adjacent to all wetlands on lots created after the adoption of this chapter.
- (j) Floor elevation:
  - 1. The lowest floor elevation for new or redevelopment will be three feet above the highest known groundwater level.
  - 2. The lowest floor elevation for new or redevelopment will be two feet above the 100-year flood elevation.
- (k) Lot area:
  - 1. Within the Urban Service Area  
1 acre lot of upland/buildable are with 9 or more acres within a lot that is restricted for future development with a PUD. The location of the 1 acre lot will be in a location that will minimize the impact on extending City services.
  - 2. Outside of the Urban Service Area:  
A minimum of 1.0 acre of upland/buildable for property located outside the Urban Service Area.

(Code 1996, § 17.18.060; Ord. No. 108, § 1, 7-10-2006; Ord. No. 110A, § 1, 11-27-2006;

Ord. No. 153-10, § 1, 8-9-2010; Ord. No. 157-11, § 1, 1-10-2011; Ord. No. 199-13, §§ 1, 2, 5-28-2013)

## AFTER AMENDMENT

### Sec 66-452 Yard, Area, And Building Size Requirements

~~The following are yard, area and building size regulations for permitted dwelling units in the RR rural residential district:~~

- (a) The following are yard, area and building size regulations for permitted dwelling units in the RR rural residential district as set forth in the official design standards chart as set forth in 66-210.
- (b) For lots outside of the Urban Service Area, a minimum of 1.0 acre buildable.
- (c) For lots within the Urban Service Area and connected to municipal utilities, 12000 ft<sup>2</sup>; provided however, no new lots can be created within Urban Service Area that are not connected to municipal services, unless they established according to the terms of an approved PUD under Sections 66-788 through 66-798.
- (d) Lots of record created prior to July 21, 2017 shall be deemed legal lots for purposes of this section but subject to the requirements of Sec. 58-76
- ~~(e) Lot width at front yard setback line: minimum of 110 feet for property located within the 20-year growth area. A minimum of 110 feet for property located outside the 20-year growth area.~~
- ~~(f) Minimum lot depth: 300 feet.~~
- ~~(g) Yard dimensions:
  - 1. Front yard setback: 40 feet from the lot line or road right of way if applicable.
  - 2. Side yard setback (each side): minimum ten feet from the interior lot lines.
  - 3. Corner side yard setback: minimum of 30 feet from the lot line or road right of way if applicable.
  - 4. Rear yard setback for interior lots: minimum of 30 feet from the lot line.
  - 5. Rear yard setback for corner lots: 15 feet from the lot line.~~
- ~~(h) Maximum building height: 35 feet.~~
- ~~(i) Maximum impervious area: 50 percent.~~
- ~~(j) Wetland setback:
  - 1. A 20-foot natural buffer shall be maintained adjacent to all wetlands on lots created after the adoption of this chapter.
  - 2. A minimum 40-foot setback is required for all structures adjacent to all wetlands on lots created after the adoption of this chapter.~~
- (k) Floor elevation:
  - 1. ~~The lowest floor elevation for new or redevelopment will be two feet above the 100-year flood elevation.~~  
The lowest floor elevation for new or redevelopment will be three feet above the highest known groundwater level.
- (l) Lot area:
  - 1. Within the Urban Service Area

1 acre lot of upland/buildable are with 9 or more acres within a lot that is restricted for future development with a PUD. The location of the 1 acre lot will be in a location that will minimize the impact on extending City services.

2. Outside of the Urban Service Area:

A minimum of 1.0 acre of upland/buildable for property located outside the Urban Service Area.

(Code 1996, § 17.18.060; Ord. No. 108, § 1, 7-10-2006; Ord. No. 110A, § 1, 11-27-2006; Ord. No. 153-10, § 1, 8-9-2010; Ord. No. 157-11, § 1, 1-10-2011; Ord. No. 199-13, §§ 1, 2, 5-28-2013)

**SECTION 53:**            **AMENDMENT** “Sec 66-504 Permitted Uses” of the North Branch City Code is hereby *amended* as follows:

### BEFORE AMENDMENT

Sec 66-504 Permitted Uses

The following are permitted uses in the CBD commercial business district:

1. Art and school supplies.
2. Bakery goods and baking of goods for retail sales on the premises.
3. Bank, savings and loan, savings credit unions and other financial institutions.
4. Barbershops.
5. Beauty parlors.
6. Bicycle sales and repair.
7. Brew Pub and Brew Tap room.
8. Candy, ice cream, popcorn, nuts, frozen desserts and soft drinks.
9. Camera and photographic supplies.
10. Commercial (leased) and professional offices.
11. Day Care Facilities licensed by the State of Minnesota Human Services Licensing Act, Minn. Stats. ch. 245A, provided that the state building, fire and health regulations are satisfactorily met.
12. Delicatessen.
13. Dry cleaning pick-up and laundry pick-up stations including incidental repair and assembly but not including processing.
14. Drugstore.
15. Florist shop.
16. Frozen food store but not including a locker plant.
17. Gift or novelty store.
18. Grocery, fruit or vegetable store but not including sales from moveable, motorized vehicles.
19. Grocery, supermarket.
20. Hardware.

21. Hobby store, including handicraft classes but not to exceed 15 students.
22. Ice sales with storage not to exceed five tons.
23. Insurance sales.
24. Locksmith.
25. Meat market but not including processing for a locker plant.
26. Medical and dental offices and clinics.
27. Paint and wallpaper sales.
28. Plumbing, television, radio, electrical sales and such repairs as are necessary uses to the retail establishment permitted within this district.
29. Public utility collection offices.
30. Real estate sales.
31. Shoe repair.
32. Private clubs and lodges.
33. Medical, professional, and other service related activities.
34. Commercial recreational activities.
35. Government and public utility buildings.
36. Hotels and motels.
37. All other retail commercial activities, excluding outdoor and open sales.
38. Bed and breakfast facilities.
39. Apartment dwellings located on upper floors above commercial uses.
40. Single family homes built before 1930 having traditional architectural features that are complex in design and include details such as ornate trim, bright colors, large porches, asymmetrical shape and multi-facets rooflines.

(Code 1996, § 17.22.020)

## AFTER AMENDMENT

### Sec 66-504 Permitted Uses

The ~~following are~~ permitted uses in the CBD commercial business district shall be as set forth in Sec 66-6.:

- ~~1. Art and school supplies.~~
- ~~2. Bakery goods and baking of goods for retail sales on the premises.~~
- ~~3. Bank, savings and loan, savings credit unions and other financial institutions.~~
- ~~4. Barbershops.~~
- ~~5. Beauty parlors.~~
- ~~6. Bicycle sales and repair.~~
- ~~7. Brew Pub and Brew Tap room.~~
- ~~8. Candy, ice cream, popcorn, nuts, frozen desserts and soft drinks.~~
- ~~9. Camera and photographic supplies.~~
- ~~10. Commercial (leased) and professional offices.~~
- ~~11. Day Care Facilities licensed by the State of Minnesota Human Services Licensing Act, Minn. Stats. ch. 245A, provided that the state building, fire and health regulations are satisfactorily met.~~

- ~~12. Delicatessen.~~
- ~~13. Dry cleaning pick-up and laundry pick-up stations including incidental repair and assembly but not including processing.~~
- ~~14. Drugstore.~~
- ~~15. Florist shop.~~
- ~~16. Frozen food store but not including a locker plant.~~
- ~~17. Gift or novelty store.~~
- ~~18. Grocery, fruit or vegetable store but not including sales from moveable, motorized vehicles.~~
- ~~19. Grocery, supermarket.~~
- ~~20. Hardware.~~
- ~~21. Hobby store, including handiercraft classes but not to exceed 15 students.~~
- ~~22. Ice sales with storage not to exceed five tons.~~
- ~~23. Insurance sales.~~
- ~~24. Locksmith.~~
- ~~25. Meat market but not including processing for a locker plant.~~
- ~~26. Medical and dental offices and clinics.~~
- ~~27. Paint and wallpaper sales.~~
- ~~28. Plumbing, television, radio, electrical sales and such repairs as are necessary uses to the retail establishment permitted within this district.~~
- ~~29. Public utility collection offices.~~
- ~~30. Real estate sales.~~
- ~~31. Shoe repair.~~
- ~~32. Private clubs and lodges.~~
- ~~33. Medical, professional, and other service related activities.~~
- ~~34. Commercial recreational activities.~~
- ~~35. Government and public utility buildings.~~
- ~~36. Hotels and motels.~~
- ~~37. All other retail commercial activities, excluding outdoor and open sales.~~
- ~~38. Bed and breakfast facilities.~~
- ~~39. Apartment dwellings located on upper floors above commercial uses.~~
- ~~40. Single family homes built before 1930 having traditional architectural features that are complex in design and include details such as ornate trim, bright colors, large porches, asymmetrical shape and multi-facets rooflines.~~

~~(Code 1996, § 17.22.020)~~

**SECTION 54:**            **AMENDMENT** “Sec 66-505 Accessory Uses” of the North Branch City Code is hereby *amended* as follows:

**BEFORE AMENDMENT**

Sec 66-505 Accessory Uses

The following are permitted accessory uses in the CBD commercial business district:

- (a) Commercial or business buildings and structures for a use accessory to the principle use but shall not exceed 30 percent of the gross floor area of the principle use.
- (b) Off-street parking as regulated by section 66-848 et seq.
- (c) Off-street loading as regulated by section 66-848 et seq.
- (d) Fencing, screening and landscaping as permitted and regulated by section 66-970 et seq.
- (e) Signs as regulated by section 66-821 et seq.
- (f) Essential services.
- (g) Essential service buildings of 1,000 square feet or less.
- (h) Accessory Structures for residential uses.

(Code 1996, § 17.22.030)

#### AFTER AMENDMENT

Sec 66-505 Accessory Uses

The ~~following are~~ permitted accessory uses in the CBD commercial business district shall be as set forth in Sec 66-6:

- ~~(a) Commercial or business buildings and structures for a use accessory to the principle use but shall not exceed 30 percent of the gross floor area of the principle use.~~
- ~~(b) Off-street parking as regulated by section 66-848 et seq.~~
- ~~(c) Off-street loading as regulated by section 66-848 et seq.~~
- ~~(d) Fencing, screening and landscaping as permitted and regulated by section 66-970 et seq.~~
- ~~(e) Signs as regulated by section 66-821 et seq.~~
- ~~(f) Essential services.~~
- ~~(g) Essential service buildings of 1,000 square feet or less.~~
- ~~(h) Accessory Structures for residential uses.~~

~~(Code 1996, § 17.22.030)~~

**SECTION 55:**        **AMENDMENT** “Sec 66-506 Conditional Uses” of the North Branch City Code is hereby *amended* as follows:

#### BEFORE AMENDMENT

Sec 66-506 Conditional Uses

The following are conditional uses in the CBD commercial business district that require a conditional use permit based upon the procedures, conditions and factors set forth in and regulated by section 66-62 et seq.:

- (a) Open and outdoor storage, sales, service and rental as an accessory use.
- (b) Religious institutions such as churches, chapels, temples and synagogues.
- (c) Mortuaries.
- (d) Cemeteries.
- (e) Multiple principal buildings on a lot of record for churches and schools provided the buildings are under common ownership and the buildings are used for related uses.
- (f) Public and private educational institutions, limited to elementary, junior high, senior high schools and post secondary.
- (g) Nursing homes and assisted living facilities.
- (h) Commercial planned unit developments as regulated by section 66-788 et seq.

