





# Tartan Crossing PUD Design Standards



## Table of Contents

Section 1:	Purpose and Intent.....	1
Section 2:	Uses.....	1
Section 3:	Requirements on Setbacks and Heights.....	2
Section 4:	Building Materials and Design Standards.....	4
Section 5:	Design Elements.....	6
Section 6:	Parking, Landscaping, and Pedestrians.....	8
Section 7:	Site Amenities.....	10
Section 8:	Screening Rooftop and Ground Utilities.....	11
Section 9:	Screening of Loading and Service Areas.....	11
Section 10:	Trash Handling.....	13
Section 11:	Site Landscaping.....	13
Section 12:	Site Lighting.....	13
Section 13:	Signage.....	14

## Sec. 1 Purpose and Intent

The purpose of the Tartan Crossing PUD is to provide for a compact, walkable, mixed-use development along a key corridor and gateway. The PUD is intended to support high quality development and site flexibility, and to accommodate the unique site conditions and phased development proposed in this PUD. The mixture of land uses within the redevelopment is essential to establishing the level of vitality and intensity to support commercial and residential uses. The treatment of building design, parking, landscaping and pedestrian spaces is essential to creating the pedestrian-friendly environment envisioned for the Tartan Crossing PUD.

## Sec. 2 Uses

- (a) Permitted Uses: See Attachment A
- (b) Conditional Uses: See Attachment A
- (c) Prohibited Uses: See Attachment A



Example of multifamily senior residential exterior building materials.



For Illustrative Purposes Only

## Sec. 3 Requirements on Setbacks, Heights

### Residential Uses

#### (a) Building Setbacks

Building Setbacks	Feet
Front	25
Rear	25
Side adjacent to Street	10
Side adjacent to Interior Lot Line	20

#### (b) Parking Lots or Circulation Drive Setback

Parking Lot or Circulation Drive Setback	Feet
Collector Street	5
Local Street	5
Interior Lot Line	5

- (c) The maximum height of any apartment building shall be fifty five (55) feet if parking is provided below grade. Building height is defined as the vertical distance from the average elevation of the adjoining ground level or the established grade, whichever is lower, to:

1. The top of the cornice of a flat roof;
2. The deckline of a mansard roof;
3. A point directly above the highest wall of a shed roof;
4. The upper most point of a round or other arch type roof;
5. The mean distance from the eave line to the peak of the highest gable on a pitched or hip roof.

### Commercial Uses

#### Lot Coverage

- (a) The maximum allowable lot coverage shall be 90% of the lot.
- (b) To calculate lot coverage, the following areas shall be added together:
- Area of the building as determined by the foundation plan; parking areas and driveways; loading, storage, trash areas, and all other areas covered with impervious material not purposely used for landscaping.

#### Requirements on Setbacks

##### (a) Building Setbacks

1. The minimum building setback from any Commercial District boundary or public street right-of-way shall be as set forth in the table below or the average height of the building, whichever is greater.

##### 2. Building Setbacks

Building Setbacks	Feet
Minor Arterial Street	30
Collector Street	30
Local Street	30
Interior Lot Line	0

##### (b) Parking Lots or Circulation Drives

Parking Lots or Circulation Drives	Feet
Minor Arterial Street	10
Collector Street	10
Local Street	10
Interior Lot Line	0
Residential Zoning Boundary	10

#### Screening of Parking

- (a) Wherever a surface parking area faces 10th Street, I-694 exit ramp or Hadley Avenue screening consisting of a decorative wall, railing, hedge, or a combination of these elements, shall be constructed to a minimum height of three feet (3') and a maximum height of four and one half feet (4 ½') above the level of the parking lot.





## Height and Scale

- (a) The height and scale of new buildings shall be related to the prevailing scale of surrounding development and shall be compatible with surrounding buildings in roof form and pitch.
- (b) The minimum building height shall be twenty five (25) feet or two stories while the maximum building height on all buildings shall be forty eight (48) feet or four stories.
- (c) Building height is defined as the vertical distance from the average elevation of the adjoining ground level or the established grade, whichever is lower, to:
  - 1. The top of the cornice of a flat roof;
  - 2. The deck line of a mansard roof;
  - 3. A point directly above the highest wall of a shed roof;
  - 4. The uppermost point of a round or other arch-type roof;
  - 5. The mean distance from the eave line to the peak of the highest gable on a pitched or hip roof.



A combination of exterior lighting, clear 2nd story, roof line changes, landscaping at building edge and neutral colors make it aesthetically pleasing.



Orient structures to compliment existing development.



Heavy use of brick rich in color, along with a band of stone along the windows, is a good example of franchise architecture.

## Sec. 4 Building Materials and Design Standards

To ensure attractive commercial and residential development, this section sets forth standards required for building material and design elements for all commercial and residential development.

### Building Material Standards:

Exterior surface materials of buildings shall be subject to the following:

- (a) Classes of materials. For the purpose of this subsection, materials shall be divided into Class I; Class II; and Class III categories as follows:

#### Class I

1. Brick
2. Natural stone or architectural precast stone products
3. Glass
4. Copper panels, stainless steel, or similar superior metal
5. Other comparable or superior materials.

#### Class II

1. Specialty concrete block such as textured, burnished block or rock faced block.
2. Architecturally textured precast concrete panels (except raked finish).
3. Masonry stucco/Exterior finish insulation systems (EFIS).
4. Other comparable or superior materials.

#### Class III

1. Opaque panels
2. Smooth scored concrete block
3. Ceramic finished concrete block
  - a) Glass block
  - b) Wood
  - c) Other comparable for superior materials.



Combination of colors, glass and building curve adds interest.



Strong horizontal design, curved roof features and good use of 2 colors create a pleasing design.

- (b) All commercial and residential buildings shall incorporate at least three (3) Class I materials and must be composed of at least seventy (70) percent Class I materials and not more than thirty (30) percent Class II or Class III materials.
- (c) The use of Class II or III materials shall be distributed throughout the exterior of a building unless the City agrees that materials consolidated on more visible locations provides the most positive architectural appeal to the general public.
- (d) Garage doors, window trim, flashing accent items and the like, shall not constitute required materials that make up the exterior of a building.
- (e) Garish or bright accent colors (i.e. orange, bright yellow, or fluorescent colors) shall be minimized, but in no case shall such coloring exceed five (5) percent of each wall area.
- (f) Brick or stone exteriors shall not be painted at anytime.
- (g) Equipment used for mechanical, processing, bulk storage tanks, or equipment used for suppressing noise, odors, and the like that protrudes from a side of a building or is located on the ground adjacent to a building shall be screened from public view as much as practical with materials matching the design of the building. Where miscellaneous exterior equipment cannot be fully screened with matching building materials, landscaping may be used as additional screening.
- (h) Pre-engineered metal buildings of any kind are prohibited.



Accent materials shall consist of materials comparable in grade and quality to the primary exterior material.



Mix of architectural elements define the building corner, as well as up-lighting enhance the features.



Well designed landscaped entry with access to sidewalk and balcony.



Downcast lighting and fixtures, higher detailed front entry with architectural roof style, use of awnings and a variety of colors and materials create a pleasing design.



## Sec. 5 Design Elements

In addition to the building material standards all buildings in the Tartan Crossing PUD shall comply with the following building design element requirements.

- (a) Building facades shall provide architectural detail and shall contain windows at the ground level in order to create visual interest and maximize outdoor surveillance and visibility. The building/ pedestrian interface is a crucial part of urban design and the design should provide visual interest, opportunities for sociability, and overall pedestrian safety and comfort.
- (b) All exterior materials and appearance shall be compatible with surrounding buildings.
- (c) The exterior materials and appearance for the rear and side walls of any building shall be similar to and compatible with the front of the building.
- (d) Buildings shall be located so that the front doors of the building or individual units face the public street or parking area.
- (e) Parking garages shall be located to the rear or interior of the site, or underground.
- (f) Primary entries to buildings shall be emphasized through the use of architectural features such as porches and roofs, recessions into the facade, or other details that highlight the importance of the entrance.
- (g) At least twenty (20%) percent for residential buildings or thirty (30%) percent for non-residential buildings of the first floor facade that faces a public street or sidewalk shall consist of windows and doors.



Architectural detailing, such as cornice, awning, parapet or columns should be used to add interest and character to the buildings.



A new look is created with a variety of materials and building lighting.



Use of columns and vertical elements are combined with awnings and groups of stone and material colors.



(h) The rear entrance to a building may become the primary entrance when parking is located in the interior of a block as is typical for a traditional urban development pattern. When rear building entrances are used as the primary entrance they should be improved to include signs, lighting, canopies, windows, landscaping and other complementary elements to create a safe and welcoming access to building entrances.

(i) All building fronts shall include a minimum of four (4) from the following menu.

1. Architectural detailing, such as cornice, awning, parapet, or columns;
2. A visually pleasing primary front entrance that, in addition to doors, shall be accented a minimum of one hundred fifty (150) square feet around the door entrance for single occupancy buildings and a minimum of three hundred (300) square feet for the front of multi-tenant buildings. Entrances shall be clearly articulated and obvious from the street or sidewalk.
3. Contrasting, yet complementary material colors;
4. A combination of horizontal and vertical design features;
5. Irregular building shapes;
6. Horizontal offsets of at least 4 feet in depth;
7. Vertical offsets in the roofline of at least four feet;

8. Fenestration at the first floor level which is recessed horizontally at least 1 foot into the façade;

9. Varying roof lines and roof accents.

10. Other similar architectural features in the overall architectural concept.

(j) Multi-story buildings shall have the ground floor distinguished from the upper floors (used to identify separate tenants) by having one or more of the following:

1. Awning
2. Trellis
3. Arcade
4. Window lintels
5. Intermediate cornice line
6. Brick detailing such as quoins or corbels



A variety of complimentary architectural materials shall be used as well as the use of horizontal and vertical design features.

