

Article 11. Special Purpose Districts

11.1 MEDICAL SERVICE DISTRICT

11.2 PLANNED UNIT DEVELOPMENT DISTRICT

11.1 MEDICAL SERVICE DISTRICT

A. Purpose

The purpose of the MD Medical Service District is to address the special needs and impacts of a large-scale, multi-functional hospital and medical campus. Within the district, development will proceed in accordance with an approved General Development Plan that will relate to the adjacent district, community and needs of the medical institutions.

B. Permitted Uses

Table 11-1: Medical Service District Permitted Uses lists permitted uses for the MD District. A "P" indicates that a use is considered permitted within that district. A "C" indicates that a use is considered a conditional use in that district and must obtain a conditional use permit as required in Section 4.3 (Conditional Use Permit). The absence of the use from the table indicates that use is not permitted within the district.

TABLE 11-1: MEDICAL SERVICE DISTRICT PERMITTED USES	
USE	MD DISTRICT
Clinic	P
Commercial Establishment: Accessory to Permitted Use & Not Advertised on Exterior (Pharmacy, Cafeteria, Gift Shop, Florist & Dispensary of Surgical Supplies)	P
Essential Services & Essential Service Structure	P
Hospital	P
Medical-Related Educational Institutions, Includes Dormitory	P
Nursing Home and/or Convalescent Home	P
Outpatient Lodging Facility	P
Places of Worship	P
Wind Energy Conversion Systems (WECS)	P ¹
Uses Similar to Those Allowed within MD District (Determined by Zoning Administrator)	C

FOOTNOTES TABLE 11-1

¹Amendment of the Medical Service District General Development Plan shall be required.

C. Bulk and Setback Regulations

Table 11-2: Medical Service District Bulk and Setback Regulations establishes bulk and setback regulations for the MD District.

TABLE 11-2: MEDICAL SERVICE DISTRICT BULK AND SETBACK REGULATIONS	
BULK AND SETBACK REGULATIONS	MD DISTRICT ¹
Bulk Requirements	
Minimum Lot Area	2 acres
Maximum Lot Coverage	30%
Maximum Building Height	As determined in approved General Development Plan
Maximum FAR	2.0
Minimum Building Separation	25 ft between buildings
Setback Regulations	
Setback	50 ft

FOOTNOTES TABLE 11-2

¹ A MD District may only be established once a General Development Plan has been adopted for the area in accordance with Section 11.1-D.

D. Medical Service District General Development Plan

An MD District may only be established after a General Development Plan has received recommendation from the Planning Commission and approval from the City Council.

1. General Development Plan Submittal

A General Development Plan must address the general layout of the entire area, including traffic pattern plan, parking plan and access points, and must include the following:

- a. Plans for development of the entire district including the boundaries of the proposed district and the ownership of the land therein.
- b. The general location and approximate square footage of all existing and proposed future structures and uses intended. Applicable building density information, such as number of beds, number of tenant sleeping rooms, number of physicians, number of employees on a major shift and/or seating capacities, must also be indicated to determine parking needs and traffic circulation impacts.
- c. Landscaping plan.
- d. Sign plan, including on-site identification and directional signs, and proposed off-site directional sign plan.
- e. Internal traffic circulation plans including traffic ingress and egress locations.
- f. The location and capacity of all off-street parking and loading spaces.
- g. Estimates of traffic load impact on surrounding public street system.

2. Procedure

An MD District is established by rezoning, in accord with Section 4.1 (Text Amendments and Rezoning). As part of the rezoning application, a General Development Plan must be submitted to the Planning Commission for recommendation prior to submission to the City Council for adoption and approval of the rezoning.

The proposed General Development Plan, containing all required submittals described in Paragraph 1 (General Development Plan Submittal) above, must be accompanied by a written application, in the form prescribed by the Planning Commission, and filed with the Zoning Administrator who will forward a complete application to the Planning Commission. The application must be accompanied by the required fee.

3. Amendments

Any amendments to an approved General Development Plan must follow the text amendment procedures of Section 4.1 (Text Amendments and Rezoning).

11.2 PLANNED UNIT DEVELOPMENT DISTRICT

A. Purpose

The purpose of the PUD Planned Unit Development District is to offer an alternative to the residential, commercial and industrial zoning districts of this Code. A PUD District may deviate from the definitive and precise requirements of established zoning districts if the particular areas to be developed can offer greater value to the community and can preserve the community's health, welfare and safety than if those same areas were to be developed as a single purpose zoning district. A PUD District may also be mixed-use so that it not only contains residential, commercial or industrial uses, but a combination of these uses.

