

SUMMARY ORDINANCE NO. _____

**CITY OF LAKEVILLE
DAKOTA COUNTY, MINNESOTA**

**AN ORDINANCE AMENDING THE SUBDIVISION ORDINANCE AND ZONING ORDINANCE OF THE
LAKEVILLE CITY CODE**

This ordinance amends Titles 10 and 11 of the Lakeville City Code. Amendments have been made to the following chapters of the Lakeville City Code:

Title 10 - Subdivision Ordinance:

10-4-3 Design Standards – Streets and Alleys

Title 11 - Zoning Ordinance

11-4-11 Conditional Use Permits; Administration – Permit Modifications
11-19-7 Off-Street Parking Requirements – General Provisions
11-23-15 Signs – General Regulations
11-23-19 Signs – District Regulations
11-29-5 Alternative Energy Systems – Solar Energy Systems
11-32-7 Home Occupations – General Provisions
11-33-3 Specialized Housing – Bed and Breakfast and Boarding Houses
11-47-7 RA District – Conditional Uses
11-47-9 RA District – Interim Uses
11-54-7 RS-CBD District – Conditional Uses
11-54-9 RS-CBD District – Interim Uses
11-59-15 RM-2 District – Development Density
11-60-15 RM-3 District – Development Density
11-61-13 RH-1 District – Development Density
11-62-13 RH-2 District – Development Density
11-62-21 RH-2 District – Building Height
11-65-3 M-1 District – Permitted Uses
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11-66-3 M-2 District – Permitted Uses
11-66-7 M-2 District – Conditional Uses
11-66-11 M-2 District – Uses by Administrative Permit
11-71-3 C-1 District – Permitted Uses
11-71-7 C-1 District – Conditional Uses
11-71-11 C-1 District – Uses by Administrative Permit
11-72-3 C-2 District – Permitted Uses
11-72-7 C-2 District – Conditional Uses
11-72-11 C-2 District – Uses by Administrative Permit
11-72-13 C-2 District – Lot Requirements and Setbacks
11-73-3 C-3 District – Permitted Uses
11-73-7 C-3 District – Conditional Uses
11-73-11 C-3 District – Uses by Administrative Permit
11-73-13 C-3 District – Lot Requirements and Setbacks
11-74-3 C-CBD District – Permitted Uses
11-74-7 C-CBD District – Conditional Uses
11-74-11 C-CBD District – Uses by Administrative Permit
11-75-7 O-P District – Conditional Uses
11-75-11 O-P District – Uses by Administrative Permit
11-85-7 I-CBD District – Conditional Uses

11-86-7 I-1 District – Conditional Uses
11-86-11 I-1 District – Uses by Administrative Permit
11-86-15 I-1 District – Building Height
11-87-7 I-2 District – Conditional Uses
11-87-11 I-2 District - Uses by Administrative Permit
11-87-15 I-2 District – Building Height
11-88-7 I-3 District – Conditional Uses
11-96-21 PUD District – PUD District Amendment/Plan Amendment

A printed copy of the entire ordinance is available for inspection by any person during the City Clerk's regular office hours.

Approved for publication by the City Council of the City of Lakeville, Minnesota this ____ day of _____ 2023.

CITY OF LAKEVILLE

BY: _____
Luke Hellier, Mayor

ATTEST

BY: _____
Ann Orlofsky, City Clerk

ORDINANCE NO. _____

CITY OF LAKEVILLE
DAKOTA COUNTY, MINNESOTA

AN ORDINANCE AMENDING THE SUBDIVISION ORDINANCE AND ZONING ORDINANCE
OF THE LAKEVILLE CITY CODE

THE CITY COUNCIL OF THE CITY OF LAKEVILLE ORDAINS:

Section 1. Section 10-4-3.S of the Subdivision Ordinance (Design Standards – Streets and Alleys) is hereby amended to read as follows:

S. Permanent Cul-De-Sacs/~~Dead End~~ Streets:

1. Permanent dead end streets without cul-de-sac turnarounds are prohibited.
2. Permanent cul-de-sacs shall be allowed only where one or more of the following criteria have been met:
 - a. Area topography or other physical site conditions warrant a cul-de-sac.
 - b. A through street is not physically feasible or desirable due to environmental or access spacing considerations.
3. The length of a permanent cul-de-sac street shall not be less than one hundred fifty feet (150') nor longer than six hundred feet (600') and shall include a turnaround which shall be provided at the closed end, with a right of way radius not less than sixty feet (60'). The length of the cul-de-sac shall be measured from the intersection of the centerlines of the cul-de-sac and the intersecting street to the center point of the cul-de-sac right of way turnaround.
4. In areas determined by the city to be environmentally sensitive due to topography, forestation and/or wetlands, deviations to the design standards outlined in subsection S3 of this section may be allowed, provided that:
 - a. Such deviations are limited to the following:
 - (1) Right of way dedication, excluding turnaround area, may be reduced from sixty feet (60') to no less than fifty feet (50').
 - (2) Street widths measured from back of curb to back of curb may be reduced from thirty two feet (32') to no less than twenty eight feet (28').
 - b. The following standards are met:
 - (1) All lots shall meet or exceed the minimum standards for the applicable zoning district.

- (2) All houses shall have an attached accessory garage of three (3) stalls with corresponding front driveway parking apron. The curb cut opening on the street shall, however, meet established standards.
- (3) The required drainage and utility easement in the front yard of lots shall be not less than fifteen feet (15').
- (4) All custom graded lots shall have a custom grading plan, tree preservation plan, and preapproved site/building plan prior to the issuance of building permits.
- (5) Any reduction in front yard setbacks shall be processed according to provisions of the zoning ordinance

Section 2. Section 11-4-11.B of the Zoning Ordinance (Conditional Use Permits; Administration – Permit Modifications) is hereby amended to read as follows:

- B. The permit modification shall not result in an increase of the floor area of the principal use by more than twenty (20) percent, include any change in hours of operation or otherwise increase the intensity of the use of the site as determined by the Zoning Administrator for noise, traffic, employees, or other relevant factors.

Section 3. Section 11-19-7.I.11 of the Zoning Ordinance (Off-Street Parking Requirements – General Provisions) is hereby amended to read as follows:

11. Number Allowed:

- a. All property shall be entitled to at least one (1) curb cut access.
- b. Single-family uses shall be limited to one (1) curb cut access per property unless an administrative permit is approved by the Zoning Administrator, subject to the following criteria:
 - (1) The property shall have a minimum of width of one hundred twenty five feet (125').
 - (2) No access shall be allowed to a collector or arterial street as designated by the transportation plan where there is at least one (1) other existing access to the property.
- c. All other uses shall be allowed one curb cut access for each one hundred twenty five feet (125') of street frontage.

Section 4. Section 11-23-15.X.1 of the Zoning Ordinance (Signs – General Regulations) is hereby amended to read as follows:

1. Permanent Signs: For a subdivision having not less than three (3) lots or principal buildings, one (1) sign shall be allowed at each corner of an intersection within the plat or abutting a lot or outlot within the plat with a collector or arterial street defined by the Lakeville transportation plan, provided that:
 - a. The area of the face of each sign shall not exceed one hundred (100) square feet.

b. Freestanding signs shall be limited to a maximum height of:

(1) Ten feet (10') for residential uses.