(Code 1996, § 17.22.040; Ord. No. 102, § 1 (17.22.045), 10-24-2005; Ord. No. 153-10, § 1, 8-9-2010)

#### AFTER AMENDMENT

##### Sec 66-506 Conditional Uses

The ~~following are~~ conditional uses in the CBD commercial business district that require a conditional use permit based upon the procedures, conditions and factors set forth in and regulated by section 66-62 et seq. shall be as set forth in Sec 66-6.:

- ~~(a) Open and outdoor storage, sales, service and rental as an accessory use.~~
- ~~(b) Religious institutions such as churches, chapels, temples and synagogues.~~
- ~~(c) Mortuaries.~~
- ~~(d) Cemeteries.~~
- ~~(e) Multiple principal buildings on a lot of record for churches and schools provided the buildings are under common ownership and the buildings are used for related uses.~~
- ~~(f) Public and private educational institutions, limited to elementary, junior high, senior high schools and post secondary.~~
- ~~(g) Nursing homes and assisted living facilities.~~
- ~~(h) Commercial planned unit developments as regulated by section 66-788 et seq.~~

~~(Code 1996, § 17.22.040; Ord. No. 102, § 1 (17.22.045), 10-24-2005; Ord. No. 153-10, § 1, 8-9-2010)~~

**SECTION 56:            AMENDMENT** “Sec 66-507 Design Standards” of the North Branch City Code is hereby *amended* as follows:

#### BEFORE AMENDMENT

Sec 66-507 Design Standards

All structures in this zoning district must meet the city design guidelines and be approved by the city design committee. Accessory buildings in this zoning district must meet the following minimum structural design standards:

- (a) Shall not be erected within six feet of any lot boundary or alley.
- (b) Additional standards and requirements for accessory buildings are contained in section 66-898.

(Code 1996, § 17.22.050; Ord. No. 153-10, § 1, 8-9-2010)

AFTER AMENDMENT

Sec 66-507 Design Standards

All structures in this zoning district must meet ~~66-943 (b) the city design guidelines and be approved by the city design committee. Accessory buildings in this zoning district must meet the following minimum structural design standards:~~

- ~~(a) Shall not be erected within six feet of any lot boundary or alley.~~
- ~~(b) Additional standards and requirements for accessory buildings are contained in section 66-898.~~

~~(Code 1996, § 17.22.050; Ord. No. 153-10, § 1, 8-9-2010)~~

**SECTION 57: AMENDMENT** “Sec 66-508 Area And Bulk Regulations” of the North Branch City Code is hereby *amended* as follows:

BEFORE AMENDMENT

Sec 66-508 Area And Bulk Regulations

Area and bulk regulations in this zoning district are as follows:

- (a) Lot area: minimum of 2,500 square feet.
- (b) Lot width at front yard setback line: minimum of 25 feet.
- (c) Minimum lot depth: 100 feet.
- (d) Yard dimensions:
  - 1. Front yard setback: zero feet from lot line.
  - 2. Side yard setback (each side): zero feet from lot line.
  - 3. Rear yard setback: zero feet from lot line.
- (e) Maximum building height: 45 feet.
- (f) Wetland setback:

1. A 20-foot natural buffer shall be maintained adjacent to all wetlands on lots created after the adoption of this chapter.
2. A minimum 40-foot setback is required for all structures adjacent to all wetlands on lots created after the adoption of this chapter.

(g) Floor elevation:

1. The lowest floor elevation for new or redevelopment will be three feet above the highest known groundwater level.
2. The lowest floor elevation for new or redevelopment will be two feet above the 100-year flood elevation.

(Code 1996, § 17.22.060; Ord. No. 153-10, § 1, 8-9-2010)

#### AFTER AMENDMENT

Sec 66-508 Area And Bulk Regulations

Area and bulk regulations in this zoning district are are as set forth in the design standards chart as set forth in 66-210.~~as follows:~~

- ~~(a) Lot area: minimum of 2,500 square feet.~~
- ~~(b) Lot width at front yard setback line: minimum of 25 feet.~~
- ~~(c) Minimum lot depth: 100 feet.~~
- ~~(d) Yard dimensions:~~
  - ~~1. Front yard setback: zero feet from lot line.~~
  - ~~2. Side yard setback (each side): zero feet from lot line.~~
  - ~~3. Rear yard setback: zero feet from lot line.~~
- ~~(e) Maximum building height: 45 feet.~~
- ~~(f) Wetland setback:~~
  - ~~1. A 20-foot natural buffer shall be maintained adjacent to all wetlands on lots created after the adoption of this chapter.~~
  - ~~2. A minimum 40-foot setback is required for all structures adjacent to all wetlands on lots created after the adoption of this chapter.~~
- ~~(g) Floor elevation:~~
  - ~~1. The lowest floor elevation for new or redevelopment will be three feet above the highest known groundwater level.~~
  - ~~2. The lowest floor elevation for new or redevelopment will be two feet above the 100-year flood elevation.~~

~~(Code 1996, § 17.22.060; Ord. No. 153-10, § 1, 8-9-2010)~~

**SECTION 58:**            **AMENDMENT** “Sec 66-529 Purpose” of the North Branch City Code is hereby *amended* as follows:

#### BEFORE AMENDMENT

Sec 66-529 Purpose

The purpose of the B-2 limited business district is:

- (a) To provide for accommodations and services to the traveling public and related retail services activities that are dependent upon automobile traffic.
- (b) Serve as a transitional area between the local commercial district (CBD) and the regional commercial district (B-3) with land uses growing in intensity from west to east.

(Code 1996, § 17.24.010; Ord. No. 153-10, § 1, 8-9-2010)

AFTER AMENDMENT

Sec 66-~~529~~540 Purpose

The purpose of the ~~B-2 limited business~~Business Neighborhood district is:

- ~~(a) To provide for accommodations and services to the traveling public and related retail services activities that are dependent upon automobile traffic.~~
- ~~(b) To serve as a transitional area between the local commercial district (CBD) limited business use in residential areas and serve as a transition the regional commercial district (B-3) with land uses growing in intensity from west to east.~~

(Code 1996, § 17.24.010; Ord. No. 153-10, § 1, 8-9-2010)

**SECTION 59: AMENDMENT** “Sec 66-530 Permitted Uses” of the North Branch City Code is hereby *amended* as follows:

BEFORE AMENDMENT

Sec 66-530 Permitted Uses

The following are permitted uses in the B-2 limited business district:

- (a) Drive-in and convenience food services, restaurants, car washes, motor fuel stations, auto repair (minor), enclosed building material sales and other auto-related services.
- (b) Auto accessory retail stores.
- (c) Licensed commercial childcare centers provided the regulations of the Human Services Licensing Act, Minn. Stats. ch. 245A, and the state building, fire and health regulations are satisfactorily met.
- (d) Lumber yards.
- (e) Permitted uses 1 through 38 in the CBD central business district section 66-504.
- (f) Apartment dwellings located on upper floors above commercial uses.

(g) Brew Pub and Brew Tap room.

(Code 1996, § 17.24.020; Ord. No. 153-10, § 1, 8-9-2010)

#### AFTER AMENDMENT

Sec 66-~~530~~541 Permitted Uses

The following are permitted uses in the ~~B-2 limited business~~Business Neighborhood district shall be as set forth in Sec 66-6:

- ~~(a) Drive in and convenience food services, restaurants, car washes, motor fuel stations, auto repair (minor), enclosed building material sales and other auto-related services.~~
- ~~(b) Auto accessory retail stores.~~
- ~~(c) Licensed commercial childcare centers provided the regulations of the Human Services Licensing Act, Minn. Stats. ch. 245A, and the state building, fire and health regulations are satisfactorily met.~~
- ~~(d) Lumber yards.~~
- ~~(e) Permitted uses 1 through 38 in the CBD central business district section 66-504.~~
- ~~(f) Apartment dwellings located on upper floors above commercial uses.~~
- ~~(g) Brew Pub and Brew Tap room.~~

~~(Code 1996, § 17.24.020; Ord. No. 153-10, § 1, 8-9-2010)~~

**SECTION 60:**            **AMENDMENT** “Sec 66-531 Accessory Uses” of the North Branch City Code is hereby *amended* as follows:

#### BEFORE AMENDMENT

Sec 66-531 Accessory Uses

The following are permitted accessory uses in the B-2 limited business district:

- (a) Commercial or business buildings and structures for a use accessory to the principle use but shall not exceed 30 percent of the gross floor area of the principle use.
- (b) Off-street parking as regulated by section 66-848 et seq.
- (c) Off-street loading as regulated by section 66-848 et seq.
- (d) Fencing, screening and landscaping as permitted and regulated by section 66-970 et seq.
- (e) Signs as regulated by section 66-821 et seq.
- (f) Essential services.
- (g) Essential services buildings of 1,000 square feet or less.