The purpose of the PUD District is to:

- 1. Encourage flexibility in the development of land and in the design of structures.**
- 2. Encourage planned diversification in the location of structures.**
- 3. Encourage a creative approach to the use of land that results in better development and design than might otherwise be accomplished under the strict application of this Code.**
- 4. Provide for the efficient use of land to facilitate a more effective arrangement of land uses, buildings, circulation systems and utilities.**
- 5. Provide for more usable and suitably located open space and recreation areas than might otherwise be provided under the application of this Code.**
- 6. Encourage the construction of appropriate aesthetic amenities which will enhance the character of the site.**
- 7. Guarantee quality construction commensurate with other developments within the community, and compatible with the character of the surrounding area and adjoining properties.**
- 8. Facilitate implementation of the Comprehensive Plan.**
- 9. Provide for the development of unique land areas and sites that would not be possible under the strict application of this Code.**
- 10. Encourage quality construction and design.**

B. General Standards

- 1. The PUD is under common ownership and/or unified control. If there are two (2) or more owners, the application for the PUD must be filed jointly by all such owners.**
- 2. There is no standard minimum size requirement for any PUD. However, the size of the proposed development would be such that this form of development is logical and adheres to the overall purposes of this Code.**
- 3. The rezoning authorizing the PUD may grant exceptions to the regulations contained in this Code including, but not limited to, use, density, area, bulk, off-street parking and loading, landscaping and signs, as may be desirable to achieve the objectives of the proposed planned development, provided that such exceptions are fully consistent with and authorized by this Code.**

4. PUD must be compatible with the purpose and intent of this Code and the City's Comprehensive Plan. A PUD must not substantially diminish the market value of surrounding properties, and it must not cause substantial impairment of the use of those properties.
5. The PUD must not adversely affect the natural environment of the community as a whole. Natural assets and features, such as existing trees and native vegetation, must be protected and preserved to the greatest extent practical.
6. The PUD must be accessible to public streets that are adequate to carry the traffic that will be generated by the proposed development. The streets and driveways within the proposed development must be adequate to serve the uses within the development.
7. All proposed streets, alleys and driveways must be adequate to serve the residents, occupants, visitors or other anticipated traffic. The PUD may be, subject to City Council approval, designed to discourage outside through traffic from traversing the development. Access points to public streets, and the location of private streets, alleys and driveways are subject to the approval of the City Council.
8. The pedestrian circulation system and its related walkways must provide for separation of pedestrian and vehicular movement and for maximum pedestrian safety.
9. The construction and maintenance of all utilities, roadways, parking facilities and other site improvements must be in accordance with the requirements of this Code and other regulations of the City. All roadways and utilities within the PUD must be constructed to specifications established by the City Council. At the City Council's request, an agreement for the completion of this work may be established by the City and the developer.
10. Nothing in this section or this Code may be interpreted as negating the necessity of filing a plat as required by the subdivision regulations.
11. The burden of justification for any PUD project is the exclusive responsibility of the applicant. The applicant is responsible for providing the information and data required in this section. In addition, as the PUD is intended to be an innovative approach, the applicant must provide any other data or information required by the Planning Commission or the City Council to assist in decision-making.
12. The additional standards applicable in the Scenic Rivers Overlay District and the Shoreland Overlay District in Paragraph F (Additional Procedures and Standards) below, and for EPUD in ESA as required in Section 4.4.C.6 (Review Process: Environmental Planned Unit Development (EPUD)).

C. Exceptions From District Regulations

1. Permitted Bulk and Setback Regulation Exceptions

Exceptions to the bulk and setback district regulations may be granted as part of a PUD District rezoning. The PUD District is subject to the current district regulations, including any overlay districts and designated areas, unless such exception is granted. Exceptions from district regulations may be granted for planned unit developments with respect to district bulk regulations, required setbacks, off-street parking and loading, landscaping and screening, and signs, if the City Council finds that such exceptions:

- a. Enhance the overall merit of the PUD.
- b. Promote the objectives of both the City and the development.
- c. Enhance the quality of the design of the structures and the site plan.
- d. Enable the development to offer environmental and pedestrian amenities.
- e. Will not cause such an adverse impact on neighboring properties so as to outweigh the benefits of the development.
- f. Is compatible with the land use policies of the Comprehensive Plan.
- g. Provide a public benefit to the City, as described in Paragraph 3 (Public Benefits and Amenities) below.

2. Use Regulation

The approved General Development Plan of the PUD will establish the permitted uses within the development that are desirable in achieving the objectives of the PUD. However, there must be clear evidence that:

- a. Such uses are desirable and appropriate with respect to the primary purpose of the development.
- b. Such uses are not of such a nature, or so located, as to exercise a detrimental influence on the development or the surrounding neighborhood.