(2) Twenty feet (20') for commercial, industrial, and institutional uses.

Section 5. Section 11-23-19.F.1.b(3)(A)(ii) of the Zoning Ordinance (Signs – District Regulations) is hereby amended to read as follows:

(ii) If a second sign is allowed for a single occupancy building or individual tenant with a gross floor area of forty five thousand (45,000) square feet or larger by subsection F1b(1) of this section, the area of the second individual sign shall not exceed two hundred (200) square feet.

Section 6. Section 11-29-5.B.2 of the Zoning Ordinance (Alternative Energy Systems – Solar Energy Systems) is hereby amended to read as follows:

2. Accessory Structure: Ground mounted solar energy systems shall be regulated as an accessory structure in accordance with section 11-18-7 or 11-18-9 of this title, as applicable, as to the number allowed, setbacks, building coverage, and height,

Section 7. Section 11-32-7.M.1.b of the Zoning Ordinance (Home Occupations – General Provisions) is hereby amended to read as follows:

b. Instructional classes with not more than one (1) pupil at a time

Section 8. Section 11-33-3 of the Zoning Ordinance (Specialized Housing – Bed and Breakfast and Boarding Houses) is hereby amended to read as follows:

11-33-3: BED AND BREAKFAST ESTABLISHMENTS AND BOARDING HOUSES:

A. District Application: Bed and breakfast establishments and boarding houses are allowed within the RA and RS-CBD zoning districts subject to the approval of an interim use permit.

B. Conditions Of Approval: In addition to general standards and criteria provided in chapter 5 of this title, a bed and breakfast establishment or boarding house may be allowed provided that:

1. A maximum of four (4) registered guest and transient resident sleeping rooms may be established in a structure.

2. The facility shall have a state license (hotel and food), and comply with building and fire codes as may be required or applicable.

3. The facility shall be owner or manager occupied.

4. The principal structure shall have a minimum size of one thousand five hundred (1,500) gross square feet and shall be located on a lot which meets the minimum lot size of the district in which it is located.

5. All registered guest and transient resident sleeping rooms shall be established within the principal structure.
6. Not more than the equivalent of one (1) full time person shall be employed in the operation of the facility who is not a resident of the structure.
7. Dining and other facilities shall not be open to the general public but shall be used exclusively by the registered guests and transient residents.
8. Two (2) off street parking spaces shall be provided for the home plus one (1) off street parking space for each registered guest and transient resident sleeping room. Parking areas shall be screened and landscaped pursuant to subsection 11-19-71 of this title.
9. Not more than one (1) identification sign not exceeding four (4) square feet in area may be attached to each wall which faces a street. The sign shall be reflective of the architectural features of the structure and may not be internally illuminated or lighted between ten o'clock (10:00) P.M. and six o'clock (6:00) A.M.
10. Adequate lighting shall be provided between the principal structure and the parking area for safety purposes. Any additional external lighting is prohibited.

Section 9. Section 11-47-7.A of the Zoning Ordinance (RA District – Conditional Uses) is hereby repealed and subsequent sections renumbered accordingly.

Section 10. Section 11-47-9 of the Zoning Ordinance (RA District – Interim Uses) is hereby amended to add the following provision with subsequent sections renumbered accordingly:

- B. Bed and breakfast establishments and boarding houses as regulated by section 11-33-3 of this title.

Section 11. Section 11-54-7.A of the Zoning Ordinance (RS-CBD District – Conditional Uses) is hereby repealed and subsequent sections renumbered accordingly.

Section 12. Section 11-54-9 of the Zoning Ordinance (RS-CBD District – Interim Uses) is hereby amended to add the following provision with subsequent sections renumbered accordingly:

- A. Bed and breakfast establishments and boarding houses as regulated by section 11-33-3 of this title.

Section 13. Section 11-59-15 of the Zoning Ordinance (RM-2 District – Development Density) is hereby amended to read as follows:

11-59-15: DEVELOPMENT DENSITY: The maximum development density within the RM-2 district shall be determined by the following minimum lot area per unit standards as defined by Section 11-17-21 of this title:

- A. Detached townhouse, two-family dwellings, and townhome dwellings: Five thousand (5,000) square feet per unit.

Section 14. Section 11-60-15 of the Zoning Ordinance (RM-3 District – Development Density) is hereby amended to read as follows:

11-60-15: DEVELOPMENT DENSITY: The maximum development density within the RM-3 district shall be determined by the following minimum lot area per unit standards as defined by Section 11-17-21 of this title:

- A. Detached townhouse, two-family dwellings, and townhome dwellings: Three thousand eight hundred (3,800) square feet per unit.

Section 15. Section 11-61-13 of the Zoning Ordinance (RH-1 District – Development Density) is hereby amended to read as follows:

11-61-13: DEVELOPMENT DENSITY: The maximum development density within the RH-1 District shall be determined by the following minimum lot area per unit standards as defined by Section 11-17-21 of this title

- A. Townhome dwellings: Five thousand (5,000) square feet per unit.
- B. Multiple-family dwellings: Two thousand five hundred (2,500) square feet per unit.
- C. Senior assisted living or continuing care retirement communities: One thousand five hundred (1,500) square feet per unit.

Section 16. Section 11-62-13 of the Zoning Ordinance (RH-2 District – Development Density) is hereby amended to read as follows:

11-62-13: DEVELOPMENT DENSITY: The maximum development density within the RH-2 district shall be determined by the following minimum lot area per unit standards as defined by Section 11-17-21 of this title:

- A. Townhome dwellings: Three thousand eight hundred (3,800) square feet per unit.
- B. Multiple-family dwellings:
 - 1. One thousand six hundred seventy-five (1,675) square feet per unit.
 - 2. Buildings on lots abutting an RS or RST district shall not exceed a floor area ratio of seven-tenths (0.7).
- C. Senior assisted living or continuing care retirement communities: One thousand (1,000) square feet per unit.

Section 17. Section 11-62-21.A of the Zoning Ordinance (RH-2 District – Building Height) is hereby amended to read as follows:

- A. Principal buildings: Four (4) stories or forty eight feet (48'), whichever is less.

Section 18. Section 11-65-3 of the Zoning Ordinance (M-1 District – Permitted Uses) is hereby amended to add the following provision with subsequent sections renumbered accordingly:

- D. Convenience restaurants without a drive through service window.

Section 19. Section 11-65-3 of the Zoning Ordinance (M-1 District – Permitted Uses) is hereby amended to add the following provision with subsequent sections renumbered accordingly:

- E. Daycare facilities as a principal use provided that the use complies with the provisions of chapter 31 of this title.

Section 20. Section 11-65-7.G of the Zoning Ordinance (M-1 District – Conditional Uses) is hereby repealed and subsequent sections renumbered accordingly.

Section 21. Section 11-65-7.I of the Zoning Ordinance (M-1 District – Conditional Uses) is hereby repealed and subsequent sections renumbered accordingly.