## Sec. 6 Parking, Landscaping and Pedestrians

Except as amended below, all developments within the Tartan PUD shall follow the parking requirements including but not limited to surfacing, stall size, landscaping contained in Attachment B: Article 18 Sec. 25-161 Off-Street Parking Requirements and the parking lot landscaping requirements contained in Attachment C: Sec. 25-175(h)(8): Parking Lot Requirements.

(a) All commercial parking shall be provided based on the following:

1. As a PUD the entire development shall provide a maximum of five (5) spaces per 1,000 square feet (net floor area). All parking for commercial uses shall be considered shared by all users within the PUD boundaries.
2. A properly drawn, legal instrument, executed by the parties concerned for joint use of off-street parking facilities between commercial uses or residential and commercial uses, duly approved as to form and manner of execution by the City Attorney, shall be filed with the City Clerk and recorded with the Register of Deeds, Washington County.

(b) All residential parking shall be provided based on the following:

1. Elderly (Senior Citizens) Housing: Reservation of area equal to a range of .5 - 1.5 parking spaces per unit.

(c) Pedestrian Access and Circulation

1. Where applicable, walkways shall be provided to separate pedestrians and vehicles, and shall link ground level uses within the site to the main building entry point, parking lot, and public sidewalks.
2. Where pedestrian walks cross drive aisles, they shall be clearly marked with signage, special paving, landscaping or similar methods.

3. Signage shall be provided to identify walkways as part of the community trail system and provide directions to key areas.

4. Sidewalks shall be a minimum of five (5) feet wide.

5. Sidewalk alignments shall provide interest and utilize boulevard planting beds, green spaces and connections to businesses and other amenities. Landscape features such as a curving alignment, use of pavers or special paving surfaces, and other features shall be used to create visual interest and identify a defined pedestrian area.



Landscape features help to define circulation and pedestrian connections.



Patterned materials on walkways define a pedestrian oriented area.





(d) All parking areas within the Tartan Crossing PUD shall be subject to the following standards for landscaping of islands, medians, and parking lot edges.

1. Landscaping shall be distributed throughout the parking lot to define major vehicle and pedestrian routes, provide shade, and break-up large paved areas.
2. A minimum of 1 deciduous shade tree shall be provided for each parking island.
3. A landscaped area to include a mix of deciduous shade trees and understory plantings shall be provided in required parking lot setback areas.
4. Landscaping shall incorporate a variety of deciduous and coniferous trees and shrubs for year-round interest, texture, shape, and seasonal color.
5. Edge treatments along streets and other public spaces should visually screen parked vehicles, but not completely obstruct views into and out of the parking lot.
6. For parking lot edges adjacent to streets, parks or other public open space, the following shall be provided:
  - (a) At least one row of shade trees spaced evenly at 15 to 20 foot intervals (or appropriate to the selected species) for the length of the parking lots edge. Trees can be clustered.
  - (b) Screening, consisting of continuous planting, alone or in combination with a decorative fence/wall or a landscaped berm.
7. For parking lot edges not adjacent to the public realm, soft landscaping with a variety of deciduous and coniferous trees and plantings shall be provided.



Effective berm height provides screening of headlights.



A variety of unique and existing vegetation can be used to define walkway areas.



Use layering to promote informality with a variety of plants.



A variety of plants and planter heights provide a good buffer between sidewalk and parking.



Effective berm height provides screening of headlights.

## Sec. 7 Site Amenities

Pedestrian connections to the surrounding neighborhood shall be incorporated into all commercial development.

(a) Pedestrian amenities shall be included in places where people typically gather, including but not limited to, transit stops, building entrances or street corners or abutting bike or pedestrian trail connections. These spaces must include at least three of the following:

1. Patterned materials on walkways (on-site)
2. Bicycle racks
3. Trash receptacles (decorative)
4. Pedestrian lighting
5. Fountains, sculptures, mobiles, kiosks, or banners
6. Flower boxes, or container landscaping

(b) Sidewalk connections shall be provided to and through the development to existing and planned trails, sidewalks, and adjacent properties, where access exists or reasonable connections are possible. Clear internal pedestrian circulation routes shall be provided on the site.



Decorative bicycle racks, trash receptacles and lighting with banners and planters can enhance the pedestrian environment.



Flowers can be installed in temporary or permanent containers.



Features like creeks and water fountains create aesthetic amenities.



Light fixtures, variety of planter heights, plants and colors.



Edge and buffer of sidewalk, pattern in sidewalk, pillar/monument features provides break in sidewalk designs.



Blend of sidewalk materials and patterns, light fixture, raised landscape islands in sidewalks.



Use of water design features and natural materials creates modern look.



Good use of open space creates pedestrian amenities and gathering places.



## Sec. 8 Screening Rooftop and Ground Utilities

(a) All mechanical equipment located on the roof or around the perimeter shall be screened from ground level view with materials that are comparable and compatible with that of the exterior building materials. Mechanical equipment located on the roof shall be screened at a distance of 2.5 times the height of the building.

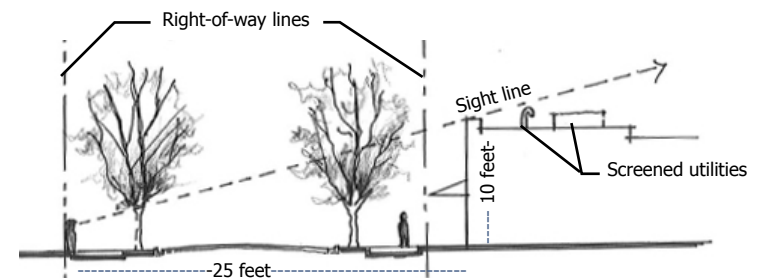
- (1) A raised parapet or other architectural feature that is an integral part of the building is encouraged as a method of screening for rooftop mechanical equipment or to soften the rooftop view.
- (2) Screening for rooftop mechanical equipment shall incorporate similar architectural features of the building and/or be constructed of a material and color compatible with other elements of the building.

(b) All ground mechanical equipment shall be one hundred percent (100%) screened from view by opaque landscaping or a screen wall shall be provided to be compatible with the architectural treatment of the principle building.

## Sec. 9 Screening of Loading and Service Areas

(a) The screening requirements contained in this section shall be satisfied through the use of walls, earthen berms, hedges, and other landscape materials. If the topography, existing vegetation, permanent structure or other features create a barrier that meets the standards of this section, they may be substituted.

(b) The perimeter views of all external loading and service areas and any areas of outdoor storage must be screened from residential uses and adjacent public streets and the public front and office sides of all commercial and uses, except at access points. Such screening can be accomplished through:



Architectural materials and landscaping help to minimize views of utility cabinets and equipment, while providing limited access for maintenance and use.



## Sec. 9 Screening of Loading and Service Areas - Continued

1. The placement of the building on the lot or the placement of a building on an adjacent lot.
2. Through the use of berming and landscaping (80% opaque at the time of maturity). Planting screens shall consist of healthy, hardy plant materials at least 6 feet in height.
3. If screen walls are proposed, the materials used shall be of similar type, quality, and appearance as that of the principal structure. Such screens shall be at least 6 feet in height and provide a minimum opaqueness of 80 percent.
4. Screen walls that are in disrepair shall be repaired. Planting screens shall be maintained in a neat and healthful condition. Plantings that have died shall be promptly replaced.



Screening can be accomplished through plantings at least six feet in height.



Loading docks shall be located at the rear of the property and screened from adjacent streets except at access points.



The light from automobile headlights and other sources must be 80% screened whenever it may be directed onto adjacent residential windows.



Loading docks should be located as to not be directly facing or oriented towards a public street.



## Sec. 10 Trash Handling

(a) All trash, recycling and related handling equipment shall be stored within the principal structure within an attached structure accessible from within the principal structure, or within an unattached structure. Such attached storage area shall be separated from the principal structure by a firewall. Recycling areas shall also be provided. Trash, recycling, and rubbish receptacles shall be totally screened from eye level view from public streets and adjacent residential properties. Such structure shall be of the same material and architecturally harmonious with principal structure and shall be enclosed by a roof and readily served through a door or gate system.



Any trash enclosure shall be constructed of the same materials as the principal building.



All trash and recyclable materials must be totally screened from public view.

## Sec. 11 Site Landscaping

(a) All developments within the Tartan Crossing PUD shall follow the requirements for landscaping contained in Attachment D: Article 18 Sec. 25-175 (h) items (1)-(9).

## Sec. 12 Site Lighting

(a) All site lighting within the Tartan Crossing PUD shall adhere to the following requirements for lighting.

1. All exterior lighting shall be designed and arranged to direct illumination away from adjacent properties.



Decorative lighting required in parking areas.

2. All exterior lighting shall be arranged and designed to illuminate directly below or inboard of the property lines of the property such that the point source of light is not directly discernible by pedestrian or vehicular traffic in the public right of way.

3. Lighting shall be designed such that there is a maximum 0.5 footcandles at any property line. A photometric plan inclusive of all site lighting and specification sheets for each lighting fixture shall be submitted for review.

4. Glare, whether direct or reflected, as differentiated from general illumination, shall not be visible beyond the limits from the site from which it originates.

5. No light which is flashing, revolving or otherwise resembles a traffic control signal shall be allowed in any area where it could create a hazard for passing vehicular traffic.