(Code 1996, § 17.24.030)

## AFTER AMENDMENT

Sec 66-~~531~~542 Accessory Uses

The ~~following are~~ permitted accessory uses in the ~~B-2 limited business~~Business Neighborhood district shall be set forth in Sec 66-6.:

- ~~(a) Commercial or business buildings and structures for a use accessory to the principle use but shall not exceed 30 percent of the gross floor area of the principle use.~~
- ~~(b) Off-street parking as regulated by section 66-848 et seq.~~
- ~~(c) Off-street loading as regulated by section 66-848 et seq.~~
- ~~(d) Fencing, screening and landscaping as permitted and regulated by section 66-970 et seq.~~
- ~~(e) Signs as regulated by section 66-821 et seq.~~
- ~~(f) Essential services.~~
- ~~(g) Essential services buildings of 1,000 square feet or less.~~

~~(Code 1996, § 17.24.030)~~

**SECTION 61:**            **AMENDMENT** “Sec 66-531.5 Interim Uses” of the North Branch City Code is hereby *amended* as follows:

## BEFORE AMENDMENT

Sec 66-531.5 Interim Uses

The following uses are interim uses in the B-2 (limited business) district that require city council approval of an interim use permit and shall be in conformance with the standards specified in section 66-64 of this chapter and the additional standards specified below:

- (a) Transient sales;
  - 1. Must be located in a suitable off-street location and shall not extend into adjacent right-of-way or other public property;
  - 2. Must not interrupt vehicular circulation on the site or obstruct parking spaces needed by permanent business established on the site;
  - 3. Must have written authorization from property owner;
  - 4. The business operator must secure all applicable licenses and approvals from the city, Chisago County or other appropriate jurisdictions;
  - 5. Sight visibility clearances at street intersections and access points must be provided in accordance with the City Code or as determined by the city to protect public safety;
  - 6. No portion of the use may take place within 100 feet of any developed property zoned for residential use;
  - 7. Signs are subject to all City Code standards and:

- a. Incidental product or pricing signs must be placed directly next to the appropriate product;
  - b. Product advertising is permitted, but must be included in the maximum allowed sign area;
  - c. The signs must have a professional appearance and must be securely mounted or erected in a safe location; and
  - d. These limitations apply to all signs associated with the use, including those affixed to vehicles;
- 8. Any display of items must be limited to representative samples and be arranged in as compact a manner as reasonably practicable;
  - 9. The interim use permit will be issued in the name of the person requesting the permit and will be for the purpose of selling a particular item or range of items at a specific location. Any change in the person, location or items sold will render the permit invalid; and
  - 10. Violation of the above standards or other conditions placed upon the interim use permit will result in immediate revocation of the interim use permit;
- (b) Churches or places of worship for a space in a multi-tenant building.

(Ord. No. 210-14, § 2, 7-14-2014)

#### AFTER AMENDMENT

#### Sec 66-~~531.5~~543 Interim Uses

The following uses are interim uses in the ~~B-2 (limited business)~~Business Neighborhood district that require city council approval of an interim use permit and shall be in conformance with the standards specified in section 66-64 of this chapter and the additional standards specified below:

- (a) Transient sales;
  - 1. Must be located in a suitable off-street location and shall not extend into adjacent right-of-way or other public property;
  - 2. Must not interrupt vehicular circulation on the site or obstruct parking spaces needed by permanent business established on the site;
  - 3. Must have written authorization from property owner;
  - 4. The business operator must secure all applicable licenses and approvals from the city, Chisago County or other appropriate jurisdictions;
  - 5. Sight visibility clearances at street intersections and access points must be provided in accordance with the City Code or as determined by the city to protect public safety;
  - 6. No portion of the use may take place within 100 feet of any developed property zoned for residential use;
  - 7. Signs are subject to all City Code standards and:
    - a. Incidental product or pricing signs must be placed directly next to the appropriate product;

- b. Product advertising is permitted, but must be included in the maximum allowed sign area;
  - c. The signs must have a professional appearance and must be securely mounted or erected in a safe location; and
  - d. These limitations apply to all signs associated with the use, including those affixed to vehicles;
8. Any display of items must be limited to representative samples and be arranged in as compact a manner as reasonably practicable;
  9. The interim use permit will be issued in the name of the person requesting the permit and will be for the purpose of selling a particular item or range of items at a specific location. Any change in the person, location or items sold will render the permit invalid; and
  10. Violation of the above standards or other conditions placed upon the interim use permit will result in immediate revocation of the interim use permit;
- (b) Churches or places of worship for a space in a multi-tenant building.

(Ord. No. 210-14, § 2, 7-14-2014)

**SECTION 62:**            **AMENDMENT** “Sec 66-532 Conditional Uses” of the North Branch City Code is hereby *amended* as follows:

**BEFORE AMENDMENT**

Sec 66-532 Conditional Uses

The following are conditional uses in the B-2 limited business district that require a conditional use permit based upon procedures, conditions and factors set forth in and regulated by section 66-62 et seq.:

- (a) Open and outdoor storage as a principal or accessory use.
- (b) Open or outdoor service, sale and rental as a principal or accessory use and including sales in or from motorized vehicles, trailers or wagons.
- (c) Religious institutions such as churches, chapels, temples and synagogues.
- (d) Mortuaries.
- (e) Cemeteries.
- (f) Public and private educational institutions, limited to elementary, junior high, senior high schools and post secondary.
- (g) Multiple principal buildings on a lot of record for churches and schools provided the buildings are under common ownership and the buildings are used for related uses.
- (h) Nursing homes and assisted living facilities.
- (i) Commercial planned unit developments as required by section 66-788 et seq.

(Code 1996, § 17.24.040; Ord. No. 153-10, § 1, 8-9-2010)

AFTER AMENDMENT

Sec 66-~~532~~544 Conditional Uses

The ~~following are~~ conditional uses in the B-~~2 limited business~~business Neighborhood district that require a conditional use permit based upon procedures, conditions and factors set forth in and regulated by section 66-62 et seq. shall be as set forth in Sec 66-6.:

- ~~(a) Open and outdoor storage as a principal or accessory use.~~
- ~~(b) Open or outdoor service, sale and rental as a principal or accessory use and including sales in or from motorized vehicles, trailers or wagons.~~
- ~~(c) Religious institutions such as churches, chapels, temples and synagogues.~~
- ~~(d) Mortuaries.~~
- ~~(e) Cemeteries.~~
- ~~(f) Public and private educational institutions, limited to elementary, junior high, senior high schools and post-secondary.~~
- ~~(g) Multiple principal buildings on a lot of record for churches and schools provided the buildings are under common ownership and the buildings are used for related uses.~~
- ~~(h) Nursing homes and assisted living facilities.~~
- ~~(i) Commercial planned unit developments as required by section 66-788 et seq.~~

~~(Code 1996, § 17.24.040; Ord. No. 153-10, § 1, 8-9-2010)~~

**SECTION 63:**            **AMENDMENT** “Sec 66-533 Design Standards” of the North Branch City Code is hereby *amended* as follows:

BEFORE AMENDMENT

Sec 66-533 Design Standards

All structures in this zoning district must meet the city design guidelines and be approved by the city design committee.

~~(Code 1996, § 17.24.050; Ord. No. 153-10, § 1, 8-9-2010)~~

AFTER AMENDMENT

Sec 66-~~533~~545 Design Standards

All structures in this zoning district must meet 66-943 (b).the city design guidelines and be approved by the city design committee.

~~(Code 1996, § 17.24.050; Ord. No. 153-10, § 1, 8-9-2010)~~

**SECTION 64:**            **AMENDMENT** “Sec 66-534 Area And Bulk Regulations” of the North Branch City Code is hereby *amended* as follows:

**BEFORE AMENDMENT**

Sec 66-534 Area And Bulk Regulations

Area and bulk regulations shall be as follows:

- (a) Lot area:
  - 1. Minimum of 5,000 square feet and connected to municipal utilities.
- (b) Lot width at front yard setback line:
  - 1. Minimum of 50 feet.
- (c) Minimum lot depth:
  - 1. 100 feet.
- (d) Yard dimensions:
  - 1. Front Yard Setback:
    - a. 15 feet from the property line or road right-of-way if applicable.
  - 2. Interior side yard setback (each side):
    - a. Minimum of zero feet if attached to an adjacent building, or a minimum of ten feet from the interior lot line(s).
  - 3. Corner side yard setback:
    - a. Minimum of 15 feet from lot line or road right-of-way if applicable.
  - 4. Rear yard:
    - a. Minimum of 15 feet from lot line.
- (e) Maximum building height: 45 feet.
- (f) Maximum impervious area: 90 percent.
- (g) Wetland setback:
  - 1. A 20-foot natural buffer shall be maintained adjacent to all wetlands on lots created after the adoption of this chapter.
  - 2. A minimum 40-foot setback is required for all structures adjacent to all wetlands on lots created after the adoption of this chapter.
- (h) Floor elevation:
  - 1. The lowest floor elevation for new or redevelopment will be three feet above the highest known groundwater level.
  - 2. The lowest floor elevation for new or redevelopment will be two feet above the 100-year flood elevation.

(Code 1996, § 17.24.060; Ord. No. 102, § 1 (17.24.065), 10-24-2005; Ord. No. 153-10, § 1, 8-9-2010)

**AFTER AMENDMENT**

Sec 66-~~534~~546 Area And Bulk Regulations

Area and bulk regulations are as set forth in the official design standards chart as set forth in 66-210.~~shall be as follows:~~

- ~~(a) Lot area:~~
  - ~~1. Minimum of 5,000 square feet and connected to municipal utilities.~~
- ~~(b) Lot width at front yard setback line:~~
  - ~~1. Minimum of 50 feet.~~
- ~~(c) Minimum lot depth:~~
  - ~~1. 100 feet.~~
- ~~(d) Yard dimensions:~~
  - ~~1. Front Yard Setback:~~
    - ~~a. 15 feet from the property line or road right-of-way if applicable.~~
  - ~~2. Interior side yard setback (each side):~~
    - ~~a. Minimum of zero feet if attached to an adjacent building, or a minimum of ten feet from the interior lot line(s).~~
  - ~~3. Corner side yard setback:~~
    - ~~a. Minimum of 15 feet from lot line or road right-of-way if applicable.~~
  - ~~4. Rear yard:~~
    - ~~a. Minimum of 15 feet from lot line.~~
- ~~(e) Maximum building height: 45 feet.~~
- ~~(f) Maximum impervious area: 90 percent.~~
- ~~(g) Wetland setback:~~
  - ~~1. A 20-foot natural buffer shall be maintained adjacent to all wetlands on lots created after the adoption of this chapter.~~
  - ~~2. A minimum 40-foot setback is required for all structures adjacent to all wetlands on lots created after the adoption of this chapter.~~
- ~~(h) Floor elevation:~~
  - ~~1. The lowest floor elevation for new or redevelopment will be three feet above the highest known groundwater level.~~
  - ~~2. The lowest floor elevation for new or redevelopment will be two feet above the 100-year flood elevation.~~

~~(Code 1996, § 17.24.060; Ord. No. 102, § 1 (17.24.065), 10-24-2005; Ord. No. 153-10, § 1, 8-9-2010)~~

**SECTION 65:            AMENDMENT** “Sec 66-535 Fencing, Screening, And Landscaping Requirements” of the North Branch City Code is hereby *amended* as follows:

**BEFORE AMENDMENT**

Sec 66-535 Fencing, Screening, And Landscaping Requirements

The fencing, screening and landscaping requirements in section 66-970 et seq. shall apply to all developments in the B-2 limited business district.