Section 22. Section 11-65-7.N.1 of the Zoning Ordinance (M-1 District – Conditional Uses) is hereby amended to read as follows:

- 1. Development density: The maximum development density within the M-1 District shall be determined by the following minimum lot area per unit standards as defined by Section 11-17-21 of this title:
 - a. Multiple-family dwellings:
 - (1) One thousand six hundred seventy-five (1,675) square feet per unit.
 - (2) Buildings on lots abutting an RS or RST district shall not exceed a floor area ratio of seven-tenths (0.7).
 - b. Senior assisted living or continuing care retirement communities: One thousand (1,000) square feet per unit.

Section 23. Section 11-65-7.N.3 of the Zoning Ordinance (M-1 District – Conditional Uses) is hereby amended to read as follows:

- 3. Design and construction standards for principal and accessory buildings:
 - a. The exterior finish of stand-alone multiple-family dwelling structures shall include a variation in building materials which are to be distributed throughout the building elevations and coordinated into the architectural design of the structure to create an architecturally balanced appearance. In addition, multiple-family dwelling structures shall comply with the following requirements
 - (1) A minimum of fifty percent (50%) of the combined area of all elevations of a structure shall have an exterior finish of brick, stucco and/or natural or artificial stone, with the remainder of the exterior elevations having a finish of other grade A, grade B, and/or C materials.
 - (2) For the purposes of this section, the area of the building elevation shall not include area devoted to windows, entrance doors, garage doors, or roof areas.

- b. The exterior finish of mixed use buildings combining commercial and multiple family dwelling uses shall be as specified in section 11-17-9.D.1 of this title.

Section 24. Section 11-65-7.O of the Zoning Ordinance (M-1 District – Conditional Uses) is hereby repealed and subsequent sections renumbered accordingly.

Section 25. Section 11-65-11 of the Zoning Ordinance (M-1 District – Uses by Administrative Permit) is hereby amended to add the following provisions with subsequent sections renumbered accordingly:

- A. Connection of principal buildings across a property line for interior pedestrian or vehicle use, provided that:
 - 1. The exterior materials for the structure connecting the principal buildings shall be consistent with the materials used for the principal buildings and shall comply with Section 11-17-9.D of this title.
 - 2. Setbacks:
 - a. Except for the structure connecting the principal buildings, each principal building shall comply with the setback requirements within each lot.
 - b. The structure connecting the principal buildings shall not encroach upon a required front yard or the required side yard of a corner lot.
 - 3. The property owner(s) shall execute an agreement in a form approved by the City Attorney to be recorded with each lot for the structure connecting the principal buildings that includes, but is not limited to, provisions that address:
 - a. Responsibilities for maintenance and repair to the structure connecting the principal buildings.
 - b. Provision of utilities including temperature control, water, and/or electricity.
 - (1) Water service to the structure connecting the principal buildings shall be extended from the City water meter of one (1) of the connected principal buildings.
 - c. Removal of the structure connecting the principal buildings and termination of the agreement.

Section 26. Section 11-65-11 of the Zoning Ordinance (M-1 District – Uses by Administrative Permit) is hereby amended to add the following provisions with subsequent sections renumbered accordingly:

- C. Multiple principal buildings on one lot of record, provided that:
 - 1. Lot Requirements: The lot shall conform to the minimum lot area and lot width requirements of section 11-65-13 of this chapter.
 - 2. Setbacks: Setbacks between multiple principal buildings within the same base lot shall be a minimum of twenty feet (20').

3. Common Areas: All common areas including, but not limited to, open space, wetlands, greenways, stormwater basins, driveways, parking areas, sidewalks, etc., shall be maintained in one of the following ways:
 - a. All of the property including buildings and common areas shall be owned by a single entity.
 - b. Common interest community ownership pursuant to Minnesota Statutes 515B.
 - c. The property shall be divided into a base lot and unit lots to allow for individual ownership of the principal buildings or individual tenant spaces within the principal building, with each owner of a unit lot having an equal and undivided interest in the common area, subject to the following requirements:
 - (1) The tenant space related to each unit lot shall have an exclusive exterior entrance.
 - (2) A management association shall be established for all commercial developments with multiple principal buildings subdivided in a base lot/unit lot configuration that is to be responsible for all exterior building maintenance, approval of any exterior architectural modifications, landscaping, snow clearing and regular maintenance of driveways and parking areas, subject to review and approval of the city attorney.

4. Utilities:
 - a. Underground Or Exterior Service: All utilities including telephone, electricity, gas, and telecable shall be installed underground. Exterior utility meters and fixtures shall be located in interior side or rear yards when possible and shall be screened from view of adjacent properties and the public right of way.
 - b. Public Utility Service: Separate public utility services shall be provided to each unit unless exempted by the city engineer.
 - (1) Water connection: A shutoff valve for each individual unit shall be provided.
 - (2) Sewer connection: Where more than one unit is served by a sanitary sewer service, all maintenance and cleaning shall be the responsibility of the maintenance association or owners.

Section 27. Section 11-66-3 of the Zoning Ordinance (M-2 District – Permitted Uses) is hereby amended to add the following provision with subsequent sections renumbered accordingly:

- D. Convenience restaurants without a drive through service window.

Section 28. Section 11-66-3 of the Zoning Ordinance (M-2 District – Permitted Uses) is hereby amended to add the following provision with subsequent sections renumbered accordingly:

- E. Daycare facilities as a principal use provided that the use complies with the provisions of chapter 31 of this title.

Section 29. Section 11-66-7.D of the Zoning Ordinance (M-2 District – Conditional Uses) is hereby repealed and subsequent sections renumbered accordingly.

Section 30. Section 11-66-7.F of the Zoning Ordinance (M-2 District – Conditional Uses) is hereby repealed and subsequent sections renumbered accordingly.

Section 31. Section 11-66-7.E of the Zoning Ordinance (M-2 District – Conditional Uses) is hereby amended to read as follows:

- E. Convenience restaurants with a drive through service window, provided that:
 - 1. Hours: The hours of operation shall be limited to five o'clock (5:00) a.m. to eleven o'clock (11:00) p.m., unless extended by the city council as part of the conditional use permit.
 - 2. Architectural Standards:
 - a. As a part of the conditional use permit application, a color illustration of all building elevations must be submitted.
 - b. The architectural appearance, scale, construction materials, and functional plan of the building and site shall not be dissimilar to the existing nearby commercial and residential buildings, so as not to constitute a blighting influence.
 - c. All sides of the principal and accessory structures are to have essentially the same or a coordinated harmonious finish treatment pursuant to section 11-17-9 of this title.
 - d. Exterior wall treatments like brick, stone (natural or artificial), decorative concrete block and stucco shall be used.
 - e. Earth tone colors of exterior materials including the canopy columns shall be required. "Earth tone colors" shall be defined as any various soft colors like those found in nature in soil, vegetation, etc., such colors are limited to brown, black, gray, tan, beige, soft green, soft blue, or white.
 - f. Ten percent (10%) of the building facade may contain contrasting colors. Contrasting colors shall be those colors not defined as earth tones. The canopy may have contrasting color bands or accent lines not to exceed an accumulative width of four inches (4"). The color bands shall not be illuminated.
 - 3. Dust Control And Drainage: The entire area other than occupied by buildings, structures or plantings shall be surfaced with asphalt, concrete, cobblestone, or

paving brick to control dust and drainage, which is subject to review and approval of the City Engineer.