6. Parking areas shall be adequately lit for the safety of vehicular and pedestrian movements using decorative style lighting. No shoebox style lighting shall be permitted. Parking lot lighting shall have a maximum height of 30' to the illumination source.

7. Decorative style lighting (consistent design within the entire PUD and compatible with building architecture) a maximum of fourteen (14') feet in height shall be used to illuminate all site areas with the exception of parking areas.

8. Decorative, wall-mounted or ground-mounted lighting shall be used on building fronts and street visible sides to illuminate entry points and highlight architectural features.



Wall mounted lighting shall be used to illuminate entry points and highlight architectural features.



Decorative lighting with a maximum height of 14' shall be used to illuminate site areas.

## Sec. 13 Signage

All developments within the Tartan Crossing PUD shall follow the requirements for signage in Attachment E: Chapter 25, Article 19 except for specific regulations as listed in the following items.

- (a) Wall signs: On parcel(s) with a building containing 1 principal use, aggregate square footage of sign space per lot shall not exceed the sum of 3 square feet per front foot of building. Attached wall signage shall consist of individual letters or script logos mounted on the building. No "box" style signs shall be permitted. The maximum area per individual sign placed on a building shall not exceed 50 square feet, nor shall 2 or more signs be so arranged and integrated as to cause an advertising surface exceeding 80 square feet.
- (b) Freestanding monument signs: One freestanding monument sign shall be allowed for a single or multi-tenant building or development not to exceed 80 square feet not including the sign base. The maximum height shall be the lowest point of the roof or parapet of the building on which the sign is associated with. In the case of a multi-story building the monument sign shall be no taller than the



Examples of Pylon Signs

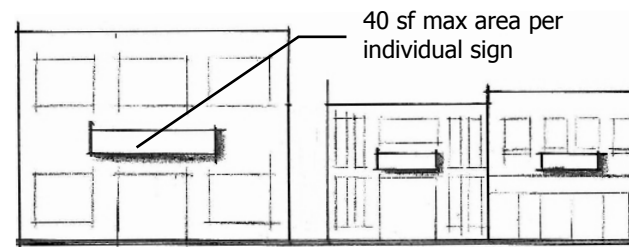
first floor.

- (c) Projecting signs are permitted with the following requirements:

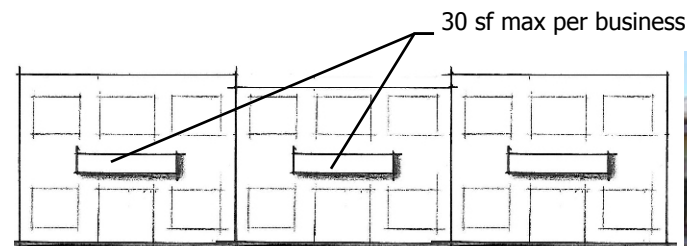
1. Projecting signs may extend 5 feet into a required yard setback.
2. Projecting signs must be at least 8 feet above a sidewalk.
3. The maximum area of a projecting sign is 8 square feet.

- (d) Pylon sign: One (1) pylon sign shall be allowed along I-694 up to 200 square feet not including the sign base.

- (e) Freestanding Area Identification Sign: One (1) area identification sign is allowed at the 10th Street and Hadley Avenue entrances.



For a building containing 1 principal use, the sf of all sign space per parcel shall not exceed the sum of 3 square feet for each front foot of building. The maximum area per sign placed on a building shall not exceed 40 sf.



For buildings with more than 1 principal use, the total sign area for such a parcel shall not exceed 3 sf per front foot of building. The maximum total sf of signage per businesses is 30 sf.







Wall mounted signs and projecting signs are examples of signage often found at a scale and aesthetic appropriate to a mixed use environment.



Attached signs must be flat and parallel to the surface of the building and no more than 1' from the surface of the building.



To reduce visual clutter, signage shall be distinct and minimal.



Freestanding monument sign bases shall be constructed of similar materials, style and color as that of the principal building.



Freestanding area identification entry sign features.

## **PERMITTED USES**

### Permitted Uses in the C-2 District:

- (1) Any permitted use of the C-1 District.
- (2) Animal hospitals, excluding establishments with outside runs.
- (3) Antique shops.
- (4) Art galleries.
- (5) Automobile accessory stores.
- (6) Automobile and other vehicle sales.
- (7) Automobile service and repair.
- (8) Banks and financial institutions, including drive-in tellers.
- (9) Book and stationary stores.
- (10) Bowling alleys.
- (11) Business machine sales and service shops.
- (12) Camera and photographic supply stores.
- (13) Catering establishments.
- (14) Clothing stores.
- (15) Clothing and costume rental.
- (16) Club and lodge halls.
- (17) Department stores.
- (18) Dry cleaning receiving and pick-up stations.
- (19) Electrical and household appliance stores, including radio and television sales and service.
- (20) Employment agencies.
- (21) Exercise spas or clubs.
- (22) Fabric stores.
- (23) Frozen food stores, including the rental of lockers in conjunction therewith.
- (24) Furniture stores, including upholstery when conducted as an incidental part of the principal use.
- (25) Garden supply, tool, and seed stores.
- (26) Household furnishings, fixtures, appliances, and accessory stores.
- (27) Interior decorating stores and shops.
- (28) Jewelry stores.
- (29) Locksmith shops.



- (30) Motels.
- (31) Mortuaries.
- (32) Musical instrument stores and repair shops.
- (33) Optical stores.
- (34) Offices and office buildings.
- (35) Paint and wallpaper stores.
- (36) Pet shops.
- (37) Phonograph record and sheet music stores.
- (38) Photography studios.
- (39) Picture framing and picture stores.
- (40) Public utility service stores.
- (41) Rental agencies for the rental of clothing, appliances, tools, household fixtures, furnishings and accessories.
- (42) Restaurants, including convenience food types.
- (43) Schools such as those for teaching music, dance and business vocations.
- (44) Sporting and camping goods stores, excluding on-site sales of recreational vehicles and trailers.
- (45) Supermarkets.
- (46) Tailor shops.
- (47) Taverns.
- (48) Theaters.
- (49) Toy shops.
- (50) Travel bureaus and transportation ticket offices.
- (51) Similar uses as approved by the City Council.

**Permitted Uses Permitted in the C-1 District:**

- (1) Bakeries.
- (2) Barber shops.
- (3) Beauty parlors.
- (4) Candy and ice cream stores.
- (5) Clothes pressing and tailoring shop.
- (6) Convenience stores.
- (7) Drug stores.
- (8) Dry cleaning and laundering business of less than 5,000 square feet of floor area.
- (9) Florist shop.
- (10) Hardware stores.

- (11) Launderettes and dry cleaning establishments which provide automatic, self-service facilities only.
- (12) Liquor stores, off sale.
- (13) Offices (business, professional, or institutional) not to exceed 1,500 square feet per building in floor area for professional services.
- (14) Repair stores and "fix-it" shops which provide services for the repair of home, garden, yard and personal use appliances.
- (15) Similar uses as approved by the City Council.

**Other Permitted Uses:**

- (1) Multiple-family senior residential dwelling up to 120 units.
- (2) Office-Showroom

**CONDITIONAL USES**

- (1) Buildings temporarily located for the purpose of construction for a period not to exceed the time necessary to complete construction.
- (2) Drive-through lanes serving permitted uses are subject to the following requirements:

Drive-through lanes are not permitted in the front yard

Adequate stacking distance shall be provided, as determined by the City Planner, which does not interfere with other driving areas, parking spaces, or sidewalks.

Electronic speaker devices, if used, shall not be audible beyond the property being served and shall not be operated between the hours of ten o'clock (10:00) p.m. and seven o'clock (7:00) a.m.

Automobile headlights shall be screened so that headlights in the drive through lane are screened from windows and doors of adjacent residential uses. Such screening shall be at least three feet (3') in height and fully opaque, consisting of a wall, fence, dense vegetation, berm, or grade change.

A bypass lane shall be provided for each drive-through lane serving a given use and no more than five (5) drive-through lanes shall be approved within the Tartan Crossing PUD area.



## **PROHIBITED USES**

Within the Tartan Crossing PUD area the following uses shall not be permitted:

- (1) Any use which emits an obnoxious odor, fumes, noise, or sound which can be heard or smelled outside of any building in the Tartan Crossing PUD area.
- (2) Any operation primarily used as a warehouse operation, manufacturing, distilling, refining, smelting, agricultural, industrial, or mining operation; provided however, the foregoing distilling restriction shall not prohibit the brewing of beer or other brewed malt beverages in connection with a brewpub.
- (3) Pawn shop, flea market, salvage store, or auction house.
- (4) Manufactured home park, trailer court, labor camp, junkyard or stockyard.
- (5) Mortuary or funeral home.
- (6) Adult use establishments as defined and regulated in City Code Chapter 25, Article 21.
- (7) Tattoo parlor.
- (8) Any unlawful or illegal purpose.
- (9) Any use that is a public or private nuisance.
- (10) Second hand stores (except a high class store selling new or used merchandise which are commonly found in first class centers in the State of Minnesota, such as Once Upon a Child, Play It Again Sports, and Second Wind).
- (11) Any use that has its primary business an auto service and repair or body shop repair operation.
- (12) Any fire sale, bankruptcy sale (unless pursuant to a court order) or auction house operation.
- (13) Automobile and other vehicle sales including used vehicle sales.
- (14) Exterior display of merchandise, solely intended to be sold by the established principal use.
- (15) Motor fuel station car washes.
- (16) Vending machines.
- (17) Game rooms.
- (18) Mini-storage.
- (19) Kennels.
- (20) Motor fuel sales.
- (21) Car washes.
- (22) Kiosk sales.