(Code 1996, § 17.24.070)

AFTER AMENDMENT

Sec 66-~~535~~547 Fencing, Screening, And Landscaping Requirements

The fencing, screening and landscaping requirements in section 66-970 et seq. shall apply to all developments in the B-~~2 limited business~~business Neighborhood district.

(Code 1996, § 17.24.070)

**SECTION 66:**            **AMENDMENT** “Sec 66-566 Purpose” of the North Branch City Code is hereby *amended* as follows:

BEFORE AMENDMENT

Sec 66-566 Purpose

The purpose of the B-3 regional business district is:

- (a) To provide for the location of commercial activities that serve a primarily regional, nonlocal market area.
- (b) To provide for the location of retail and commercial activities that require very large buildings.
- (c) To complement the retail activity in the CBD and B-2 Districts.

(Code 1996, § 17.26.010)

AFTER AMENDMENT

Sec 66-566 Purpose

The purpose of the B-~~3 regional~~ business district is:

- (a) To provide for the location of commercial activities that serve a primarily regional, nonlocal market area.
- (b) To provide for the location of retail and commercial activities that require very large buildings.
- (c) To complement the retail activity in the CBD and B~~N-2~~ Districts.

(Code 1996, § 17.26.010)

**SECTION 67:**            **AMENDMENT** “Sec 66-567 Permitted Uses” of the North Branch City Code is hereby *amended* as follows:

## BEFORE AMENDMENT

### Sec 66-567 Permitted Uses

The following are permitted uses in the B-3 regional commercial district:

- (a) Automobile, motor home and recreational vehicle dealerships.
- (b) Discount/outlet malls.
- (c) Lumber yards.
- (d) Warehouse retail businesses.
- (e) Shopping centers.
- (f) All permitted uses in the B-2 limited business district.

(Code 1996, § 17.26.020)

## AFTER AMENDMENT

### Sec 66-567 Permitted Uses

The ~~following are~~ permitted uses in the ~~B-3 regional commercial~~ district shall be as set forth in Sec 66-6.:

- ~~(a) Automobile, motor home and recreational vehicle dealerships.~~
- ~~(b) Discount/outlet malls.~~
- ~~(c) Lumber yards.~~
- ~~(d) Warehouse retail businesses.~~
- ~~(e) Shopping centers.~~
- ~~(f) All permitted uses in the B-2 limited business district.~~

(Code 1996, § 17.26.020)

**SECTION 68:**            **AMENDMENT** “Sec 66-568 Accessory Uses” of the North Branch City Code is hereby *amended* as follows:

## BEFORE AMENDMENT

### Sec 66-568 Accessory Uses

The following are permitted accessory uses in the B-3 regional commercial district:

- (a) Commercial or business buildings and structures for a use accessory to the principal use but shall not exceed 30 percent of the gross floor area of the principal use.
- (b) Off-street parking as regulated by section 66-848 et seq.
- (c) Off-street loading as regulated by section 66-848 et seq.
- (d) Fencing, screening and landscaping as permitted and regulated by section 66-970 et

seq.

- (e) Signs as regulated by section 66-821 et seq.
- (f) Essential services.
- (g) Essential service buildings of 1,000 square feet or less.

(Code 1996, § 17.26.030)

#### AFTER AMENDMENT

##### Sec 66-568 Accessory Uses

The ~~following are~~ permitted accessory uses in the B-~~3 regional commercial~~ district shall be as set forth in Sec 66-6.:

- ~~(a) Commercial or business buildings and structures for a use accessory to the principal use but shall not exceed 30 percent of the gross floor area of the principal use.~~
- ~~(b) Off-street parking as regulated by section 66-848 et seq.~~
- ~~(c) Off-street loading as regulated by section 66-848 et seq.~~
- ~~(d) Fencing, screening and landscaping as permitted and regulated by section 66-970 et seq.~~
- ~~(e) Signs as regulated by section 66-821 et seq.~~
- ~~(f) Essential services.~~
- ~~(g) Essential service buildings of 1,000 square feet or less.~~

~~(Code 1996, § 17.26.030)~~

**SECTION 69:**            **AMENDMENT** “Sec 66-568.5 Interim Uses” of the North Branch City Code is hereby *amended* as follows:

#### BEFORE AMENDMENT

##### Sec 66-568.5 Interim Uses

The following uses are interim uses in the B-3 (regional business) district that require city council approval of an interim use permit and shall be in conformance with the standards specified in section 66-64 of this chapter and the additional standards specified below:

- (a) Transient sales;
  - 1. Must be located in a suitable off-street location and shall not extend into adjacent right-of-way or other public property;
  - 2. Must not interrupt vehicular circulation on the site or obstruct parking spaces needed by permanent business established on the site;
  - 3. Must have written authorization from property owner;
  - 4. The business operator must secure all applicable licenses and approvals from

- the city, Chisago County or other appropriate jurisdictions;
5. Sight visibility clearances at street intersections and access points must be provided in accordance with the City Code or as determined by the city to protect public safety;
  6. No portion of the use may take place within 100 feet of any developed property zoned for residential use;
  7. Signs are subject to all City Code standards and:
    - a. Incidental product or pricing signs must be placed directly next to the appropriate product;
    - b. Product advertising is permitted, but must be included in the maximum allowed sign area;
    - c. The signs must have a professional appearance and must be securely mounted or erected in a safe location; and
    - d. These limitations apply to all signs associated with the use, including those affixed to vehicles;
  8. Any display of items must be limited to representative samples and be arranged in as compact a manner as reasonably practicable;
  9. The interim use permit will be issued in the name of the person requesting the permit and will be for the purpose of selling a particular item or range of items at a specific location. Any change in the person, location or items sold will render the permit invalid; and
  10. Violation of the above standards or other conditions placed upon the interim use permit will result in immediate revocation of the interim use permit;
- (b) Churches or places of worship for a space in a multi-tenant building.

(Ord. No. 210-14, § 3, 7-14-2014)

## AFTER AMENDMENT

### Sec 66-568.5 Interim Uses

The following uses are interim uses in the B-3 (regional business) district that require city council approval of an interim use permit and shall be in conformance with the standards specified in section 66-64 of this chapter and the additional standards specified below:

- (a) Transient sales;
  1. Must be located in a suitable off-street location and shall not extend into adjacent right-of-way or other public property;
  2. Must not interrupt vehicular circulation on the site or obstruct parking spaces needed by permanent business established on the site;
  3. Must have written authorization from property owner;
  4. The business operator must secure all applicable licenses and approvals from the city, Chisago County or other appropriate jurisdictions;
  5. Sight visibility clearances at street intersections and access points must be provided in accordance with the City Code or as determined by the city to protect public safety;

6. No portion of the use may take place within 100 feet of any developed property zoned for residential use;
  7. Signs are subject to all City Code standards and:
    - a. Incidental product or pricing signs must be placed directly next to the appropriate product;
    - b. Product advertising is permitted, but must be included in the maximum allowed sign area;
    - c. The signs must have a professional appearance and must be securely mounted or erected in a safe location; and
    - d. These limitations apply to all signs associated with the use, including those affixed to vehicles;
  8. Any display of items must be limited to representative samples and be arranged in as compact a manner as reasonably practicable;
  9. The interim use permit will be issued in the name of the person requesting the permit and will be for the purpose of selling a particular item or range of items at a specific location. Any change in the person, location or items sold will render the permit invalid; and
  10. Violation of the above standards or other conditions placed upon the interim use permit will result in immediate revocation of the interim use permit;
- (b) Churches or places of worship for a space in a multi-tenant building.

(Ord. No. 210-14, § 3, 7-14-2014)

**SECTION 70:**            **AMENDMENT** “Sec 66-569 Conditional Uses” of the North Branch City Code is hereby *amended* as follows:

**BEFORE AMENDMENT**

Sec 66-569 Conditional Uses

The following are conditional uses in the B-3 regional business district that require a conditional use permit based upon procedures, conditions and factors set forth in and regulated by section 66-62 et seq.:

- (a) Open and outdoor storage as a principal or accessory use.
- (b) Open or outdoor service, sale and rental as a principal or accessory use and including sales in or from motorized vehicles, trailers or wagons.
- (c) Religious institutions such as churches, chapels, temples and synagogues.
- (d) Mortuaries.
- (e) Cemeteries.
- (f) Auto body shops and towing facilities, any outside storage to be appropriately screened by a masonry wall of the same materials as the building. The maximum height of the wall and stored items shall be eight feet.

- (g) Commercial outdoor recreation for a period not to exceed three days.
- (h) Public and private educational institutions, limited to elementary, junior high, senior high schools and post secondary.
- (i) Multiple principal buildings on a lot of record for churches and schools provided the buildings are under common ownership and the buildings are used for related uses.
- (j) Nursing homes and assisted living facilities.
- (k) Commercial planned unit developments as regulated by section 66-788 et seq.
- (l) Mini-storage on properties larger than 1.5 acres.

(Code 1996, § 17.26.040; Ord. No. 102, § 1(17.26.045), 10-24-2005; Ord. No. 153-10, § 1, 8-9-2010)

## AFTER AMENDMENT

### Sec 66-569 Conditional Uses

The following are conditional uses in the B-3 ~~regional business~~ district that require a conditional use permit based upon procedures, conditions and factors set forth in and regulated by section 66-62 et seq. shall be as set forth in Sec 66-6.:

- ~~(a) Open and outdoor storage as a principal or accessory use.~~
- ~~(b) Open or outdoor service, sale and rental as a principal or accessory use and including sales in or from motorized vehicles, trailers or wagons.~~
- ~~(c) Religious institutions such as churches, chapels, temples and synagogues.~~
- ~~(d) Mortuaries.~~
- ~~(e) Cemeteries.~~
- ~~(f) Auto body shops and towing facilities, any outside storage to be appropriately screened by a masonry wall of the same materials as the building. The maximum height of the wall and stored items shall be eight feet.~~
- ~~(g) Commercial outdoor recreation for a period not to exceed three days.~~
- ~~(h) Public and private educational institutions, limited to elementary, junior high, senior high schools and post secondary.~~
- ~~(i) Multiple principal buildings on a lot of record for churches and schools provided the buildings are under common ownership and the buildings are used for related uses.~~
- ~~(j) Nursing homes and assisted living facilities.~~
- ~~(k) Commercial planned unit developments as regulated by section 66-788 et seq.~~
- ~~(l) Mini-storage on properties larger than 1.5 acres.~~

~~(Code 1996, § 17.26.040; Ord. No. 102, § 1(17.26.045), 10-24-2005; Ord. No. 153-10, § 1, 8-9-2010)~~

**SECTION 71:**            **AMENDMENT** “Sec 66-570 Design Standards” of the North Branch City Code is hereby *amended* as follows:

## BEFORE AMENDMENT

Sec 66-570 Design Standards

All structures in this zoning district must meet the city design guidelines and be approved by the city design committee.