4. Exterior Lighting: The lighting shall be accomplished in such a way as to have no direct source of light visible from adjacent land in residential use or from the public right-of-way and shall be in compliance with section 11-16-17 of this title.
5. Access: Vehicular access points shall create a minimum of conflict with through traffic movement and shall comply with chapter 19 of this title and shall be subject to the approval of the City Engineer.
6. Circulation And Loading: The site design must accommodate adequate turning radius and vertical clearance for a semitrailer truck. Designated loading areas must be exclusive of off street parking stalls and drive aisles and shall not cause conflicts with customer vehicles and pedestrian movement. A site plan must be provided to illustrate adequate turning radius, using appropriate engineering templates.
7. Pedestrian Traffic:
 - a. An internal site pedestrian circulation system shall be defined and appropriate provisions made to protect such areas from encroachments by parked cars or moving vehicles. In front of the principal structure, the pedestrian sidewalk must be a minimum of five feet (5') wide and clear of any obstacle or impediment.
 - b. A continuous and permanent concrete curb not less than six inches (6") above grade shall separate internal sidewalks for pedestrian traffic from motor vehicle areas, pursuant to the provisions of subsection 11-19-71 of this title.
8. Signs: All signs and informational or visual communication devices shall be minimized and shall be in compliance with chapter 23 of this title and the following provisions:
 - a. Comprehensive Sign Plan: A Comprehensive Sign Plan must be submitted as part of a conditional use permit application.
 - b. Freestanding Sign: A freestanding sign allowed by chapter 23 of this title shall be a monument sign constructed as follows:
 - (1) The sign shall be self-supported vertically by a solid base extending horizontally for a minimum of the entire width of the sign face. Total height of the monument sign including the base shall not exceed fifteen feet (15').
 - (2) The sign base and supporting material shall be equal to at least forty percent (40%) of the total allowable sign square footage, and shall not be counted toward the sign area. The base shall be attached to the ground for its entire horizontal width of the sign. The base shall be stone, brick, or decorative masonry and shall not contain any sign copy.

- c. Menu Signs: In addition to the freestanding sign allowed by chapter 23 of this title, convenience food uses may display menu signs related to drive-through facilities when approved subject to section 11-66-7.G of this title, provided that:
 - (1) Not more than two (2) menu signs per drive-through lane are allowed.
 - (2) The menu sign(s) shall be single sided with an area not to exceed fifty (50) square feet.
 - (3) The height of the menu sign(s) shall not exceed eight feet (8') including its base or pole measured from grade to the top of the structure.
 - (4) The menu sign(s) shall not encroach into any principal building setback and shall be located directly adjacent to the drive-through aisle and oriented in such a manner so that the sign provides information to the drive-through patrons only and does not provide supplemental advertising to pass-by traffic and does not impair site visibility or obstruct circulation.

Section 32. Section 11-66-7.G of the Zoning Ordinance (M-2 District – Conditional Uses) is hereby amended to read as follows:

- G. Drive-through service windows accessory to an allowed use, other than convenience food, provided that
 - 1. Drive Through Lane: A segregated automobile stacking lane sufficient for the traffic generated by the use shall be provided for the service window.
 - 2. Traffic Control: The stacking lane and its access shall be designed to control traffic in a manner to protect the pedestrians, buildings and green area on the site.
 - 3. Use Of Street: No part of the public street or boulevard shall be used for stacking of automobiles.
 - 4.. The drive through service window and drive through lane shall be screened from view of adjacent properties and public rights-of-way in accordance with section 11-21-9 of this title.

Section 33. Section 11-66-7.K.1 of the Zoning Ordinance (M-2 District – Conditional Uses) is hereby amended to read as follows:

- 1. Development density: The maximum development density within the M-2 District shall be determined by the following minimum lot area per unit standards as defined by Section 11-17-21 of this title:
 - a. Multiple-family dwellings:
 - (1) One thousand six hundred seventy-five (1,675) square feet per unit.

(2) Buildings on lots abutting a RS district shall not exceed a floor area ratio of seven-tenths (0.7).

b. Senior assisted living or continuing care retirement communities: One thousand (1,000) square feet per unit.

Section 34. Section 11-66-7.K.2 of the Zoning Ordinance (M-2 District – Conditional Uses) is hereby amended to read as follows:

2. Design and construction standards for principal and accessory buildings:

a. The exterior finish of stand-alone multiple-family dwelling structures shall include a variation in building materials which are to be distributed throughout the building elevations and coordinated into the architectural design of the structure to create an architecturally balanced appearance. In addition, multiple-family dwelling structures shall comply with the following requirements

(1) A minimum of fifty percent (50%) of the combined area of all elevations of a structure shall have an exterior finish of brick, stucco and/or natural or artificial stone, with the remainder of the exterior elevations having a finish of other grade A, grade B, and/or C materials.

(2) For the purposes of this section, the area of the building elevation shall not include area devoted to windows, entrance doors, garage doors, or roof areas.

b. The exterior finish of mixed use buildings combining commercial and multiple family dwelling uses shall be as specified in section 11-17-9.D.1 of this title.

Section 35. Section 11-66-7.K.5 of the Zoning Ordinance (M-2 District – Conditional Uses) is hereby amended to read as follows:

5. Affordable Housing: Housing qualified for meeting city's allocation of regional affordable housing as defined by the comprehensive plan may be exempted from subsections 11-66-7K.2 and 4 of this title, provided guarantees satisfactory to the city are in place to ensure that "for sale" housing will meet the requirement for initial sales and "for rent" housing will meet the requirement for the initial ten (10) year rental period.

Section 36. Section 11-66-7.L of the Zoning Ordinance (M-2 District – Conditional Uses) is hereby repealed and subsequent sections renumbered accordingly.

Section 37. Section 11-66-11 of the Zoning Ordinance (M-2 District – Uses by Administrative Permit) is hereby amended to add the following provisions with subsequent sections renumbered accordingly:

A. Connection of principal buildings across a property line for interior pedestrian or vehicle use, provided that:

1. The exterior materials for the structure connecting the principal buildings shall be consistent with the materials used for the principal buildings and shall comply with Section 11-17-9.D of this title.
2. Setbacks:
 - a. Except for the structure connecting the principal buildings, each principal building shall comply with the setback requirements within each lot.
 - b. The structure connecting the principal buildings shall not encroach upon a required front yard or the required side yard of a corner lot.
3. The property owner(s) shall execute an agreement in a form approved by the City Attorney to be recorded with each lot for the structure connecting the principal buildings that includes, but is not limited to, provisions that address:
 - a. Responsibilities for maintenance and repair to the structure connecting the principal buildings.
 - b. Provision of utilities including temperature control, water, and/or electricity.
 - (1) Water service to the structure connecting the principal buildings shall be extended from the City water meter of one (1) of the connected principal buildings.
 - c. Removal of the structure connecting the principal buildings and termination of the agreement.