## **ARTICLE 18. SECTION 25-161 OFF-STREET PARKING REQUIREMENTS**

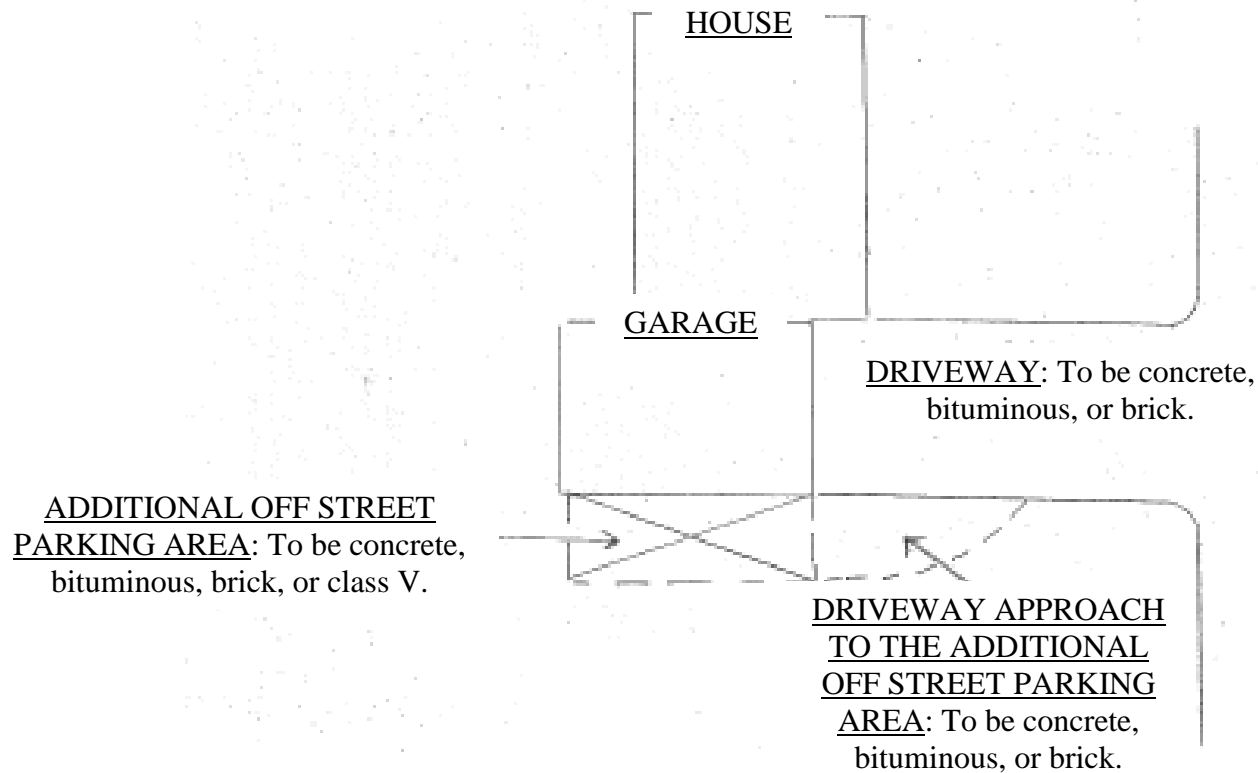
### **Sec. 25-161 Off-Street Parking Requirements.**

#### **(a) General Provisions:**

- (1) Floor Area. The term "floor area" for the purpose of calculating the number of off-street parking spaces required shall be determined on the basis of the exterior floor area dimensions of the buildings, structure or use times the number of floors minus 10%.
- (2) Non-Conforming Structures. Should a non-conforming structure or use be damaged or destroyed (defined as fifty (50) percent or more of the structure being damaged) by fire, it may be re-established if elsewhere permitted in these zoning regulations, except that in doing so, any off-street parking or loading space which existed before, shall be retained and expanded as necessary to comply with the standards herein.
- (3) Change of Use or Occupancy of Buildings. Any change of use or occupancy of any building or buildings, including additions thereto requiring more parking, shall not be permitted until there is furnished such additional parking space as required by these zoning regulations.
- (4) Parking in residential areas shall be limited to driveways only, except as provided in the articles of City Ordinance. Private passenger vehicles must be parked on a driveway or in a garage, or on an additional off-street parking area.
  - (A) Additional off-street parking shall be allowed on the side yard, behind the front setback, for the length of the principal structure provided the parking is located 5 feet from any property line.



(B) The driveway on the property may have an approach to the additional off-street parking area.



- (5) Parking Accessory to a Residential Use. Off-Street parking on land within a residential district shall be utilized only for the following items:
- A) Currently licensed and operable passenger vehicles having a lawful capacity of nine (9) passengers or less;
  - B) For the parking of one (1) commercial usage vehicle per dwelling unit, provided that it is parked in a garage or other lawfully constructed building;
  - C) For the parking of one (1) public utility vehicle registered to a company that provides emergency repair services and is used by the occupant of the residence.

D) ***RECREATIONAL VEHICLES***

- 1) You are allowed to park one (1) recreational or non-commercial vehicle outside on your lot in a residential district. That vehicle must be currently licensed and operable and must be parked a minimum of fifteen (15) feet from the back of the curb or roadway (See #2 below).
- 2) All recreational vehicles are to be parked behind their district's front setback line except that they are allowed in front of their district's front setback line for a period of forty-eight (48) hours for the purpose of loading and unloading

**EXCEPTIONS:**

- a) Personal watercraft on their trailers, utility trailers, campers and camping buses, may be parked in front of their districts front setback line from May 1 to November 1.
  - b) Snowmobiles on their trailers or utility trailers may be parked in front of their districts front setback line from November 1 to the following May 1.
  - c) Above "exceptions" are to be parked a minimum fifteen (15) feet from the back of the curb or roadway.
- 3) Recreational and non-commercial vehicles are allowed to be parked in your side and rear yard five (5) feet from any property line. On corner lots, both yards abutting a street shall be considered a front yard.
- (6) No more than four (4) motor vehicles per lawful dwelling unit may be parked or stored anywhere outside on residential zoned property; staff can authorize exceptions. This maximum number does not include vehicles of occasional guests.



(b) **Stall, Aisle, and Driveway Design:**

- (1)
- Parking Dimensions:**
- The following shall be the minimum parking space dimensions:

ANGLE	WIDTH	LENGTH	AISLE WIDTH
90 degrees	9'	18'	25'
60 degrees	9'	18'	19'
45 degrees	9'	18'	13'
Parallel	8'	22'	

- (2) **Within Structures:** The off-street parking requirements may be furnished by providing spaces so designated within the principal building or structure attached thereto; however, unless provisions are made, no building permit shall be used to convert said parking structure into a dwelling unit or living area or other activity until adequate provisions are made to comply with the required off-street parking ordinances of this Ordinance.
- (3) **Circulation Between Bays:** Except in the case of single, two-family, townhouse, triplex and quad dwellings, parking areas shall be designed so that circulation between parking bays or aisles occur within the designated parking lot and does not depend upon a public street or alley. Except in the case of single, two-family, townhouse, triplex and quad dwellings, parking area design which requires backing into the public street is prohibited.
- (4) **Preserving Off-Site Parking:** When required accessory off-street parking facilities are provided elsewhere than on the lot in which the same ownership or control, either by deed or long-term lease, as the property occupied by such principal use, the owner of the principal use shall file a recordable document with the City requiring the owner and his or her heirs and assigns to maintain the required number of off-street spaces during the existence of said principal use.
- (5) **Driveways Required:** All off-street parking spaces shall have access from driveways and not directly from the public street.
- (6) **Distance from Intersection:** No curb cut access shall be located less than forty (40) feet from the intersection of two (2) or more street rights-of-way. This distance shall be measured from the intersection of lot lines.
- (7) **Curb Cut Width:** No curb cut access shall exceed 24 feet in width at the gutter elevation unless approved by the Public Works Director/City Engineer.

- (8) **Distance Between Curb Cuts:** Driveway access curb opening on a public street except for single, two- family, and townhouse buildings shall not be located less than forty (40) feet from one another.
- (9) **Number of Curb Cuts:** Each property shall be allowed one curb cut access for each 100 feet of street frontage. All property shall be entitled to at least one curb cut. Single-family uses shall be limited to one curb cut access per property. These conditions shall apply unless otherwise granted approval by the City Council.
- (10) **Grade:** The grade elevation of any parking area shall not exceed five (5) percent.
- (11) **Surfacing:** All driveways to be utilized for parking in front of the front setback shall be surfaced with bituminous, concrete, or brick. Additional off-street parking areas to be surfaced with bituminous, concrete, brick, Class V, or other materials as approved by the City. Approaches from the driveway to the additional off-street parking area shall be surfaced with bituminous, concrete, or brick. Plans for surfacing and drainage of driveways and stalls shall be submitted to the Public Works Director/City Engineer for review and the final drainage plan shall be subject to written approval by the Public Works Director/City Engineer.
  - (a) When 75% or more of the homes on the block were constructed before 1984, the hard surfacing requirement does not apply.
  - (b) All homes built after 1984 are required to have a driveway and approach constructed of concrete, asphalt or brick.
- (12) **Striping:** Except for single, two-family, triplex, and quadraminiums, all parking stalls shall be marked with painted lines not less than four (4) inches wide.
- (13) **Lighting:** Any lighting used to illuminate an off- street parking area shall be so arranged as to reflect the light away from adjoining property, abutting residential uses and public right-of-ways and be in compliance with this Ordinance.
- (14) **Signs:** No sign shall be so located as to restrict the sight lines and orderly operation and traffic movement within any parking lot. All signs shall conform to the Oakdale Sign Code.
- (15) **Curbing and Landscaping:** Except for single, two-family, triplex, and quadraminiums, all open off-street parking shall have a concrete curb according to the direction of the Public Works Director/City Engineer.