(Code 1996, § 17.26.050; Ord. No. 153-10, § 1, 8-9-2010)

AFTER AMENDMENT

Sec 66-570 Design Standards

All structures in this zoning district must meet 66-943 (b) ~~the city design guidelines and be approved by the city design committee.~~

(Code 1996, § 17.26.050; Ord. No. 153-10, § 1, 8-9-2010)

**SECTION 72: AMENDMENT** “Sec 66-571 Area And Bulk Regulations” of the North Branch City Code is hereby *amended* as follows:

BEFORE AMENDMENT

Sec 66-571 Area And Bulk Regulations

Area and bulk regulations in the B-3 regional business district are as follows:

- (a) Lot area:
  - 1. Minimum of 10,000 square feet for lots within the Urban Service Area and connected to municipal utilities.
  - 2. Minimum of ten acres for lots outside with Urban Service Area. Lots of record outside of the Urban Service Area created prior to July 21, 2017 shall be deemed legal lots for purposes of this section.
- (b) Lot width at front setback line:
  - 1. Minimum of 100 feet within the Urban Service Area.
  - 2. Minimum of 300 feet for lots outside the Urban Service Area.
- (c) Minimum lot depth:
  - 1. 100 feet for lots within the Urban Service Area.
  - 2. 300 feet for lots outside of the Urban Service Area.
- (d) Yard dimensions:
  - 1. Front yard setback:
    - a. 15 feet from the property line or road right-of-way if applicable for lots within the Urban Service Area.
    - b. 50 feet for lots outside of the Urban Service Area.
  - 2. Side Yard Setback (each side):

- a. Minimum of zero feet if attached to an adjacent building, or a minimum of ten feet from the interior lot lines for lots within the Urban Service Area.
  - b. 50 feet for lots outside the Urban Service Area.
- 3. Corner side yard:
  - a. 15 feet from property line or road right-of-way if applicable for lots within the Urban Service Area.
  - b. 50 feet for lots outside the Urban Service Area.
- 4. Rear yard:
  - a. 15 feet from the lot line for lots with municipal utilities.
  - b. 50 feet for lots without municipal utilities.
- (e) Maximum building height: 45 feet.
- (f) Maximum impervious area: 90 percent.
- (g) Wetland setback:
  - 1. A 20-foot natural buffer shall be maintained adjacent to all wetlands on lots created after the adoption of this chapter.
  - 2. A minimum 40-foot setback is required for all structures adjacent to all wetlands on lots created after the adoption of this chapter.
- (h) Floor elevation:
  - 1. The lowest floor elevation for new or redevelopment will be three feet above the highest known groundwater level.
  - 2. The lowest floor elevation for new or redevelopment will be two feet above the 100-year flood elevation.

(Code 1996, § 17.26.060; Ord. No. 153-10, § 1, 8-9-2010)

#### AFTER AMENDMENT

#### Sec 66-571 Area And Bulk Regulations

Area and bulk regulations in the B-~~3 regional business~~ district are as set forth in the official design standards chart as set forth in 66-210. ~~as follows:~~

- ~~(a) Lot area:~~
  - ~~1. Minimum of 10,000 square feet for lots within the Urban Service Area and connected to municipal utilities.~~
  - ~~2. Minimum of ten acres for lots outside with Urban Service Area. Lots of record outside of the Urban Service Area created prior to July 21, 2017 shall be deemed legal lots for purposes of this section.~~
- ~~(b) Lot width at front setback line:~~
  - ~~1. Minimum of 100 feet within the Urban Service Area.~~
  - ~~2. Minimum of 300 feet for lots outside the Urban Service Area.~~
- ~~(c) Minimum lot depth:~~
  - ~~1. 100 feet for lots within the Urban Service Area.~~
  - ~~2. 300 feet for lots outside of the Urban Service Area.~~
- ~~(d) Yard dimensions:~~

- ~~1. Front yard setback:
  - a. 15 feet from the property line or road right-of-way if applicable for lots within the Urban Service Area.
  - b. 50 feet for lots outside of the Urban Service Area.~~
- ~~2. Side Yard Setback (each side):
  - a. Minimum of zero feet if attached to an adjacent building, or a minimum of ten feet from the interior lot lines for lots within the Urban Service Area.
  - b. 50 feet for lots outside the Urban Service Area.~~
- ~~3. Corner side yard:
  - a. 15 feet from property line or road right-of-way if applicable for lots within the Urban Service Area.
  - b. 50 feet for lots outside the Urban Service Area.~~
- ~~4. Rear yard:
  - a. 15 feet from the lot line for lots with municipal utilities.
  - b. 50 feet for lots without municipal utilities.~~
- ~~(e) Maximum building height: 45 feet.~~
- ~~(f) Maximum impervious area: 90 percent.~~
- ~~(g) Wetland setback:
  1. A 20-foot natural buffer shall be maintained adjacent to all wetlands on lots created after the adoption of this chapter.
  2. A minimum 40-foot setback is required for all structures adjacent to all wetlands on lots created after the adoption of this chapter.~~
- ~~(h) Floor elevation:
  1. The lowest floor elevation for new or redevelopment will be three feet above the highest known groundwater level.
  2. The lowest floor elevation for new or redevelopment will be two feet above the 100-year flood elevation.~~

~~(Code 1996, § 17.26.060; Ord. No. 153-10, § 1, 8-9-2010)~~

**SECTION 73:            AMENDMENT** “Sec 66-572 Landscaping” of the North Branch City Code is hereby *amended* as follows:

**BEFORE AMENDMENT**

Sec 66-572 Landscaping

The fencing, screening and landscaping requirements in section 66-970 et seq. shall apply to all developments in the B-3 regional business district.

(Code 1996, § 17.26.070)

**AFTER AMENDMENT**

Sec 66-572 Landscaping

The fencing, screening and landscaping requirements in section 66-970 et seq. shall apply to all developments in the B-~~3 regional business~~ district.

(Code 1996, § 17.26.070)

**SECTION 74:**            **AMENDMENT** “Sec 66-625 Purpose” of the North Branch City Code is hereby *amended* as follows:

BEFORE AMENDMENT

Sec 66-625 Purpose

The purpose of the I-2 general industrial district is to establish and preserve areas for industrial and related uses of such a nature that they do not create serious problems of compatibility with other kinds of land uses.

(Code 1996, § 17.28.010)

AFTER AMENDMENT

Sec 66-625 Purpose

The purpose of the I-~~2~~ general industrial district is to establish and preserve areas for industrial and related uses of such a nature that they do not create serious problems of compatibility with other kinds of land uses.

(Code 1996, § 17.28.010)

**SECTION 75:**            **AMENDMENT** “Sec 66-626 Permitted Uses” of the North Branch City Code is hereby *amended* as follows:

BEFORE AMENDMENT

Sec 66-626 Permitted Uses

The following are permitted uses within the I-2 general industrial district:

- (a) Assembly and fabrication from component parts or materials already processed or manufactured into their usable forms.
- (b) Art supplies and manufacturing.

- (c) Auto body shops and towing facilities, any outside storage to be screened as defined in section 66-970 et seq.
- (d) Bakery products, wholesale.
- (e) Blank books, loose-leaf binders, fabrication and assembly.
- (f) Books and book binding.
- (g) Bus terminals and maintenance garages and shops.
- (h) Cabinets and woodworking establishments.
- (i) Carpenter, cabinet and plumbing shop.
- (j) Clothing manufacturing.
- (k) Camera and photographic manufacturing.
- (l) Confectionery and related products, manufacturing and packaging.
- (m) Dental instruments and supply.
- (n) Dry cleaning establishments and laundries.
- (o) Frozen food locker.
- (p) Jewelry manufacturing.
- (q) Laboratories, including industrial research, instrument testing and medical.
- (r) Machine and metal shops.
- (s) Mail order houses.
- (t) Manufacturing, wholesaling, warehousing, bulk storage plants and establishments, except that the city prohibits all asphalt plants and asphalt manufacturing.
- (u) Medical and surgical instrument manufacturing and supply.
- (v) Mini storage with multiple storage buildings on one parcel or property.
- (w) Optical manufacturing and assembly.
- (x) Printing and publishing establishments.
- (y) Radio, television, and computer assembly and parts fabrication.
- (z) Telephone and telegraph manufacturing and assembly.
- (aa) Temperature control manufacturing and assembly.
- (ab) Offices.
- (ac) Showrooms.
- (ad) Distribution facilities.
- (ae) Transfer facilities.
- (af) Truck or transportation/motor freight terminal.
- (ag) Plumbing fixture and equipment wholesale.
- (ah) Printing plants and publishing establishments.
- (ai) Auction or sales houses where all sales, display and storage are indoors.
- (aj) Uses similar to the above uses as determined by the city.

(Code 1996, § 17.28.020; Ord. No. 202-13, § 1, 10-28-2013; Ord. No. 208-14, § 1, 3-24-2014)

#### AFTER AMENDMENT

##### Sec 66-626 Permitted Uses

The following are permitted uses within the I-2 general industrial district shall be as set forth in Sec 66-6.:

- ~~(a) Assembly and fabrication from component parts or materials already processed or manufactured into their usable forms.~~
- ~~(b) Art supplies and manufacturing.~~
- ~~(c) Auto body shops and towing facilities, any outside storage to be screened as defined in section 66-970 et seq.~~
- ~~(d) Bakery products, wholesale.~~
- ~~(e) Blank books, loose leaf binders, fabrication and assembly.~~
- ~~(f) Books and book binding.~~
- ~~(g) Bus terminals and maintenance garages and shops.~~
- ~~(h) Cabinets and woodworking establishments.~~
- ~~(i) Carpenter, cabinet and plumbing shop.~~
- ~~(j) Clothing manufacturing.~~
- ~~(k) Camera and photographic manufacturing.~~
- ~~(l) Confectionery and related products, manufacturing and packaging.~~
- ~~(m) Dental instruments and supply.~~
- ~~(n) Dry cleaning establishments and laundries.~~
- ~~(o) Frozen food locker.~~
- ~~(p) Jewelry manufacturing.~~
- ~~(q) Laboratories, including industrial research, instrument testing and medical.~~
- ~~(r) Machine and metal shops.~~
- ~~(s) Mail order houses.~~
- ~~(t) Manufacturing, wholesaling, warehousing, bulk storage plants and establishments, except that the city prohibits all asphalt plants and asphalt manufacturing.~~
- ~~(u) Medical and surgical instrument manufacturing and supply.~~
- ~~(v) Mini storage with multiple storage buildings on one parcel or property.~~
- ~~(w) Optical manufacturing and assembly.~~
- ~~(x) Printing and publishing establishments.~~
- ~~(y) Radio, television, and computer assembly and parts fabrication.~~
- ~~(z) Telephone and telegraph manufacturing and assembly.~~
- ~~(aa) Temperature control manufacturing and assembly.~~
- ~~(ab) Offices.~~
- ~~(ac) Showrooms.~~
- ~~(ad) Distribution facilities.~~
- ~~(ae) Transfer facilities.~~
- ~~(af) Truck or transportation/motor freight terminal.~~
- ~~(ag) Plumbing fixture and equipment wholesale.~~
- ~~(ah) Printing plants and publishing establishments.~~
- ~~(ai) Auction or sales houses where all sales, display and storage are indoors.~~
- ~~(aj) Uses similar to the above uses as determined by the city.~~