Section 38. Section 11-66-11 of the Zoning Ordinance (M-2 District – Uses by Administrative Permit) is hereby amended to add the following provisions with subsequent sections renumbered accordingly:

- C. Multiple principal buildings on one lot of record, provided that:
 1. Lot Requirements: The lot shall conform to the minimum lot area and lot width requirements of section 11-66-13 of this chapter.
 2. Setbacks: Setbacks between multiple principal buildings within the same base lot shall be a minimum of twenty feet (20').
 3. Common Areas: All common areas including, but not limited to, open space, wetlands, greenways, stormwater basins, driveways, parking areas, sidewalks, etc., shall be maintained in one of the following ways:
 - a. All of the property including buildings and common areas shall be owned by a single entity.
 - b. Common interest community ownership pursuant to Minnesota Statutes 515B.
 - c. The property shall be divided into a base lot and unit lots to allow for individual ownership of the principal buildings or individual tenant spaces within the principal building, with each owner of a unit lot having an equal

and undivided interest in the common area, subject to the following requirements:

- (1) The tenant space related to each unit lot shall have an exclusive exterior entrance.
- (2) A management association shall be established for all commercial developments with multiple principal buildings subdivided in a base lot/unit lot configuration that is to be responsible for all exterior building maintenance, approval of any exterior architectural modifications, landscaping, snow clearing and regular maintenance of driveways and parking areas, subject to review and approval of the city attorney.

4. Utilities:

- a. **Underground Or Exterior Service:** All utilities including telephone, electricity, gas, and telecable shall be installed underground. Exterior utility meters and fixtures shall be located in interior side or rear yards when possible and shall be screened from view of adjacent properties and the public right of way.
- b. **Public Utility Service:** Separate public utility services shall be provided to each unit unless exempted by the city engineer.
 - (1) **Water connection:** A shutoff valve for each individual unit shall be provided.
 - (2) **Sewer connection:** Where more than one unit is served by a sanitary sewer service, all maintenance and cleaning shall be the responsibility of the maintenance association or owners.

Section 39. Section 11-71-3 of the Zoning Ordinance (C-1 District – Permitted Uses) is hereby amended to add the following provision with subsequent sections renumbered accordingly:

- B. Daycare facilities as a principal use provided that the use complies with the provisions of chapter 31 of this title.

Section 40. Section 11-71-3 of the Zoning Ordinance (C-1 District – Permitted Uses) is hereby amended to add the following provision with subsequent sections renumbered accordingly:

- C. Fitness centers limited to two thousand (2,000) square feet of gross floor area or less.

Section 41. Section 11-71-7.C of the Zoning Ordinance (C-1 District – Conditional Uses) is hereby repealed and subsequent sections renumbered accordingly.

Section 42. Section 11-71-7.E of the Zoning Ordinance (C-1 District – Conditional Uses) is hereby repealed and subsequent sections renumbered accordingly.

Section 43. Section 11-71-7.H of the Zoning Ordinance (C-1 District – Conditional Uses) is hereby repealed and subsequent sections renumbered accordingly.

Section 44. Section 11-71-11 of the Zoning Ordinance (C-1 District – Uses by Administrative Permit) is hereby amended to add the following provisions with subsequent sections renumbered accordingly:

B. Multiple principal buildings on one lot of record, provided that:

1. Lot Requirements: The lot shall conform to the minimum lot area and lot width requirements of section 11-71-13 of this chapter.
2. Setbacks: Setbacks between multiple principal buildings within the same base lot shall be a minimum of twenty feet (20').
3. Common Areas: All common areas including, but not limited to, open space, wetlands, greenways, stormwater basins, driveways, parking areas, sidewalks, etc., shall be maintained in one of the following ways:
 - a. All of the property including buildings and common areas shall be owned by a single entity.
 - b. Common interest community ownership pursuant to Minnesota Statutes 515B.
 - c. The property shall be divided into a base lot and unit lots to allow for individual ownership of the principal buildings or individual tenant spaces within the principal building, with each owner of a unit lot having an equal and undivided interest in the common area, subject to the following requirements:
 - (1) The tenant space related to each unit lot shall have an exclusive exterior entrance.
 - (2) A management association shall be established for all commercial developments with multiple principal buildings subdivided in a base lot/unit lot configuration that is to be responsible for all exterior building maintenance, approval of any exterior architectural modifications, landscaping, snow clearing and regular maintenance of driveways and parking areas, subject to review and approval of the city attorney.
4. Utilities:
 - a. Underground Or Exterior Service: All utilities including telephone, electricity, gas, and telecable shall be installed underground. Exterior utility meters and fixtures shall be located in interior side or rear yards when possible and shall be screened from view of adjacent properties and the public right of way.
 - b. Public Utility Service: Separate public utility services shall be provided to each unit unless exempted by the city engineer.

- (1) Water connection: A shutoff valve for each individual unit shall be provided.
- (2) Sewer connection: Where more than one unit is served by a sanitary sewer service, all maintenance and cleaning shall be the responsibility of the maintenance association or owners.

Section 45. Section 11-72-3 of the Zoning Ordinance (C-2 District – Permitted Uses) is hereby amended to add the following provision with subsequent sections renumbered accordingly:

D. Convenience restaurants without a drive through service window.

Section 46. Section 11-72-3 of the Zoning Ordinance (C-2 District – Permitted Uses) is hereby amended to add the following provision with subsequent sections renumbered accordingly:

E. Daycare facilities as a principal use provided that the use complies with the provisions of chapter 31 of this title.

Section 47. Section 11-72-7.G of the Zoning Ordinance (C-2 District – Conditional Uses) is hereby repealed and subsequent sections renumbered accordingly.

Section 48. Section 11-72-7.I of the Zoning Ordinance (C-2 District – Conditional Uses) is hereby repealed and subsequent sections renumbered accordingly.

Section 49. Section 11-72-7.N of the Zoning Ordinance (C-2 District – Conditional Uses) is hereby repealed and subsequent sections renumbered accordingly.

Section 50. Section 11-72-11 of the Zoning Ordinance (C-2 District – Uses by Administrative Permit) is hereby amended to add the following provision with subsequent sections renumbered accordingly:

A. Connection of principal buildings across a property line for interior pedestrian or vehicle use, provided that:

1. The exterior materials for the structure connecting the principal buildings shall be consistent with the materials used for the principal buildings and shall comply with Section 11-17-9.D of this title.
2. Setbacks:
 - a. Except for the structure connecting the principal buildings, each principal building shall comply with the setback requirements within each lot.
 - b. The structure connecting the principal buildings shall not encroach upon a required front yard or the required side yard of a corner lot.
3. The property owner(s) shall execute an agreement in a form approved by the City Attorney to be recorded with each lot for the structure connecting the principal buildings that includes, but is not limited to, provisions that address:

- a. Responsibilities for maintenance and repair to the structure connecting the principal buildings.
- b. Provision of utilities including temperature control, water, and/or electricity.
 - (1) Water service to the structure connecting the principal buildings shall be extended from the City water meter of one (1) of the connected principal buildings.
- c. Removal of the structure connecting the principal buildings and termination of the agreement.