- (16) **Grass, plantings or surfaced material shall be provided in all areas bordering the parking area:** Landscaping shall mean, at a minimum, the use of trees and a ground cover defined as grass, shrubs, or other material allowing water to seep through the ground. Berming can also be used effectively. Berm profile shall not exceed a slope of one foot of elevation in three (3) horizontal feet unless approved methods of slope stabilization are utilized.

Side yard landscaping requirements for parking areas may be reduced if the developer proposes to locate his parking area next to an existing or proposed parking lot on an adjacent parcel owned by others and the owners have a written agreement to allow joint parking and a common driveway. However, only the common boundary to be used for parking will qualify. In such cases, the sum of the parking area of the two owners will determine the landscaping requirements within the total parking area.

- (c) **Maintenance:** It shall be the joint and several responsibility of the lessee and owner of the principal use, uses or building to maintain in a neat and adequate manner, the parking space, access ways, striping, landscaping, and required fences. Parking lots existing prior to the adoption of this Ordinance shall not be exempt from the requirement.
- (d) **Use of Required Area:** Required accessory off-street parking spaces in any district shall not be utilized for open vehicles without a Special Use Permit.
- (e) **Number of Spaces Required:** The following minimum number of off-street parking spaces shall be provided and maintained by ownership, easement and/or lease for and during the life of the respective uses hereinafter set forth.
- (1) **Single-family or Two-Family Dwellings:** Two off-street spaces per unit. Each twenty (20) linear feet of single-lane garage and/or driveway count as one parking space.
- (2) **Multiple-Family Structures:** Off-street parking shall be provided according to the following schedule:

NUMBER OF SPACES REQUIRED		
# OF BEDROOMS IN UNIT	RESIDENT	VISITOR
0	1	1/2
1	2	1/2
2	2	1/2
3 or more	2 1/2	1/2



- (a) Visitor parking must be provided in common bays. Such parking must be located no more than 150 feet from the dwelling units it is meant to serve.
  - (b) If the housing has direct access only to a public or private street on which the City Council determines that parking is not allowed, at least one off-street visitor space per unit must be provided. However, if double-car garages and double driveways are being used in such an instance, only one-half off-street visitor space per unit is required.
  - (c) Each twenty (20) linear feet of single-lane garage and/or driveway count as one parking space up to a maximum of two (2) spaces.
- (3) **Motels, Motor Hotels, Hotels:** One space per each rental unit, plus one space for each ten (10) units and one additional space for each employee on any shift, plus additional spaces as may be required herein for related uses contained within the principal structure.
- (4) **Church, Theater, Auditorium:** At least one parking space for each four (4) seats based on the design capacity of the main assembly hall. Facilities as may be provided in conjunction with such buildings or uses shall be subject to additional requirements which are imposed by this Ordinance.
- (5) **Sanitariums, Convalescent Home, Rest Home, Nursing Home or Day Nurseries:** Four (4) spaces plus one for each three (3) beds for which accommodations are offered, plus visitors' parking.
- (6) **Elderly (Senior Citizens) Housing:** Reservation of area equal to one parking space per unit. Initial development is, however, required of only one-half space per unit and said number of spaces can continue until such time as the City Council considers a need for additional parking spaces has been demonstrated.
- (7) **Convenience Food Restaurants:** At least one parking space for each table.
- (8) **Bowling Alley:** At least five (5) parking spaces for each alley, plus additional spaces as may be required herein for related uses contained within the principal structure.
- (9) **Motor Fuel Station:** At least four (4) off-street parking spaces, plus two off-street parking spaces for each service stall. Those facilities designed for sale of other items than strictly automotive products, parts or service shall be required to provide additional parking in compliance with other applicable sections of this Ordinance.
- (10) **Retail Stores and Service Establishment:** At least one off-street parking space for each 200 square feet of floor area.

- (11) **Manufacturing:** Fabricating or Processing of a Product or Material. One space for each employee on the main shift, plus one space for each company owned truck (if not stored inside principal building), plus visitors' parking.
- (12) **Warehousing, Storage or Handling of Bulk Goods:** That space which is solely used as office shall comply with the office use requirements and one space per each 1000 square feet of floor area, plus one space for each employee on maximum shift, and one space for each company owned truck (if not stored inside principal building), plus visitors' parking.
- (13) **Research or Testing Facilities.** One space per employee on the major shift, plus one space for each company owned truck, plus visitors' parking.
- (14) **Car Wash.** (In addition to required stacking space).
- a) **Automatic Drive Through, Serviced:** A maximum of ten (10) spaces, or one space for each employee on the maximum shift, whichever is greater.
  - b) **Self-Service:** A minimum of two spaces per stall.
  - c) **Motor Fuel Station Car Wash:** None in addition to that required for the station.
- (15) **Private Racquetball, Handball, and Tennis Courts:** Not less than three (3) spaces per each court.
- (16) **Offices:** (In addition to visitors' parking):

GROSS SQUARE FEET OF FLOOR AREA	SPACES PER 1,000 SQ. FT.
To 20,000	6
20,000 to 100,000	5
over 100,000	5

- (17) **Medical and Dental Offices:** Six (6) spaces for each doctor or dentist, plus one per employee.
- (18) **Restaurants, Taverns:** One space for each three (3) seats plus one for each two employees

**(f) Joint Use of Parking Facilities:**

- (1) Up to eighty (80) percent of the parking facilities required by this section for a church or for an auditorium incidental to a public or parochial school may be supplied by the off-street parking facilities by the following daytime uses: banks, business offices, retail stores, personal service shops, household equipment or furniture shops, clothing or shoe repair or service shops, manufacturing, wholesale and similar uses.
- (2) Conditions required for joint use:
  - a) The building or use for which application is being made to utilize the off-street parking facilities provided by another building or use shall be located within 300 feet of such parking facilities.
  - b) The applicant shall show that there is no substantial conflict in the operating hours of two buildings or uses for which joint use of off-street parking facilities is proposed.
  - c) A properly drawn, legal instrument, executed by the parties concerned for joint use of off-street parking facilities, duly approved as to form and manner of execution by the City Attorney, shall be filed with the City Clerk and recorded with the Register of Deeds, Washington County.

**(g) Off-Site Parking:**

- (1) Any off-site parking which is used to meet the requirements of this Ordinance shall be a special use as regulated by this Ordinance and shall be subject to the conditions listed below.
- (2) Off-site parking shall be developed and maintained in compliance with all requirements and standards of this Ordinance.
- (3) Reasonable access from off-site parking facilities to the use being served shall be provided.
- (4) The site used for meeting the off-site parking requirements of this Ordinance shall be under the same ownership as the principal use being served or under public ownership.
- (5) Off-site parking for multiple family dwellings shall not be located more than 100 feet from any normally used entrance of the principal use served.



- (6) Off-site parking for non-residential uses shall not be located more than 300 feet from the main entrance of the principal use being served. No more than one main entrance shall be recognized for each principal building.
- (7) Any use which depends upon off-site parking to meet the requirements of this Ordinance shall maintain ownership and parking utilization of the off-site location until such time as on-site parking is provided or a site in closer proximity to the principal use is acquired and developed for parking.

**h) Installation of Asphalt Driveways and Parking Lots:**

The following procedure and specifications shall be required for all asphalt driveway construction from streets to private garages, and for all parking lot construction.

Work conducted within the Right-of-Way shall follow the procedures of Chapter 20.

- (1) The driveway or parking lot shall be excavated to remove all organic or other unstable soils from the area to be surfaced.
- (2) The area to be surfaced shall be graded and compacted to the elevation that will permit the placement of the full pavement section.
- (3) Minimum pavement sections for driveways and parking lots shall be:
  - (a) **Driveways for residential buildings with four (4) units or less per building:** 2331 bituminous wearing course two (2) inches compacted Class V aggregate base - six (6) inches compacted.
  - (b) **Parking lots and driveways for residential buildings with more than four (4) units per building, and commercial, industrial, and institutional areas:** 2341 bituminous wearing course - two (2) inches compacted 2331 bituminous binder course - two (2) inches compacted Class V aggregate base, six (6) inches compacted unless alternates are approved, in writing, by the City. In all cases, alternate pavement sections shall be considered only if sufficient data to justify another pavement design, based on the current Minnesota Highway Department design procedure for flexible pavement is submitted as part of a formal alternate request. If, based on the plan that is presented, the Building Official determines that the proposed driveway or parking lot construction is not deemed adequate due to traffic volumes or types of traffic, additional construction materials may be required by the City, based on Minnesota Highway Department design criteria.

- (4) The performance of the work and the quality of materials shall be in accordance with the latest revision of the State of Minnesota, Department of Highways Standard specifications for Highway Construction.
  - (5) The Building Official shall be granted access to the improvement area during all phases of construction. The contractor or owner shall arrange for inspections of the grading work, the aggregate base placement, and the bituminous course placement, by the Building Official prior to proceeding with the subsequent work phase. Any and all stability, compaction, gradation, or other material or placement tests that the Building Official may request shall be provided by the contractor or owner through a testing company acceptable to the City.
  - (6) Driveways and parking lots shall be constructed so as to provide drainage from the garage to the street or storm sewer system, unless an alternative method is approved by the Building Official.
  - (7) Installation of metal utility covers on curb boxes and clean-outs in paved areas is required.
- i) **Additional Requirements for Driveways Opening on State, County or U.S.Highway.** Where a proposed driveway is to be constructed so that it opens onto any street designated as either a Minnesota State, Washington County or U.S.Trunk Highway, in addition to the requirements of this article, all specifications of the appropriate highway departments will apply, and the required permits shall be obtained from the appropriate department.