~~(Code 1996, § 17.28.020; Ord. No. 202-13, § 1, 10-28-2013; Ord. No. 208-14, § 1, 3-24-2014)~~

**SECTION 76:            AMENDMENT** “Sec 66-627 Accessory Uses” of the North Branch City Code is hereby *amended* as follows:

## BEFORE AMENDMENT

### Sec 66-627 Accessory Uses

The following are permitted accessory uses in the I-2 general industrial district:

- (a) Commercial or business buildings and structures for a use accessory to the principle use.
- (b) Off-street parking as regulated by section 66-848 et seq.
- (c) Off-street loading as regulated by section 66-848 et seq.
- (d) Fencing, screening and landscaping as permitted and regulated by section 66-970 et seq.
- (e) Signs as regulated by section 66-821 et seq.
- (f) Essential services.
- (g) Essential service buildings of 1,000 square feet or less.

(Code 1996, § 17.28.030; Ord. No. 198-13, § 1, 5-28-2013)

## AFTER AMENDMENT

### Sec 66-627 Accessory Uses

The following are permitted accessory uses in the I-2 general industrial district shall be as set forth in Sec 66-6.:

- ~~(a) Commercial or business buildings and structures for a use accessory to the principle use.~~
- ~~(b) Off-street parking as regulated by section 66-848 et seq.~~
- ~~(c) Off-street loading as regulated by section 66-848 et seq.~~
- ~~(d) Fencing, screening and landscaping as permitted and regulated by section 66-970 et seq.~~
- ~~(e) Signs as regulated by section 66-821 et seq.~~
- ~~(f) Essential services.~~
- ~~(g) Essential service buildings of 1,000 square feet or less.~~

~~(Code 1996, § 17.28.030; Ord. No. 198-13, § 1, 5-28-2013)~~

**SECTION 77: AMENDMENT** “Sec 66-628 Conditional Uses” of the North Branch City Code is hereby *amended* as follows:

## BEFORE AMENDMENT

### Sec 66-628 Conditional Uses

The following are conditional uses in the I-2 general industrial district that require a conditional use permit approved by the city council based upon procedures set forth in and regulated by section 66-62 et seq.:

- (a) Multiple principle buildings on a lot of record.
- (b) Adult use establishments.
- (c) Antenna for radio or television broadcasting.
- (d) Dry cleaning facilities.
- (e) Contractors yard/shop.
- (f) Meat market and meat processing business or facility (including slaughtering) where the owner or operator meets the following requirements:
  1. All animal-related and business activities shall be conducted indoors (no outdoor storage including animals or trailers is allowed).
  2. The city may allow meat processing facilities by conditional use permit only as an accessory use to a meat market. The meat processing facility shall be located in the same building as a meat market and the floor area of the meat processing facility shall not exceed the floor area of the meat market. The conditional use permit will limit the size of the facility and the number of animals for keeping or slaughtering.
  3. The applicant shall submit to the city a plan showing all staging areas for the temporary storage of carcasses and disposal of animal remains.
  4. The owner or operator shall conduct all uses and activities in strict conformance with all federal and state laws for the operation of such facilities.
  5. The owner or operator shall conduct the slaughtering of animals inside a closed building in a confined area to prevent the transmission of sound associated with the slaughter to the outside.
  6. The owner or operator shall dispose of all waste in accordance with all applicable laws and regulations. This includes, but is not limited to, all sewage, processed and unprocessed animal parts, manure, entrails, blood, hides and bones. At a minimum, the owner or operator shall dispose of waste within 48 hours of being produced, shall store all waste in airtight containers and shall keep all waste in fully enclosed structures. The owner or operator shall remove from the site on a daily basis the manure from the holding areas.
  7. The owner or operator of the facility shall have all necessary federal, state and county licenses and approvals and shall meet or exceed all state and federal health and safety regulations and standards.
  8. The hours of operation for the facility shall be subject to approval by the city council as part of the conditional use permit.
  9. The owner or operator shall not hold live animals on-site for more than 24 hours.
  10. The owner or operator shall screen all loading and unloading areas from view from adjacent properties and public streets.
- (g) Radio and television, transmitting station.
- (h) Cellular, telecommunication and digital and telephone towers or antennas.

- (i) Outdoor storage shall be a conditional use permit. Paving and screening of this storage area shall be addressed as part of the conditional use permit. Expansion of existing outdoor storage areas shall require a conditional use permit.
- (j) Recreational or sports facilities.
- (k) Industrial planned unit developments as regulated in section 66-788 et seq.
- (l) Auction houses that have outside sales, display or storage.
- (m) Similar conditional uses as determined by the city.

(Code 1996, § 17.28.040; Ord. No. 102, § 1 (17.28.045), 10-24-2005; Ord. No. 114, § 1, 3-12-2007; Ord. No. 153-10, § 1, 8-9-2010; Ord. No. 208-14, § 1, 3-24-2014)

## AFTER AMENDMENT

### Sec 66-628 Conditional Uses

The following are conditional uses in the I-2 general industrial district that require a conditional use permit approved by the city council based upon procedures set forth in and regulated by section 66-62 et seq. shall be as set forth in Sec 66-6.:

- ~~(a) Multiple principle buildings on a lot of record.~~
- ~~(b) Adult use establishments.~~
- ~~(c) Antenna for radio or television broadcasting.~~
- ~~(d) Dry cleaning facilities.~~
- ~~(e) Contractors yard/shop.~~
- ~~(f) Meat market and meat processing business or facility (including slaughtering) where the owner or operator meets the following requirements:~~
  - ~~1. All animal related and business activities shall be conducted indoors (no outdoor storage including animals or trailers is allowed).~~
  - ~~2. The city may allow meat processing facilities by conditional use permit only as an accessory use to a meat market. The meat processing facility shall be located in the same building as a meat market and the floor area of the meat processing facility shall not exceed the floor area of the meat market. The conditional use permit will limit the size of the facility and the number of animals for keeping or slaughtering.~~
  - ~~3. The applicant shall submit to the city a plan showing all staging areas for the temporary storage of carcasses and disposal of animal remains.~~
  - ~~4. The owner or operator shall conduct all uses and activities in strict conformance with all federal and state laws for the operation of such facilities.~~
  - ~~5. The owner or operator shall conduct the slaughtering of animals inside a closed building in a confined area to prevent the transmission of sound associated with the slaughter to the outside.~~
  - ~~6. The owner or operator shall dispose of all waste in accordance with all applicable laws and regulations. This includes, but is not limited to, all sewage, processed and unprocessed animal parts, manure, entrails, blood, hides and bones. At a minimum, the owner or operator shall dispose of waste within 48 hours of being produced, shall store all waste in airtight containers~~

- ~~and shall keep all waste in fully enclosed structures. The owner or operator shall remove from the site on a daily basis the manure from the holding areas.~~
- ~~7. The owner or operator of the facility shall have all necessary federal, state and county licenses and approvals and shall meet or exceed all state and federal health and safety regulations and standards.~~
- ~~8. The hours of operation for the facility shall be subject to approval by the city council as part of the conditional use permit.~~
- ~~9. The owner or operator shall not hold live animals on site for more than 24 hours.~~
- ~~10. The owner or operator shall screen all loading and unloading areas from view from adjacent properties and public streets.~~

- ~~(g) Radio and television, transmitting station.~~
- ~~(h) Cellular, telecommunication and digital and telephone towers or antennas.~~
- ~~(i) Outdoor storage shall be a conditional use permit. Paving and screening of this storage area shall be addressed as part of the conditional use permit. Expansion of existing outdoor storage areas shall require a conditional use permit.~~
- ~~(j) Recreational or sports facilities.~~
- ~~(k) Industrial planned unit developments as regulated in section 66-788 et seq.~~
- ~~(l) Auction houses that have outside sales, display or storage.~~
- ~~(m) Similar conditional uses as determined by the city.~~

~~(Code 1996, § 17.28.040; Ord. No. 102, § 1 (17.28.045), 10-24-2005; Ord. No. 114, § 1, 3-12-2007; Ord. No. 153-10, § 1, 8-9-2010; Ord. No. 208-14, § 1, 3-24-2014)~~

**SECTION 78:            AMENDMENT** “Sec 66-629 Area And Bulk Regulations” of the North Branch City Code is hereby *amended* as follows:

**BEFORE AMENDMENT**

Sec 66-629 Area And Bulk Regulations

Area and bulk regulations in the I-2 general industrial district are as follows:

- (a) Lot area:
  - 1. Minimum of 10,000 square feet for lots with municipal utilities.
  - 2. Minimum of ten acres for lots without municipal utilities.
- (b) Lot width at front yard setback line:
  - 1. Minimum of 100 feet for lots with municipal utilities.
  - 2. Minimum of 300 feet for lots without municipal utilities.
- (c) Minimum lot depth:
  - 1. 100 feet for lots with municipal utilities.
  - 2. 300 feet for lots without municipal utilities.
- (d) Yard dimensions:

1. Front Yard Setback:
    - a. 20 feet from the lot line or road right-of-way if applicable for lots with municipal utilities.
    - b. 50 feet for lots without municipal utilities.
  2. Side yard setback (each side):
    - a. Minimum 20 feet from the lot line for lots with municipal utilities.
    - b. 50 feet for lots without municipal utilities.
  3. Rear Yard Setback:
    - a. Minimum of 20 feet from the lot line for lots with municipal utilities.
    - b. 50 feet for lots without municipal utilities.
- (e) Maximum building height: 75 feet.
- (f) Maximum impervious area: 90 percent.
- (g) Wetland setback:
1. A 20-foot natural buffer shall be maintained adjacent to all wetlands on lots created after the adoption of this chapter.
  2. A minimum 40-foot setback is required for all structures adjacent to all wetlands on lots created after the adoption of this chapter.
- (h) Floor elevation:
1. The lowest floor elevation for new or redevelopment will be three feet above the highest known groundwater level.
  2. The lowest floor elevation for new or redevelopment will be two feet above the 100-year flood elevation.