Section 51. Section 11-72-11 of the Zoning Ordinance (C-2 District – Uses by Administrative Permit) is hereby amended to add the following provision with subsequent sections renumbered accordingly:

C. Multiple principal buildings on one lot of record, provided that:

- 1. Lot Requirements: The lot shall conform to the minimum lot area and lot width requirements of section 11-72-13 of this chapter.
- 2. Setbacks: Setbacks between multiple principal buildings within the same base lot shall be a minimum of twenty feet (20').
- 3. Common Areas: All common areas including, but not limited to, open space, wetlands, greenways, stormwater basins, driveways, parking areas, sidewalks, etc., shall be maintained in one of the following ways:
 - a. All of the property including buildings and common areas shall be owned by a single entity.
 - b. Common interest community ownership pursuant to Minnesota Statutes 515B.
 - c. The property shall be divided into a base lot and unit lots to allow for individual ownership of the principal buildings or individual tenant spaces within the principal building, with each owner of a unit lot having an equal and undivided interest in the common area, subject to the following requirements:
 - (1) The tenant space related to each unit lot shall have an exclusive exterior entrance.
 - (2) A management association shall be established for all commercial developments with multiple principal buildings subdivided in a base lot/unit lot configuration that is to be responsible for all exterior building maintenance, approval of any exterior architectural modifications, landscaping, snow clearing and regular maintenance of driveways and parking areas, subject to review and approval of the city attorney.
- 4. Utilities:

- a. **Underground Or Exterior Service:** All utilities including telephone, electricity, gas, and telecable shall be installed underground. Exterior utility meters and fixtures shall be located in interior side or rear yards when possible and shall be screened from view of adjacent properties and the public right of way.
- b. **Public Utility Service:** Separate public utility services shall be provided to each unit unless exempted by the city engineer.
 - (1) **Water connection:** A shutoff valve for each individual unit shall be provided.
 - (2) **Sewer connection:** Where more than one unit is served by a sanitary sewer service, all maintenance and cleaning shall be the responsibility of the maintenance association or owners.

Section 52. Section 11-72-13 of the Zoning Ordinance (C-2 District – Lot Requirements and Setbacks) is hereby amended to revise the following row:

	Rear yards	10 feet, or 30 feet abutting a street or residential zoned property
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Section 53. Section 11-73-3 of the Zoning Ordinance (C-3 District – Permitted Uses) is hereby amended to add the following provision with subsequent sections renumbered accordingly:

- D. Convenience restaurants without a drive through service window

Section 54. Section 11-73-3 of the Zoning Ordinance (C-3 District – Permitted Uses) is hereby amended to add the following provision with subsequent sections renumbered accordingly:

- E. Daycare facilities as a principal use provided that the use complies with the provisions of chapter 31 of this title.

Section 55. Section 11-73-7.G of the Zoning Ordinance (C-3 District – Conditional Uses) is hereby repealed and subsequent sections renumbered accordingly.

Section 56. Section 11-73-7.I of the Zoning Ordinance (C-3 District – Conditional Uses) is hereby repealed and subsequent sections renumbered accordingly.

Section 57. Section 11-73-7.M of the Zoning Ordinance (C-2 District – Conditional Uses) is hereby repealed and subsequent sections renumbered accordingly.

Section 58. Section 11-73-11 of the Zoning Ordinance (C-3 District – Uses by Administrative Permit) is hereby amended to add the following provision with subsequent sections renumbered accordingly:

- A. Connection of principal buildings across a property line for interior pedestrian or vehicle use, provided that:

1. The exterior materials for the structure connecting the principal buildings shall be consistent with the materials used for the principal buildings and shall comply with Section 11-17-9.D of this title.
2. Setbacks:
 - a. Except for the structure connecting the principal buildings, each principal building shall comply with the setback requirements within each lot.
 - b. The structure connecting the principal buildings shall not encroach upon a required front yard or the required side yard of a corner lot.
3. The property owner(s) shall execute an agreement in a form approved by the City Attorney to be recorded with each lot for the structure connecting the principal buildings that includes, but is not limited to, provisions that address:
 - a. Responsibilities for maintenance and repair to the structure connecting the principal buildings.
 - b. Provision of utilities including temperature control, water, and/or electricity.
 - (1) Water service to the structure connecting the principal buildings shall be extended from the City water meter of one (1) of the connected principal buildings.
 - c. Removal of the structure connecting the principal buildings and termination of the agreement.

Section 59. Section 11-73-11 of the Zoning Ordinance (C-3 District – Uses by Administrative Permit) is hereby amended to add the following provision with subsequent sections renumbered accordingly:

- C. Multiple principal buildings on one lot of record, provided that:
1. Lot Requirements: The lot shall conform to the minimum lot area and lot width requirements of section 11-73-13 of this chapter.
 2. Setbacks: Setbacks between multiple principal buildings within the same base lot shall be a minimum of twenty feet (20').
 3. Common Areas: All common areas including, but not limited to, open space, wetlands, greenways, stormwater basins, driveways, parking areas, sidewalks, etc., shall be maintained in one of the following ways:
 - a. All of the property including buildings and common areas shall be owned by a single entity.
 - b. Common interest community ownership pursuant to Minnesota Statutes 515B.
 - c. The property shall be divided into a base lot and unit lots to allow for individual ownership of the principal buildings or individual tenant spaces within the principal building, with each owner of a unit lot having an equal

and undivided interest in the common area, subject to the following requirements:

- (1) The tenant space related to each unit lot shall have an exclusive exterior entrance.
- (2) A management association shall be established for all commercial developments with multiple principal buildings subdivided in a base lot/unit lot configuration that is to be responsible for all exterior building maintenance, approval of any exterior architectural modifications, landscaping, snow clearing and regular maintenance of driveways and parking areas, subject to review and approval of the city attorney.

4. Utilities:

- a. **Underground Or Exterior Service:** All utilities including telephone, electricity, gas, and telecable shall be installed underground. Exterior utility meters and fixtures shall be located in interior side or rear yards when possible and shall be screened from view of adjacent properties and the public right of way.
- b. **Public Utility Service:** Separate public utility services shall be provided to each unit unless exempted by the city engineer.
 - (1) **Water connection:** A shutoff valve for each individual unit shall be provided.
 - (2) **Sewer connection:** Where more than one unit is served by a sanitary sewer service, all maintenance and cleaning shall be the responsibility of the maintenance association or owners.

Section 60. Section 11-73-13 of the Zoning Ordinance (C-3 District – Lot Requirements and Setbacks) is hereby amended to revise the following row:

Rear yards	10 feet, or 30 feet abutting a street or residential zoned property
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Section 61. Section 11-74-3 of the Zoning Ordinance (C-CBD District – Permitted Uses) is hereby amended to add the following provision with subsequent sections renumbered accordingly:

D. Convenience restaurants without a drive through service window

Section 62. Section 11-74-3 of the Zoning Ordinance (C-CBD District – Permitted Uses) is hereby amended to add the following provision with subsequent sections renumbered accordingly:

E. Daycare facilities as a principal use provided that the use complies with the provisions of chapter 31 of this title.

Section 63. Section 11-74-7.E of the Zoning Ordinance (C-CBD District – Conditional Uses) is hereby repealed and subsequent sections renumbered accordingly.

Section 64. Section 11-74-7.G of the Zoning Ordinance (C-CBD District – Conditional Uses) is hereby repealed and subsequent sections renumbered accordingly.