**ARTICLE 18. SECTION 25-175(h)(8) PARKING LOT LANDSCAPING REQUIREMENTS**

**Sec. 25-175(h)(8)**

(8) Parking Lot Requirements.

- (a) Parking lots are required to landscape five (5) percent of the parking lot surface area within the parking setback. The landscaped area could be in the form of landscape islands or as setback areas that are incorporated into the parking lot. Landscape islands shall be a minimum width of 16 feet and with a minimum surface area of 260 square feet. The landscaped area must adhere to the size and material requirements of this ordinance.
- (b) Parking lots shall be screened from the public right-of-way. Such screening shall be 80 percent opaque and a maximum height of 3 feet. The screen may be:
  - (1) Plant materials.
  - (2) Wood, concrete, masonry or ornamental iron, or a combination of these materials.
- (c) On a corner lot, and at entrances, nothing shall be placed or allowed to grow in such a manner as to impede vision between a height of 2-1/2 and 10 feet above the centerline grades of the intersecting streets within a triangular area 30 feet from the intersecting street right-of-way lines.



**ARTICLE 18. SECTION 25-175(h)(1-9) LANDSCAPING**

**(h) Landscaping:**

- (1) All areas of land other than that occupied by building and/improved surfaces (parking areas and driveways) shall be landscaped by a professional landscape architect. The surface shall include sod and/or mulch and/or rock material in planting beds. There shall be a minimum one (1) tree per 800 square feet of the landscaped green area.
- (2) In addition, the minimum number of overstory trees along the boulevard shall be one overstory tree per 50 linear feet of lot frontage. If the preferred landscaping technique is to cluster the boulevard trees instead of one (1) tree per 50 feet, it may be deemed allowable if it is determined workable by the Design Review Committee. Other understory trees, shrubs, flowers and ground covers needed to complete any landscape treatment shall be included in addition to the required minimum of overstory trees.
- (3) All trees used in site developments shall be indigenous to the appropriate hardiness zone and physical characteristics of the site. All deciduous trees proposed to satisfy the minimum requirements of this policy shall be long-lived hardwood species. It is the responsibility of the owner to ensure the longevity and maintenance of all plantings. If any plantings were to die within a year of construction, the owner will need to replace such plantings to be in compliance with the Design Standards.
- (4) The complement of trees fulfilling the requirements of this policy shall be not less than 25 percent overstory deciduous and not less than 25 percent coniferous. Oaks to be 20% of required landscaping trees. For difficult soil conditions or unique sites, oak and evergreen trees can be reduced up to 1/4 of their specified percentage (i.e. oaks 20% reduced 1/4 to net 15%). All trees selected for landscaping must specify a minimum of two variety's of each species (except Oak trees).
- (5) All area not otherwise improved in accordance with approved site plans shall be sodded. *Exceptions* are as follows:
  - (a) Seeding of future expansion areas as shown on approved plans.
  - (b) Undisturbed areas containing existing viable natural vegetation that can be maintained free of foreign and noxious plant material.
  - (c) Areas designated as open space or future expansion areas properly planted and maintained with prairie grass.
  - (d) Use of mulch material such as rock or wood chips in support of shrubs and foundation plantings.

- (6) Slopes and Berms. Final slope grades steeper than the ratio of 3:1 will not be permitted without special landscaping treatments such as terracing, retaining walls, ground cover or engineered surface treatment. Berming used to provide screening of parking lots shall be 3 feet in height and shall have a maximum slope ratio of 3:1.
- (7) Woodland Preservation Credit. Credit for the retention of existing trees meeting the species, size and location requirements of this ordinance may be used to satisfy the minimum number requirements set forth in this ordinance.
- (8) Parking Lot Requirements.
  - (a) Parking lots are required to landscape five (5) percent of the parking lot surface area within the parking setback. The landscaped area could be in the form of landscape islands or as setback areas that are incorporated into the parking lot. Landscape islands shall be a minimum width of 16 feet and with a minimum surface area of 260 square feet. The landscaped area must adhere to the size and material requirements of this ordinance.
  - (b) Parking lots shall be screened from the public right-of-way. Such screening shall be 80 percent opaque and a maximum height of 3 feet. The screen may be:
    - (1) Plant materials.
    - (2) Wood, concrete, masonry or ornamental iron, or a combination of these materials.
  - (c) On a corner lot, and at entrances, nothing shall be placed or allowed to grow in such a manner as to impede vision between a height of 2-1/2 and 10 feet above the centerline grades of the intersecting streets within a triangular area 30 feet from the intersecting street right-of-way lines.
- (9) Plant Size Requirements. Plant size requirements for landscaping areas shall be as follows:
  - (a) 1 1/2 inch minimum size on all deciduous trees.
  - (b) Ornamental trees shall be a minimum of 1-1/2 inches in diameter.
  - (c) Evergreen trees must have a minimum height of 6 feet.
  - (d) Potted shrubs shall be in a 5 gallon pot or larger.
  - (e) Evergreen shrubs used for screening purposes shall be at least 3 feet in height at planting. Evergreen shrubs will have a minimum spread of 24 inches.

## **ARTICLE 19. SIGNS**

### **Sec. 25-181 Purpose and Intent.**

The purpose of this Ordinance is to protect and promote the general welfare, health, safety and order within the City of Oakdale through the standards, regulations and procedures governing the erection, use and/or display of devices, signs or symbols serving as visual communicative media to persons situated within or upon public rights-of-way or properties.

The provisions of this Ordinance are intended to encourage creativity, a reasonable degree of freedom of choice, an opportunity for effective communication and a sense of concern for the visual amenities on the part of those designing, displaying or otherwise utilizing needed communicative media of the types regulated by this Ordinance, while at the same time assuring that the public is not endangered, annoyed or distracted by the unsafe, disorderly, indiscriminate or unnecessary use of such communicative facilities.

### **Sec. 25-182 Definitions.**

- (a) **Accessory Sign:** A sign relating in its subject matter to the premises on which it is located, or to products, accommodations, services or activities on the premises on which it is located.
- (b) **Accessory Use:** A use which is subordinate to the principal use being made of a parcel of land. Accessory uses are defined in the Zoning Code.
- (c) **Address Sign:** Postal identification numbers only, whether written or in numeric form.
- (d) **Area Identification Sign:** A free-standing sign which identifies the name of a neighborhood, a residential subdivision, a multiple residential complex consisting of three (3) or more structures, a shopping center or area, an industrial area, an office complex consisting of three (3) or more structures or any combination of the above that could be termed an area.
- (e) **Banners and Pennants:** Attention-getting devices which resemble flags and are of a non-permanent paper, cloth or plastic-like consistency.
- (f) **Bench Signs:** A sign which is affixed to a bench or shelter at a bus stop.
- (g) **Billboard:** A large outdoor advertising structure mounted on one or more legs and designed to display posters, composite graphics and electronic (Dynamic Displays) advertisements.
- (h) **Electronic Message Signs:** Displays, devices or portions thereof with lighted messages that change at intermittent intervals by electronic process or remote control. Also known as an automatic changeable copy sign, dynamic display message sign, electronic variable message center, electronic dynamic business sign, or video display sign. Electronic message signs are not identified as flashing or motion signs.
- (i) **Free-Standing Sign:** A sign which is placed in the ground and not affixed to any part of any structure.



- (j) **Illuminated Sign:** Any sign which is illuminated by an artificial light source.
- (k) **Institutional Sign:** Any sign or bulletin board which identifies the name and other characteristics of a public or private institution on the site where the sign is located.
- (l) **Motion Sign:** Any sign which revolves, rotates, or has any moving parts. Included in this category are searchlights used for advertisement.
- (m) **Nameplate or Identification Sign:** A sign which bears the name and/or address of the occupants of the building.
- (n) **Nits:** International System of Units, unit of luminance; to quote the brightness of computer displays.
- (o) **Non-Accessory Sign:** A sign other than an accessory sign.
- (p) **Nonconforming Sign:** A sign which does not conform to the newly enacted requirements of this Ordinance.
- (q) **Portable Sign:** A sign which is not permanently attached to the ground or any structure and so designed as to be movable from one location to another.
- (r) **Principal Building:** A freestanding structure and/or multi-tenant building sharing common walls.
- (s) **Projecting Sign:** Any sign, all or any part of which extends over public property more than twelve (12) inches.
- (t) **Permanent Sign:** Any sign which is not a temporary sign.
- (u) **Pylon Sign:** A freestanding area identification sign greater than twenty (20) feet in height, intended for freeway advertising.
- (v) **Roof Sign:** Any sign erected upon or projecting above the roofline of a structure to which it is affixed.
- (w) **Sign:** Any letter, word or symbol, device, poster, picture, statuary, reading matter or representation in the nature of an advertisement, announcement, message or visual communication whether painted, posted, printed, affixed or constructed, which is displayed outdoors for informational or communicative purposes.
- (x) **Sign Area:** That area within the marginal lines of the surface which bears the advertisement, or in the case of messages, figure or symbols attached directly to any part of the building, that area which is included in the smallest rectangle which can be made to circumscribe the message, figure or symbol displayed thereon. The stipulated maximum sign area for a freestanding sign refers to a single facing.
- (y) **Street Frontage:** The edge of a street along a parcel. An interior lot has one street frontage and a corner lot two such frontages.
- (z) **Temporary Sign:** A sign which is erected or displayed for a limited period of time.
- (aa) **Traffic Directional Sign:** A sign which is erected by a governmental unit for the purpose of directing or guiding traffic.
- (bb) **Internal Traffic Directional Sign:** A sign which is erected on private property by the owner of such property for the purpose of guiding vehicular and pedestrian traffic within his property. Such sign bears no advertising information.
- (cc) **Wall Sign:** Any sign which is affixed to a wall of any building.