(Code 1996, § 17.28.050; Ord. No. 153-10, § 1, 8-9-2010; Ord. No. 208-14, § 1, 3-24-2014)

#### AFTER AMENDMENT

#### Sec 66-629 Area And Bulk Regulations

Area and bulk regulations in the I-2 general industrial district are ~~as follows:~~ as set forth in the official design standards chart as set for in 66-210.

- ~~(a) Lot area:~~
- ~~1. Minimum of 10,000 square feet for lots with municipal utilities.~~
  - ~~2. Minimum of ten acres for lots without municipal utilities.~~
- ~~(b) Lot width at front yard setback line:~~
- ~~1. Minimum of 100 feet for lots with municipal utilities.~~
  - ~~2. Minimum of 300 feet for lots without municipal utilities.~~
- ~~(c) Minimum lot depth:~~
- ~~1. 100 feet for lots with municipal utilities.~~
  - ~~2. 300 feet for lots without municipal utilities.~~
- ~~(d) Yard dimensions:~~
- ~~1. Front Yard Setback:~~
    - ~~a. 20 feet from the lot line or road right-of-way if applicable for lots with municipal utilities.~~
    - ~~b. 50 feet for lots without municipal utilities.~~

- ~~2. Side yard setback (each side):~~
  - ~~a. Minimum 20 feet from the lot line for lots with municipal utilities.~~
  - ~~b. 50 feet for lots without municipal utilities.~~
- ~~3. Rear Yard Setback:~~
  - ~~a. Minimum of 20 feet from the lot line for lots with municipal utilities.~~
  - ~~b. 50 feet for lots without municipal utilities.~~
- ~~(e) Maximum building height: 75 feet.~~
- ~~(f) Maximum impervious area: 90 percent.~~
- ~~(g) Wetland setback:~~
  - ~~1. A 20-foot natural buffer shall be maintained adjacent to all wetlands on lots created after the adoption of this chapter.~~
  - ~~2. A minimum 40-foot setback is required for all structures adjacent to all wetlands on lots created after the adoption of this chapter.~~
- ~~(h) Floor elevation:~~
  - ~~1. The lowest floor elevation for new or redevelopment will be three feet above the highest known groundwater level.~~
  - ~~2. The lowest floor elevation for new or redevelopment will be two feet above the 100-year flood elevation.~~

~~(Code 1996, § 17.28.050; Ord. No. 153-10, § 1, 8-9-2010; Ord. No. 208-14, § 1, 3-24-2014)~~

**SECTION 79:**            **AMENDMENT** “Sec 66-630 Fencing, Screening, And Landscaping Requirements” of the North Branch City Code is hereby *amended* as follows:

BEFORE AMENDMENT

Sec 66-630 Fencing, Screening, And Landscaping Requirements

The fencing, screening and landscaping requirements in section 66-970 et seq. shall apply to all developments in the I-2 general industrial district.

(Code 1996, § 17.28.060)

AFTER AMENDMENT

Sec 66-630 Fencing, Screening, And Landscaping Requirements

The fencing, screening and landscaping requirements in section 66-970 et seq. shall apply to all developments in the I-~~2~~ general industrial district.

(Code 1996, § 17.28.060)

**SECTION 80:**            **AMENDMENT** “Sec 66-632 Performance Standards” of the North Branch City Code is hereby *amended* as follows:

BEFORE AMENDMENT

Sec 66-632 Performance Standards

All uses allowed in the I-2 general industrial district shall comply with all applicable federal, state and local nuisance and pollution laws, ordinances and regulations.

(Code 1996, § 17.28.080)

AFTER AMENDMENT

Sec 66-632 Performance Standards

All uses allowed in the I-~~2~~ general industrial district shall comply with all applicable federal, state and local nuisance and pollution laws, ordinances and regulations.

(Code 1996, § 17.28.080)

**SECTION 81:**        **AMENDMENT** “Sec 66-633 Design Standards” of the North Branch City Code is hereby *amended* as follows:

BEFORE AMENDMENT

Sec 66-633 Design Standards

All structures in this zoning district must meet the city design guidelines and be approved by the city design committee.

(Code 1996, § 17.28.090; Ord. No. 153-10, § 1, 8-9-2010)

AFTER AMENDMENT

Sec 66-633 Design Standards

All structures in this zoning district must meet 66-943 (b). ~~the city design guidelines and be approved by the city design committee.~~

(Code 1996, § 17.28.090; Ord. No. 153-10, § 1, 8-9-2010)

**SECTION 82:**        **AMENDMENT** “Sec 66-671 Purpose” of the North Branch City Code is hereby *amended* as follows:

BEFORE AMENDMENT

Sec 66-671 Purpose

The purpose of the I-4 industrial district is to establish and preserve areas for industrial development including manufacturing, fabrication, packaging, assembly, warehouse, and distribution, as well as related uses of such a nature that they do not create serious problems of compatibility with other kinds of land uses.

(Ord. No. 121-08, § 1, 3-10-2008)

#### AFTER AMENDMENT

##### Sec 66-671 Purpose

The purpose of the I-~~2~~-4 industrial district is to establish and preserve areas for industrial development including manufacturing, fabrication, packaging, assembly, warehouse, and distribution, as well as related uses of such a nature that they do not create serious problems of compatibility with other kinds of land uses.

(Ord. No. 121-08, § 1, 3-10-2008)

**SECTION 83:**        **AMENDMENT** “Sec 66-671.5 Permitted Uses” of the North Branch City Code is hereby *amended* as follows:

#### BEFORE AMENDMENT

##### Sec 66-671.5 Permitted Uses

The following are permitted uses within the I-4 industrial district:

- (a) Manufacturing operations, except that the city prohibits all asphalt plants and asphalt manufacturing.
- (b) Fabrication operations.
- (c) Assembly operations.
- (d) Warehouse operations.
- (e) Distribution operations.
- (f) Showrooms.
- (g) Research/development facilities.
- (h) Laboratories.
- (i) Wholesale trade operations.
- (j) Printing plants, facilities and publishing establishments.
- (k) Indoor recreation or athletic/fitness facilities.
- (l) Buildings containing offices for professional and other service industries, as well as headquarters for businesses and corporations.
- (m) Transfer facilities.
- (n) Truck or transportation/motor freight terminal.

- (o) Auction or sales houses where all, sales, display and storage are indoors.
- (p) Uses similar to the above permitted uses as determined by the city.
- (q) Brew Pub and Brew Tap room.

(Ord. No. 121-08, § 1, 3-10-2008; Ord. No. 202-13, § 3, 10-28-2013; Ord. No. 208-14, § 1, 3-24-2014)

#### AFTER AMENDMENT

##### Sec 66-671.5 Permitted Uses

The following are permitted uses within the I-~~24~~ industrial district shall be as set forth in Sec 66-6.

- ~~(a) Manufacturing operations, except that the city prohibits all asphalt plants and asphalt manufacturing.~~
- ~~(b) Fabrication operations.~~
- ~~(c) Assembly operations.~~
- ~~(d) Warehouse operations.~~
- ~~(e) Distribution operations.~~
- ~~(f) Showrooms.~~
- ~~(g) Research/development facilities.~~
- ~~(h) Laboratories.~~
- ~~(i) Wholesale trade operations.~~
- ~~(j) Printing plants, facilities and publishing establishments.~~
- ~~(k) Indoor recreation or athletic/fitness facilities.~~
- ~~(l) Buildings containing offices for professional and other service industries, as well as headquarters for businesses and corporations.~~
- ~~(m) Transfer facilities.~~
- ~~(n) Truck or transportation/motor freight terminal.~~
- ~~(o) Auction or sales houses where all, sales, display and storage are indoors.~~
- ~~(p) Uses similar to the above permitted uses as determined by the city.~~
- ~~(q) Brew Pub and Brew Tap room.~~

~~(Ord. No. 121-08, § 1, 3-10-2008; Ord. No. 202-13, § 3, 10-28-2013; Ord. No. 208-14, § 1, 3-24-2014)~~

**SECTION 84:**            **AMENDMENT** “Sec 66-672 Accessory Uses” of the North Branch City Code is hereby *amended* as follows:

#### BEFORE AMENDMENT

##### Sec 66-672 Accessory Uses

The following are permitted accessory uses in the I-4 industrial district:

- (a) Commercial or business buildings and structures for a use accessory to the principal use.
- (b) Off-street parking as regulated by section 66-848 et seq.
- (c) Off-street loading as regulated by section 66-848 et seq.
- (d) Fencing, screening and landscaping as permitted and regulated by section 66-970 et seq.
- (e) Signs as regulated by section 66-821 et seq.
- (f) Essential services.
- (g) Essential service buildings of 1,000 square feet or less.

(Ord. No. 121-08, § 1, 3-10-2008; Ord. No. 153-10, § 1, 8-9-2010; Ord. No. 208-14, § 1, 3-24-2014)

#### AFTER AMENDMENT

##### Sec 66-672 Accessory Uses

The following are permitted accessory uses in the I-~~2~~<sup>4</sup> industrial district shall be as set forth in Sec 66-6.:

- ~~(a) Commercial or business buildings and structures for a use accessory to the principal use.~~
- ~~(b) Off-street parking as regulated by section 66-848 et seq.~~
- ~~(c) Off-street loading as regulated by section 66-848 et seq.~~
- ~~(d) Fencing, screening and landscaping as permitted and regulated by section 66-970 et seq.~~
- ~~(e) Signs as regulated by section 66-821 et seq.~~
- ~~(f) Essential services.~~
- ~~(g) Essential service buildings of 1,000 square feet or less.~~

~~(Ord. No. 121-08, § 1, 3-10-2008; Ord. No. 153-10, § 1, 8-9-2010; Ord. No. 208-14, § 1, 3-24-2014)~~

**SECTION 85:            AMENDMENT** “Sec 66-672.5 Conditional Uses” of the North Branch City Code is hereby *amended* as follows:

#### BEFORE AMENDMENT

##### Sec 66-672.5 Conditional Uses

The following are conditional uses in the I-4 industrial district that require a conditional use permit approved by the city council based upon procedures set forth in and regulated by section 66-62 et seq.:

- (a) Multiple principal buildings on a lot of record.
- (b) Antenna for radio or television broadcasting.
- (c) Radio and television, transmitting station.