Section 65. Section 11-74-7.I of the Zoning Ordinance (C-CBD District – Conditional Uses) is hereby amended to read as follows:

- I. Drive-through service windows accessory to an allowed use, other than for convenience restaurants, provided that the following additional criteria are satisfied:
 1. Stacking: Segregated automobile stacking lane sufficient for the traffic generated by the use shall be provided for the service window.
 2. Traffic Control: The stacking lane and its access shall be designed to control traffic in a manner to protect ~~the~~ pedestrians, buildings and green area on the site.
 3. Use Of Street: No part of the public street or boulevard shall be used for stacking of automobiles.
 4. Screening. The drive through service window and stacking lane shall be screened from view of adjacent properties and public rights-of-way in accordance with section 11-21-9 of this title.

Section 66. Section 11-74-7.N of the Zoning Ordinance (C-CBD District – Conditional Uses) is hereby repealed and subsequent sections renumbered accordingly.

Section 67. Section 11-74-11 of the Zoning Ordinance (C-CBD District – Uses by Administrative Permit) is hereby amended to add the following provisions with subsequent sections renumbered accordingly:

- A. Connection of principal buildings across a property line for interior pedestrian or vehicle use, provided that:
 1. The exterior materials for the structure connecting the principal buildings shall be consistent with the materials used for the principal buildings and shall comply with Section 11-17-9.D of this title.
 2. Setbacks:
 - a. Except for the structure connecting the principal buildings, each principal building shall comply with the setback requirements within each lot.
 - b. The structure connecting the principal buildings shall not encroach upon a required front yard or the required side yard of a corner lot.
 3. The property owner(s) shall execute an agreement in a form approved by the City Attorney to be recorded with each lot for the structure connecting the principal buildings that includes, but is not limited to, provisions that address:
 - a. Responsibilities for maintenance and repair to the structure connecting the principal buildings.
 - b. Provision of utilities including temperature control, water, and/or electricity.

(1) Water service to the structure connecting the principal buildings shall be extended from the City water meter of one (1) of the connected principal buildings.

c. Removal of the structure connecting the principal buildings and termination of the agreement.

Section 68. Section 11-74-11 of the Zoning Ordinance (C-CBD District – Uses by Administrative Permit) is hereby amended to add the following provisions with subsequent sections renumbered accordingly:

C. Multiple principal buildings on one lot of record, provided that:

1. Lot Requirements: The lot shall conform to the minimum lot area and lot width requirements of section 11-73-13 of this chapter.

2. Setbacks: Setbacks between multiple principal buildings within the same base lot shall be a minimum of twenty feet (20').

3. Common Areas: All common areas including, but not limited to, open space, wetlands, greenways, stormwater basins, driveways, parking areas, sidewalks, etc., shall be maintained in one of the following ways:

a. All of the property including buildings and common areas shall be owned by a single entity.

b. Common interest community ownership pursuant to Minnesota Statutes 515B.

c. The property shall be divided into a base lot and unit lots to allow for individual ownership of the principal buildings or individual tenant spaces within the principal building, with each owner of a unit lot having an equal and undivided interest in the common area, subject to the following requirements:

(1) The tenant space related to each unit lot shall have an exclusive exterior entrance.

(2) A management association shall be established for all commercial developments with multiple principal buildings subdivided in a base lot/unit lot configuration that is to be responsible for all exterior building maintenance, approval of any exterior architectural modifications, landscaping, snow clearing and regular maintenance of driveways and parking areas, subject to review and approval of the city attorney.

4. Utilities:

a. Underground Or Exterior Service: All utilities including telephone, electricity, gas, and telecable shall be installed underground. Exterior utility meters and fixtures shall be located in interior side or rear yards when possible and shall be screened from view of adjacent properties and the public right of way.

- b. Public Utility Service: Separate public utility services shall be provided to each unit unless exempted by the city engineer.
 - (1) Water connection: A shutoff valve for each individual unit shall be provided.
 - (2) Sewer connection: Where more than one unit is served by a sanitary sewer service, all maintenance and cleaning shall be the responsibility of the maintenance association or owners.

Section 69. Section 11-75-7.A of the Zoning Ordinance (O-P District – Conditional Uses) is hereby repealed and subsequent sections renumbered accordingly.

Section 70. Section 11-75-7.C of the Zoning Ordinance (O-P District – Conditional Uses) is hereby repealed and subsequent sections renumbered accordingly.

Section 71. Section 11-75-7.D of the Zoning Ordinance (O-P District – Conditional Uses) is hereby amended to read as follows:

- E. Daycare facilities accessory to an allowed principal use provided that the use complies with the provisions of chapter 31 of this title.

Section 72. Section 11-75-7.K of the Zoning Ordinance (O-P District – Conditional Uses) is hereby repealed and subsequent sections renumbered accordingly.

Section 73. Section 11-75-11 of the Zoning Ordinance (O-P District – Uses by Administrative Permit) is hereby amended to add the following provisions with subsequent sections renumbered accordingly:

- A. Connection of principal buildings across a property line for interior pedestrian or vehicle use, provided that:
 - 1. The exterior materials for the structure connecting the principal buildings shall be consistent with the materials used for the principal buildings and shall comply with Section 11-17-9.D of this title.
 - 2. Setbacks:
 - a. Except for the structure connecting the principal buildings, each principal building shall comply with the setback requirements within each lot.
 - b. The structure connecting the principal buildings shall not encroach upon a required front yard or the required side yard of a corner lot.
 - 3. The property owner(s) shall execute an agreement in a form approved by the City Attorney to be recorded with each lot for the structure connecting the principal buildings that includes, but is not limited to, provisions that address:
 - a. Responsibilities for maintenance and repair to the structure connecting the principal buildings.
 - b. Provision of utilities including temperature control, water, and/or electricity.

(1) Water service to the structure connecting the principal buildings shall be extended from the City water meter of one (1) of the connected principal buildings.

c. Removal of the structure connecting the principal buildings and termination of the agreement.

Section 74. Section 11-75-11 of the Zoning Ordinance (O-P District – Uses by Administrative Permit) is hereby amended to add the following provisions with subsequent sections renumbered accordingly:

C. Multiple principal buildings on one lot of record, provided that:

1. Lot Requirements: The lot shall conform to the minimum design and performance standards of section 11-75-13 of this chapter.

2. Setbacks: Setbacks between multiple principal buildings within the same base lot shall be a minimum of twenty feet (20').

3. Common Areas: All common areas including, but not limited to, open space, wetlands, greenways, stormwater basins, driveways, parking areas, sidewalks, etc., shall be maintained in one of the following ways:

a. All of the property including buildings and common areas shall be owned by a single entity.

b. Common interest community ownership pursuant to Minnesota Statutes 515B.

c. The property shall be divided into a base lot and unit lots to allow for individual ownership of the principal buildings or individual tenant spaces within the principal building, with each owner of a unit lot having an equal and undivided interest in the common area, subject to the following requirements:

(1) The tenant space related to each unit lot shall have an exclusive exterior entrance.