#### Sec. 25-183 General Provisions Applicable to All Districts.

- (a) Non-accessory freestanding and wall signs are prohibited in all districts, except in areas specially designated in this Ordinance.

- (b) The base or support structure for the sign shall compliment the design of the building and incorporate 40% of brick, stone, decorative block, or similar substantial materials as approved by the City.
- (c) Freestanding signs along major thoroughfares (I-94, I-694, MN5/36/120/Inwood Ave/Hadley Ave/10th St) shall be subject to a Design Review Committee. The focus of the review is to assure the quality of the sign with regard to design and materials - Section 25-175(b). Furthermore, the committee will consider the signs' relationship to any architectural theme of existing or proposed structures in the area.
- (d) Freestanding signs shall be constructed with the base consisting of materials matching the building with said base at least seventy-five (75) percent of the width of the sign from the ground to the bottom of the sign.
- (e) All signs shall be constructed in such a manner and of such material that they shall be safe and substantial, provided that nothing in this Code shall be interpreted as authorizing the erection or construction of any sign not now permissible under the Zoning or Building Codes of the City.
- (f) The Building Official, in granting permits for illuminated signs, shall specify the hours during which the same may be kept lighted to prevent the creation of a nuisance. All illuminated signs shall have a shielded light source.

Any sign illuminated and located within fifty (50) feet of a lot line or a Residence District shall be diffused or indirect so as not to direct rays of light into adjacent residence. All illuminated signs in Business and Industry Districts in close proximity to Residence Districts shall be designed so as to illuminate the sign and not residential property to the extent practicable.

- (g) No sign, other than public traffic controls, directional or street name signs, shall be erected or temporarily placed within any street right-of-way or upon any public easements, except campaign yard signs as provided in subsection (i) below, may be located in a commercial, industrial or residential lot not less than five (5) feet from the curb, lot line or edge of street.
- (h) A permit for a sign to be located within fifty (50) feet of any street or highway regulatory or warning sign, or of any traffic sign or signal, or of any crossroad or crosswalk, will be issued only if:
  - (1) The sign will not interfere with the ability of drivers and pedestrians to see any street or highway sign, or any traffic sign or signal, or any crossroad or crosswalk, and
  - (2) The sign will not distract drivers nor offer any confusion to any street or highway sign, or any traffic sign or signal.

- (i) Campaign yard signs, posted by a bonafide candidate for political office or by a person or group promoting a political issue or a political candidate, may be placed in any district. Such signs may be erected beginning 46 days before the state primary in a state general election year and must be removed no later than ten (10) days following the election. The signs shall be setback a minimum of five (5) feet from the edge of the street and signs shall not visually obstruct motor vehicle operation. Candidates shall be provided a copy of this ordinance upon filing for office.
- (j) Temporary real estate signs may be erected for the purpose of selling or promoting a residential project provided:
  - (1) Such signs shall not exceed 128 square feet in area.
  - (2) Only one sign shall be permitted per street frontage upon which the property abuts.
  - (3) Such signs shall be removed when the project is 80% completed, sold or leased.
  - (4) Such signs shall be located no closer than 100 feet to any residence not part of this project.
- (k) Temporary signs adjacent to the public right-of-way for the purpose of selling or leasing individual lots or buildings shall be permitted provided:
  - (1) Such signs shall not exceed six (6) square feet for residential property and 32 square feet for nonresidential property and multiple-family developments of four or more dwelling units.
  - (2) Only one (1) such sign is permitted per street frontage upon which the property abuts.
  - (3) Such sign shall be removed within seven (7) days following the lease or sale.
- (l) Portable, internally lit signs are not allowed as permanent signs in any District.
- (m) Any freestanding sign within 25 feet of any intersection of street right-of-way lines and/or driveway entrances shall have vertical clearance for proper visibility by motorists on all affected roadways.
- (n) The total sign area of any multi-faced free-standing or projecting wall sign shall not exceed twice the permitted area of a two-sided sign or three times the area of a three-sided sign. All applications for signs of more than two sides shall be reviewed by the Planning Commission and Council.
- (o) No signs are allowed which contain moving parts or flashing lights, except for intermittent display of time and temperature.
- (p) (delete reference - moved to Section 5-64(d) of Oakdale Ordinance. (Revision made 02-02-01)
- (q) Bench signs are permitted in all districts at MTC bus stops.

- (r) Back-lighted signs are permitted on the ends of bus shelters.
- (s) Church directional signs shall be permitted in all districts provided the total area of such signs shall not exceed four (4) square feet per facing.
- (t) Canopies and marquees shall be considered to be an integral part of the structure to which they are accessory. Signs may be attached to a canopy or marquee but such structure shall not be considered as part of the wall area and thus shall not warrant additional sign area.
- (u) Signs advertising garage, yard, or similar household sales shall be removed within seven (7) days after the sale.
- (v) Signs with moving or changing electronic messages are allowed as part of the total area of a permitted sign.
- (w) Signs which are located on the interior of a building and are not visible from the outside of said building shall be exempt from the provisions of this Ordinance and shall not require permits or payment of fees.
- (x) Roof signs shall be prohibited in all districts.

**Sec. 25-184 District Regulations.**

- (a) In addition to those signs permitted in all districts, the following signs are permitted in each specific district and shall be regulated as to size, location and character according to the requirements herein set forth:
  - (1) **Residential Districts:**
    - a) Nameplace Signs: One sign for each dwelling unit, not greater than two square feet in area, indicating the name and/or address of the occupant.
    - b) Institutional and Recreational Signs: One sign or bulletin board per street frontage for public institutional use; for recreational use in residential districts, such sign or bulletin board shall not exceed 24 square feet in area nor shall it be placed closer than ten (10) feet to any edge of street line nor shall it be placed in a location that would interfere with the safe movement of traffic.
    - c) Area Identification Signs: One sign per each major development, not to exceed 24 square feet in area.



- d) Temporary Signs: According to Sec. 25-183.
- e) Maximum Height of Free-Standing Signs: Eight (8) feet.
- f) Lighting: Lighting must be indirect or diffused.

(2) **Commercial District:**

- a) Wall Signs: One wall sign for each street frontage shall be permitted on a building for each business located within such building. The total area of all wall signs affixed to a building wall shall not exceed twenty (20) percent of the total area of that wall. No individual wall sign shall exceed 150 square feet.

A wall sign shall not project more than eighteen (18) inches from the wall to which the sign is to be affixed. Furthermore, wall mounted signs shall not exceed the roofline on any building.

Banners shall be included in the allowance for wall signs. The design and construction of all banners shall be professional looking and not be allowed to become torn or weathered.

- b) Free-Standing Sign: One freestanding sign is permitted for each building for each street frontage.

The total area of a freestanding sign for a building having one street frontage shall not exceed eighty (80) square feet. Where a building has two (2) or more street frontages, each permitted freestanding sign in excess of one shall be no greater than one-half the area of the first sign.

No part of a freestanding sign shall be closer than ten (10) feet to the front property line or exceed twenty-five (25) feet in height. The height shall be measured from the base of the sign or grade of the nearest adjacent roadway, whichever is lower.

- c) Bulletin Signs: Bulletin signs may have individual face areas of up to fifty (50) percent of the area of the display surface area of the business' identification or free-standing sign. Bulletin signs which are not wall-mounted must have a minimum elevation of ten (10) feet. Bulletin signs which are not wall-mounted must have a minimum elevation of ten (10) feet.

One portable bulletin sign up to 15 square feet may be displayed only during the merchant's business hours, with a permit. Such signs shall be located within the width of the storefront to which it is related.

- d) Pylon Signs: Retail and service establishments on property abutting an interstate freeway right-of-way may erect one pylon sign not exceeding 150 square feet of display surface area in addition to their one free-standing sign.

The minimum allowance distance of a pylon sign to an interstate right-of-way is fifty (50) feet, with a maximum height of thirty (30) feet.

- e) Electronic Dynamic Business Sign: Signs with moving or changing electronic messages are allowed as part of the total area of the permitted sign, with the following standards:

- (1) A Special Use Permit is required.
- (2) Allowed Usage: Free-standing, Bulletin, and Nameplate/Building Identification.
- (3) Business identification signage not to exceed forty (40) square feet.
- (4) Signs may be square or rectangular and contain all messages within.
- (5) Signs must have minimum display duration of sixty (60) seconds.
- (6) Goods and services displayed must be available at the business.
- (7) No dynamic display electronic sign shall be erected that by reason of position, shape, movement, or color, interferes with the proper functioning of a traffic signs, signals, or which constitutes a traffic hazard.
- (8) Signs shall not exceed 4,500 Nits between the hours of civil sunrise and civil sunset and shall not exceed 500 Nits between the hours of civil sunset and civil sunrise, as measured from the sign face.
- (9) Signs adjacent to residential properties shall be shut off from 10 pm to 6 am or have a maximum of 250 Nits from civil sunset to civil sunrise.
- (10) Signs shall have a fully functional off switch that automatically shuts the display sign off when the display deteriorates 10% or greater.
- (11) The lamp wattage and luminance level in Nits shall be provided at the time of permit application.
- (12) Public service messages, in addition to messages such as Amber Alerts, are to be provided at no cost to the public.
- (13) Electronic dynamic business signs are prohibited as temporary signs.