- (d) Cellular, telecommunication and digital telephone towers or antennas.
- (e) Outdoor storage shall be a conditional use permit. The screening for the outdoor storage area shall be an opaque wall constructed of the same or similar materials as the building or of a design and materials approved by the city council. Materials stored outdoors shall not exceed the height of the screening wall. The city may require and annual review of the conditional use permit to assure compliance with the City Code and conditions.
- (f) Industrial planned unit developments as regulated in section 66-655 et seq.
- (g) Hotels.
- (h) Auction houses that have outside sales, display or storage.
- (i) Uses similar to the above conditional uses as determined by the city.

(Ord. No. 121-08, § 1, 3-10-2008; Ord. No. 208-14, § 1, 3-24-2014)

#### AFTER AMENDMENT

#### Sec 66-672.5 Conditional Uses

The following are conditional uses in the I-~~24~~ industrial district that require a conditional use permit approved by the city council based upon procedures set forth in and regulated by section 66-62 et seq. shall be as set forth in Sec 66-6:

- ~~(a) Multiple principal buildings on a lot of record.~~
- ~~(b) Antenna for radio or television broadcasting.~~
- ~~(c) Radio and television, transmitting station.~~
- ~~(d) Cellular, telecommunication and digital telephone towers or antennas.~~
- ~~(e) Outdoor storage shall be a conditional use permit. The screening for the outdoor storage area shall be an opaque wall constructed of the same or similar materials as the building or of a design and materials approved by the city council. Materials stored outdoors shall not exceed the height of the screening wall. The city may require and annual review of the conditional use permit to assure compliance with the City Code and conditions.~~
- ~~(f) Industrial planned unit developments as regulated in section 66-655 et seq.~~
- ~~(g) Hotels.~~
- ~~(h) Auction houses that have outside sales, display or storage.~~
- ~~(i) Uses similar to the above conditional uses as determined by the city.~~

~~(Ord. No. 121-08, § 1, 3-10-2008; Ord. No. 208-14, § 1, 3-24-2014)~~

**SECTION 86:**            **AMENDMENT** “Sec 66-673 Area And Bulk Regulations” of the North Branch City Code is hereby *amended* as follows:

## BEFORE AMENDMENT

### Sec 66-673 Area And Bulk Regulations

Area and bulk regulations in the I-4 industrial district are as follows:

- (a) Lot area:
  - 1. Minimum of 10,000 square feet for lots with municipal utilities.
  - 2. Minimum of ten acres for lots without municipal utilities.
- (b) Lot width at front yard setback line:
  - 1. Minimum of 100 feet for lots with municipal utilities.
  - 2. Minimum of 300 feet for lots without municipal utilities.
- (c) Lot depth:
  - 1. Minimum of 100 feet for lots with municipal utilities.
  - 2. Minimum of 300 feet for lots without municipal utilities.
- (d) Yard dimensions:
  - 1. Front yard setback:
    - a. 20 feet from the lot line or road ROW for lots with municipal utilities.
    - b. 50 feet from the lot line or road ROW for lots without municipal utilities.
  - 2. Side yard setback (each side):
    - a. Minimum of 20 feet from the lot line for lots with municipal utilities.
    - b. Minimum of 50 feet from the lot line for lots without municipal utilities.
  - 3. Rear yard setback:
    - a. Minimum of 20 feet from the lot line for lots with municipal utilities.
    - b. Minimum of 50 feet from the lot line for lots without municipal utilities.
- (e) Maximum building height: 75 feet.
- (f) Maximum impervious area: 90 percent.
- (g) Wetland setback:
  - 1. A 20-foot natural buffer shall be maintained adjacent to all wetlands on lots created after the adoption of this chapter.
  - 2. A minimum 40-foot setback is required for all structures adjacent to all wetlands on lots created after the adoption of this chapter.
- (h) Floor elevation:
  - 1. The lowest floor elevation for new or redevelopment will be three feet above the highest known groundwater level.
  - 2. The lowest floor elevation for new or redevelopment will be two feet above the 100-year flood elevation.

(Ord. No. 121-08, § 1, 3-10-2008; Ord. No. 153-10, § 1, 8-9-2010; Ord. No. 208-14, § 1, 3-24-2014)

## AFTER AMENDMENT

Sec 66-673 Area And Bulk Regulations

Area and bulk regulations in the I-24 industrial district are as set forth in the official design standards chart as set forth in 66-210, follows:

~~(a) Lot area:~~

- ~~1. Minimum of 10,000 square feet for lots with municipal utilities.~~
- ~~2. Minimum of ten acres for lots without municipal utilities.~~

~~(b) Lot width at front yard setback line:~~

- ~~1. Minimum of 100 feet for lots with municipal utilities.~~
- ~~2. Minimum of 300 feet for lots without municipal utilities.~~

~~(c) Lot depth:~~

- ~~1. Minimum of 100 feet for lots with municipal utilities.~~
- ~~2. Minimum of 300 feet for lots without municipal utilities.~~

~~(d) Yard dimensions:~~

~~1. Front yard setback:~~

- ~~a. 20 feet from the lot line or road ROW for lots with municipal utilities.~~
- ~~b. 50 feet from the lot line or road ROW for lots without municipal utilities.~~

~~2. Side yard setback (each side):~~

- ~~a. Minimum of 20 feet from the lot line for lots with municipal utilities.~~
- ~~b. Minimum of 50 feet from the lot line for lots without municipal utilities.~~

~~3. Rear yard setback:~~

- ~~a. Minimum of 20 feet from the lot line for lots with municipal utilities.~~
- ~~b. Minimum of 50 feet from the lot line for lots without municipal utilities.~~

~~(e) Maximum building height: 75 feet.~~

~~(f) Maximum impervious area: 90 percent.~~

~~(g) Wetland setback:~~

- ~~1. A 20-foot natural buffer shall be maintained adjacent to all wetlands on lots created after the adoption of this chapter.~~
- ~~2. A minimum 40-foot setback is required for all structures adjacent to all wetlands on lots created after the adoption of this chapter.~~

~~(h) Floor elevation:~~

- ~~1. The lowest floor elevation for new or redevelopment will be three feet above the highest known groundwater level.~~
- ~~2. The lowest floor elevation for new or redevelopment will be two feet above the 100-year flood elevation.~~

~~(Ord. No. 121-08, § 1, 3-10-2008; Ord. No. 153-10, § 1, 8-9-2010; Ord. No. 208-14, § 1, 3-24-2014)~~

**SECTION 87:**            **AMENDMENT** “Sec 66-673.5 Screening And Landscaping Requirements” of the North Branch City Code is hereby *amended* as follows:

**BEFORE AMENDMENT**

Sec 66-673.5 Screening And Landscaping Requirements

The screening and landscaping requirements in section 66-970 et seq. shall apply to all developments in the I-4 industrial district.

(Ord. No. 121-08, § 1, 3-10-2008)

**AFTER AMENDMENT**

Sec 66-673.5 Screening And Landscaping Requirements

The screening and landscaping requirements in section 66-970 et seq. shall apply to all developments in the I-24 industrial district.

(Ord. No. 121-08, § 1, 3-10-2008)

**SECTION 88:**            **AMENDMENT** “Sec 66-674.5 Performance Standards” of the North Branch City Code is hereby *amended* as follows:

**BEFORE AMENDMENT**

Sec 66-674.5 Performance Standards

All uses allowed in the I-4 industrial district shall comply with all applicable federal, state and local nuisance and pollution laws, ordinances and regulations.

(Ord. No. 121-08, § 1, 3-10-2008)

**AFTER AMENDMENT**

Sec 66-674.5 Performance Standards

All uses allowed in the I-24 industrial district shall comply with all applicable federal, state and local nuisance and pollution laws, ordinances and regulations.

(Ord. No. 121-08, § 1, 3-10-2008)

**SECTION 89:            AMENDMENT** “Sec 66-675 Design Standards” of the North Branch City Code is hereby *amended* as follows:

**BEFORE AMENDMENT**

Sec 66-675 Design Standards

All structures in the I-4 district must meet city design guidelines and must be approved by the city design committee.

The city encourages the use of masonry construction for the exterior of all buildings in the I-4 zoning district. Masonry construction is defined as follows: face brick, natural or cut stone, stucco, dri-vit, split-face rock or other types of artificial stone. With city council approval, the city may approve an alternative exterior surface if it meets the following standards:

- (a) The alternative exterior surface is part of a trademarked look or theme.
- (b) All outside trash receptacles and recycling containers shall be screened with an enclosure that is constructed with materials that match the building.

Any accessory structure must be constructed of similar materials and appearance to those of the principal structure.

(Ord. No. 121-08, § 1, 3-10-2008; Ord. No. 208-14, § 1, 3-24-2014)

**AFTER AMENDMENT**

Sec 66-675 Design Standards

All structures in the I-~~4~~<sup>24</sup> district must meet ~~city design guidelines and must be approved by the city design committee~~66-943 (b).

~~The city encourages the use of masonry construction for the exterior of all buildings in the I-4 zoning district. Masonry construction is defined as follows: face brick, natural or cut stone, stucco, dri-vit, split-face rock or other types of artificial stone. With city council approval, the city may approve an alternative exterior surface if it meets the following standards:~~

- ~~(a) The alternative exterior surface is part of a trademarked look or theme.~~
- ~~(b) All outside trash receptacles and recycling containers shall be screened with an enclosure that is constructed with materials that match the building.~~

~~Any accessory structure must be constructed of similar materials and appearance to those of the principal structure.~~

~~(Ord. No. 121-08, § 1, 3-10-2008; Ord. No. 208-14, § 1, 3-24-2014)~~

**EXHIBIT A**

The file attached hereto as Exhibit "A" is hereby added and incorporated herein by this reference

**EXHIBIT B**

The file attached hereto as Exhibit "B" is hereby added and incorporated herein by this reference

**EXHIBIT C**

The file attached hereto as Exhibit "C" is hereby added and incorporated herein by this reference

**SECTION 2 EFFECTIVE DATE**

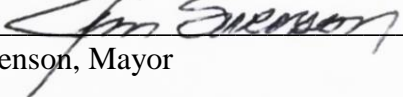
This Ordinance shall take full effect and be in full force after its passage and publication according to law.

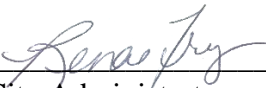
<b>RESULT:</b> ADOPTED [UNANIMOUS] <b>MOVER:</b> Kathy Blomquist, Councilmember <b>SECONDER:</b> Jim Swenson, Mayor <b>AYES:</b> Swenson, Neider, Blomquist, Canada, Meacham
---

Passed and adopted this 13th day of September 2022

CITY OF NORTH BRANCH



BY:   
Jim Swenson, Mayor

ATTEST:   
Renae Fry, City Administrator