(2) A management association shall be established for all commercial developments with multiple principal buildings subdivided in a base lot/unit lot configuration that is to be responsible for all exterior building maintenance, approval of any exterior architectural modifications, landscaping, snow clearing and regular maintenance of driveways and parking areas, subject to review and approval of the city attorney.

4. Utilities:

a. Underground Or Exterior Service: All utilities including telephone, electricity, gas, and telecable shall be installed underground. Exterior utility meters and fixtures shall be located in interior side or rear yards when

possible and shall be screened from view of adjacent properties and the public right of way.

- b. Public Utility Service: Separate public utility services shall be provided to each unit unless exempted by the city engineer.
 - (1) Water connection: A shutoff valve for each individual unit shall be provided.
 - (2) Sewer connection: Where more than one unit is served by a sanitary sewer service, all maintenance and cleaning shall be the responsibility of the maintenance association or owners.

Section 75. Section 11-85-7.C of the Zoning Ordinance (I-CBD District – Conditional Uses) is hereby repealed and subsequent sections renumbered accordingly.

Section 76. Section 11-86-7.E of the Zoning Ordinance (I-1 District – Conditional Uses) is hereby amended to read as follows:

- E. Daycare facilities accessory to an allowed principal use provided that the use complies with the provisions of chapter 31 of this title.

Section 77. Section 11-86-7.H of the Zoning Ordinance (I-1 District – Conditional Uses) is hereby repealed and subsequent sections renumbered accordingly.

Section 78. Section 11-86-11 of the Zoning Ordinance (I-1 District – Uses by Administrative Permit) is hereby amended to add the following provisions with subsequent sections renumbered accordingly:

- B. Multiple principal buildings on one lot of record, provided that:
 - 1. Lot Requirements: The lot shall conform to the minimum lot area and lot width requirements of section 11-86-13 of this chapter.
 - 2. Setbacks: Setbacks between multiple principal buildings within the same base lot shall be a minimum of twenty feet (20').
 - 3. Common Areas: All common areas including, but not limited to, open space, wetlands, greenways, stormwater basins, driveways, parking areas, sidewalks, etc., shall be maintained in one of the following ways:
 - a. All of the property including buildings and common areas shall be owned by a single entity.
 - b. Common interest community ownership pursuant to Minnesota Statutes 515B.
 - c. The property shall be divided into a base lot and unit lots to allow for individual ownership of the principal buildings or individual tenant spaces within the principal building, with each owner of a unit lot having an equal and undivided interest in the common area, subject to the following requirements:

- (1) The tenant space related to each unit lot shall have an exclusive exterior entrance.
- (2) A management association shall be established for all commercial developments with multiple principal buildings subdivided in a base lot/unit lot configuration that is to be responsible for all exterior building maintenance, approval of any exterior architectural modifications, landscaping, snow clearing and regular maintenance of driveways and parking areas, subject to review and approval of the city attorney.

4. Utilities:

- a. **Underground Or Exterior Service:** All utilities including telephone, electricity, gas, and telecable shall be installed underground. Exterior utility meters and fixtures shall be located in interior side or rear yards when possible and shall be screened from view of adjacent properties and the public right of way.
- b. **Public Utility Service:** Separate public utility services shall be provided to each unit unless exempted by the city engineer.
 - (1) **Water connection:** A shutoff valve for each individual unit shall be provided.
 - (2) **Sewer connection:** Where more than one unit is served by a sanitary sewer service, all maintenance and cleaning shall be the responsibility of the maintenance association or owners.

Section 79. Section 11-86-15.A of the Zoning Ordinance (I-1 District – Building Height) is hereby amended to read as follows:

- A. Principal buildings: Four (4) stories or fifty feet (50'), whichever is less.

Section 80. Section 11-87-7.B of the Zoning Ordinance (I-2 District – Conditional Uses) is hereby repealed and subsequent sections renumbered accordingly.

Section 81. Section 11-87-7.E of the Zoning Ordinance (I-2 District – Conditional Uses) is hereby amended to read as follows:

- E. Daycare facilities accessory to an allowed principal use provided that the use complies with the provisions of chapter 31 of this title.

Section 82. Section 11-87-7.H of the Zoning Ordinance (I-2 District – Conditional Uses) is hereby repealed and subsequent sections renumbered accordingly.

Section 83. Section 11-87-11 of the Zoning Ordinance (I-2 District – Uses by Administrative Permit) is hereby amended to add the following provisions with subsequent sections renumbered accordingly:

- B. Multiple principal buildings on one lot of record, provided that:

1. Lot Requirements: The lot shall conform to the minimum lot area and lot width requirements of section 11-87-13 of this chapter.
2. Setbacks: Setbacks between multiple principal buildings within the same base lot shall be a minimum of twenty feet (20').
3. Common Areas: All common areas including, but not limited to, open space, wetlands, greenways, stormwater basins, driveways, parking areas, sidewalks, etc., shall be maintained in one of the following ways:
 - a. All of the property including buildings and common areas shall be owned by a single entity.
 - b. Common interest community ownership pursuant to Minnesota Statutes 515B.
 - c. The property shall be divided into a base lot and unit lots to allow for individual ownership of the principal buildings or individual tenant spaces within the principal building, with each owner of a unit lot having an equal and undivided interest in the common area, subject to the following requirements:
 - (1) The tenant space related to each unit lot shall have an exclusive exterior entrance.
 - (2) A management association shall be established for all commercial developments with multiple principal buildings subdivided in a base lot/unit lot configuration that is to be responsible for all exterior building maintenance, approval of any exterior architectural modifications, landscaping, snow clearing and regular maintenance of driveways and parking areas, subject to review and approval of the city attorney.
4. Utilities:
 - a. Underground Or Exterior Service: All utilities including telephone, electricity, gas, and telecable shall be installed underground. Exterior utility meters and fixtures shall be located in interior side or rear yards when possible and shall be screened from view of adjacent properties and the public right of way.
 - b. Public Utility Service: Separate public utility services shall be provided to each unit unless exempted by the city engineer.
 - (1) Water connection: A shutoff valve for each individual unit shall be provided.
 - (2) Sewer connection: Where more than one unit is served by a sanitary sewer service, all maintenance and cleaning shall be the responsibility of the maintenance association or owners.

Section 84. Section 11-87-15.A of the Zoning Ordinance (I-2 District – Building Height) is hereby amended to read as follows:

A. Principal buildings: Four (4) stories or fifty feet (50'), whichever is less.

Section 85. Section 11-88-7.B of the Zoning Ordinance (I-3 District – Conditional Uses) is hereby repealed and subsequent sections renumbered accordingly.

Section 86. Section 11-96-21.B of the Zoning Ordinance (PUD District – PUD District Amendment/Plan Amendment) is hereby amended to read as follows:

B. The plan amendment shall not result in an increase of the floor area of the principal use by more than twenty (20) percent, include any change in hours of operation or otherwise increase the intensity of the use of the site as determined by the Zoning Administrator for noise, traffic, employees, or other relevant factors.

Section 87. This Ordinance shall be effective immediately upon its passage and publication according to law.

ADOPTED by the Lakeville City Council this _____ day of _____, 2023.

CITY OF LAKEVILLE

BY: _____
Luke Hellier, Mayor

ATTEST

BY: _____
Ann Orlofsky, City Clerk