- f) Temporary Signs: Temporary special event signs may be displayed upon issuance of a permit, for not more than ten (10) calendar days, and not more than two times each year. Such signs shall include: banners, pennants, flying signs, air inflated devices, search lights, portable bulletin signs, streamers, and other signs approved by the City. Established churches are exempt from permit requirements, number of days, and frequency guidelines. After the issuance of a Certificate of Occupancy (CO), the business that was issued the CO is exempt from the monetary and time restraints of temporary sign permit requirements for a period of ninety (90) days.
- g) Traffic Directional Signs.

**(3) Industrial Districts:**

- a) Free-Standing Identification Signs: One (1) identification sign is permitted for each building, not to exceed eighty (80) square feet in area.

No part of a freestanding sign shall be closer than ten (10) feet to the front property line or exceed fifteen (15) feet in height. The height shall be measured the same as for a freestanding sign in the Commercial Districts.

- b) Wall Signs: One (1) additional wall identification sign is permitted for each tenant having a private entry to a multi-tenant building, such sign being displayed at or near the tenants' entrance and not to exceed ten (10) percent of the area of the wall to which it is affixed.

No wall sign shall exceed 150 square feet in area. Commercial activities such as motels, restaurants, etc., may have signs according to the standards of the Commercial District.

- c) Temporary Signs
- d) Maximum Height of Freestanding Signs: Twenty (20) feet.
- e) Traffic Directional Signs

**Sec. 25-185 Billboards.**

- (a) **Billboards:**

- (1) Billboards may only be erected along and are intended to be viewed from Interstate Highways 94 and 694. Billboards are allowed only in the following Zoning Districts: CC, I-O, and GI Districts.
- (2) The maximum allowable size of any billboard is 700 square feet. The maximum allowable extensions shall not exceed fifteen (15) percent of the total sign area. All skirting and perimeter material shall be counted as part of the sign area.
- (3) The maximum allowable height of any billboard is thirty-five (35) feet. If an Interstate Highway served by a billboard is elevated above the surface on which it is placed, the City Council may grant a variance to this regulation according to its discretion.
- (4) The minimum allowable distance in any direction between billboards is 5,280 feet.
- (5) The minimum allowable proximity of any billboard to any residential zoning district is 500 feet.
- (6) The minimum allowable distance of any billboard to any Interstate or Trunk Highway right-of-way is fifty (50) feet.
- (7) The minimum allowable distance of a billboard to any building shall be twenty-five (25) feet.
- (8) No portion of any billboard shall occupy air space above any driveway or parking area.
- (9) No billboard may display any moving parts nor shall it be illuminated with any flashing or intermittent lights.
- (10) Billboards shall be a principal use in all Districts.
- (11) All dynamic billboards shall be licensed pursuant to Chapter 9 of the City Code.

(b) Electronic/Dynamic Display: In addition to the above requirements as applicable, signs with moving or changing electronic messages are allowed as part of the total area of permitted sign, with the following standards:

- (1) The support structure for the sign shall conform to the City's design sample and include an illuminated logo of the City with name "City of Oakdale" inscribed.
- (2) No dynamic display electronic sign shall be erected that, by reason of position, shape, movement or color, interferes with the proper functioning of a traffic sign, signal or which constitutes a traffic hazard.
- (3) Dynamic display electronic message signs must have minimum display duration of sixty (60) seconds. Such displays shall contain static messages only; change from one static message to another shall be instantaneous without any special effects, through dissolve or fade transitions, or with the use of other subtle transition that do not have the appearance of moving text or images.
- (4) Must be rectangular in shape and all messages contained within.
- (5) Shall not be allowed on any buildings.
- (6) All dynamic display electronic message signs shall have installed ambient light monitors and shall, at all times, allow such monitors to automatically adjust the brightness level of the electronic sign based on light conditions.
- (7) Dynamic display electronic message signs shall not exceed 2,500 Nits (candelas per square meter) between the hours of civil sunrise and civil sunset and shall not exceed 500 Nits (candelas per square meter) between the hours of civil sunset and civil sunrise as measured from the face of the sign.

- (8) Dynamic display electronic message signs shall have a fully functional monitoring off switch system that automatically shuts the dynamic display signs off when the display deteriorates, in any fashion, 5% or greater until the dynamic display sign has been repaired to its fully functional factory specifications.
- (9) The lamp wattage and luminance level in Nits (candelas per square meter) shall be provided at the time of permit application from the owner or operator of the sign stating that the sign shall at all times be operated in accordance with City Codes and that the owner or operator shall provide proof of such conformance upon request of the City.
- (10) A permanent removal of two (2) square feet of existing static billboard facing within the City of Oakdale for every one (1) square foot of Dynamic display electronic message sign
- (11) Public service messages, in addition to messages such as Amber Alerts, are to be provided at no cost to the public.

**Sec. 25-186 Administration and Enforcement.**

- (a) **Permits.** Except as provided below, the owner or occupant of the premises on which a sign is to be displayed, or the owner or installer of such signs, shall file an application provided by the City Building Official for permission to display such sign. Permits must be acquired for all existing, new, relocated, modified or redesigned signs except those specifically excepted below. The applicant shall submit with the application a complete description of the sign and a sketch showing its size, location, manner of construction and such other information as shall be necessary to inform the City Building Official of the kind, size, material, construction and location of the sign. The City Building Official may approve Sign Permits. The applicant shall also submit the fee at the time of application.

If a sign authorized by a permit has not been installed within three (3) months after the date of issuance of said permit, the permit shall become null and void.

- (b) All signs shall be constructed in accordance with the current Minnesota State Building Code and National Electric Code.
- (c) All signs utilizing electricity shall be subject to the State's current Electrical Code and electrical wiring shall be buried or concealed.
- (d) All sign structures shall be designed and constructed to withstand a wind pressure of not less than 80 m.p.h., or as determined by the current Minnesota State Building Code.
- (e) **Exemptions.** The exemptions permitted by this section shall apply only to the requirement of a permit and shall not be construed as excusing the installer of the sign, or the owner of the property upon which the sign is located, from complying with the other provisions of this Ordinance. No permit is required under this section for the following signs:



- (1) A window sign placed within a building and not exceeding fifty (50) percent of the window area.
- (2) Signs erected by a governmental unit or public school district.
- (3) Memorial signs or tablets containing the name of the building, its use and date of erection when cut or built into the walls of the building and constructed of bronze, brass, stone or marble.
- (4) Signs which are completely within a building and are not visible from the outside of said building.

**Sec. 25-187 Violations and Fines.**

If the City Building Official or his deputies finds that any sign regulated by this Ordinance is prohibited as to size, location, content, type, number, height, or method of construction, or is unsafe, insecure or a menace to the public, or if any sign has been constructed or erected without a permit first being granted to the installer of said sign or to the owner of the property upon which said sign has been erected, or fails to properly maintain said sign in a safe, orderly condition at all times, including the replacement of defective parts, or is in violation of any other provisions of this Ordinance, he shall give written notice of such violation to the owner or permittee thereof. If the owner or permittee fails to comply with the provision set forth in this Ordinance within ten (10) calendar days following receipt of said notice:

- (a) **Nuisance.** Such sign shall be deemed to be a nuisance and may be abated by the City by proceedings taken under Minnesota Statutes, Chapter 429, and the cost of abatement, including administration expenses, may be levied as a special assessment against the property upon which the sign is located.
- (b) **Penalty.** Failure to comply with the provisions of this ordinance shall be a misdemeanor.
- (c) **Confiscation.** Signs in violation of this ordinance.
  - a. **Process:**
    - i. Whenever signs are not in conformance with Oakdale Ordinance Article 19, the signs may be picked up by City Staff.
    - ii. All confiscated signs shall be stored at Public Works, in a location designated by Public Works for their storage.
    - iii. Public Works shall retain the signs for a minimum of two (2) weeks, after which they are free to dispose of the sign(s).
    - iv. Any sign(s) in violation, which requires more than one person in the removal, shall be released after the handling fee of \$100.00 has been paid at Public Works.

- b. **Exceptions:** Political /campaign signs in violation shall first receive notification that they are in violation and have 24 hours to remove the sign. Confiscated signs will then be held at Public Works and disposed of after the election.

**Sec. 25-188 Appeals.**

A permit applicant or permit holder may appeal any order or determination made by the City Building Official or his deputy pursuant to this Ordinance by filing a notice of appeal with the Community Development Director requesting a hearing before the City Council. The City Council will hear:

- (a) Appeals where it is alleged that there is an error in any order, requirement, decision or determination made by the administrative officer in the enforcement of this Ordinance.
- (b) Requests for variances from the literal provisions of this Ordinance.

**Sec. 25-189 Nonconforming Signs.**

- (a) Any nonconforming temporary or portable sign existing at the time of adoption of this Ordinance shall be made to comply with the requirements set forth herein or shall be removed within 180 days after the adoption of this Ordinance.
- (b) Nonconforming permanent signs lawfully existing at the time of the adoption of this Ordinance shall have five (5) years from the date of the adoption of this Ordinance to comply with the provisions of this Ordinance or be removed.

**Sec. 25-190 to 25-200 Reserved.**