3. Public Benefits and Amenities

A PUD must demonstrate a substantial benefit to the City as part of the rezoning approval. No rezoning to a PUD District may be approved unless the Planning Commission and City Council determine that a public benefit has been provided to the City as part of the PUD design. Design characteristics and amenities that would qualify for this determination include, but are not limited to, the following:

- a. Landscaping, buffering or screening within or around the perimeter of the PUD over and above the minimum required by this Code.
- b. The provision of underground parking, and additional landscaping and screening of parking lots and structures over and above the minimum required by this Code.
- c. Reduced use of impervious surface materials, including cluster development and use of semi-pervious materials such as grass-crete and pervious pavers.
- d. Design characteristics including, but not limited to, mixed-use development, circulation systems that utilize alleys or traffic-calming techniques, and a pedestrian-oriented environment.
- e. Use of sustainable design and green architecture such as: green roofs and other energy efficient design concepts; water conservation; environmental sensitivity; new building technologies; Leadership in Energy and Environmental Design (LEED) techniques; and xeriscaping (water conservation landscaping).

- f. Community amenities including plazas, malls, formal gardens, places to congregate, outdoor seating, public art, and pedestrian and transit facilities.
- g. Preservation of environmental features.
- h. Preservation of historic features.
- i. Open space and recreational amenities that are available to the public such as:
 - i. Swimming pools
 - ii. Tennis courts
 - iii. Recreational open space accessory buildings
 - iv. Jogging trails and fitness courses
 - v. Playgrounds
 - vi. Natural water features, wetlands and conservation areas
 - vii. Detention areas which are accessible to occupants or the public via nature trails, boardwalks, and/or perimeter walkways, but only if they are designed as natural water features and are landscaped with native vegetation
- j. Additional public infrastructure improvements in addition to the minimum required by the PUD, such as new or repaved streets, installation of gutters and sewers, and traffic control devices to improve traffic flow.
- k. Provision of accessible dwelling units with accessible features beyond what is required by the Americans with Disabilities Act (ADA) or any other applicable codes.

D. Procedure

1. Overview

- a. Before receiving approval of a rezoning to a PUD District, the applicant must submit and receive approval of a General Development Plan.
- b. Additional standards are applicable in the Scenic Rivers Overlay District and the Shoreland Overlay District in Paragraph E (Additional Procedures and Standards) below, and for an EPUD in an ESA, as required in Section 4.4.C.6 (Review Process: Environmental Planned Unit Development (EPUD)).

2. General Development Plan

- a. The General Development Plan must be submitted to the Zoning Administrator at least thirty (30) days prior to the Planning Commission's regularly scheduled meeting.
- b. The General Development Plan must include:
 - i. Site plan of the area to be developed.
 - ii. The topographic surface of the entire area to be developed.

- iii. Points of ingress or egress, excluding those of single-family detached and two-family dwellings.
 - iv. Recreation and open space areas.
 - v. Parking areas for uses other than single-family detached and two-family dwellings.
 - vi. Land use of each specific lot or outlot as determined by the final plat.
- c. The Planning Commission will review the General Development Plan upon receipt of a complete application, based upon the standards contained in Paragraph e below, and either:
 - i. Recommend approval or denial of the General Development Plan, and submit its recommendation to the City Council.
 - ii. Advise the applicant in writing of any recommended changes, additions or corrections to the General Development Plan. The applicant may then submit a revised General Development Plan for Planning Commission review without paying an additional filing fee. The Planning Commission will then recommend approval or denial of the General Development Plan, and submit its recommendation to the City Council.
- d. The City Council, after receipt of the recommendations from the Planning Commission, may approve or deny the General Development Plan.
- e. The Planning Commission's recommendation to the City Council and the City Council's action of approval or denial must set forth in what respects the PUD is or is not in the public interest including, but not limited to, findings of fact on the following:
 - i. The site or zoning lot is adaptable to the unified development proposed.
 - ii. The proposed PUD is not detrimental to nor does it endanger the public health, safety, comfort or general welfare of any portion of the community.
 - iii. The proposed PUD is not injurious to the use and enjoyment of other property in the vicinity for the purposes already permitted.
 - iv. The proposed PUD does not diminish or impair property values within the neighborhood.
 - v. The proposed PUD does not impede the normal and orderly development and improvement of surrounding property for uses permitted in the zoning district.
 - vi. There is provision for adequate utilities, drainage, off-street parking and loading, pedestrian access and all other necessary facilities.
 - vii. There is provision for adequate vehicular ingress and egress designed to minimize traffic congestion upon public streets.
 - viii. The location and arrangement of structures, parking areas, walks, lighting and appurtenant facilities are compatible with the surrounding neighborhood and adjacent land uses.

- ix. Those areas within the proposed PUD that are not used for structures, parking and loading areas, or access ways, are suitably landscaped.
- x. The proposed PUD's location is consistent with the spirit and intent of this Code and the adopted Comprehensive Plan.

E. Post-Approval

Once an area has been rezoned to a PUD District, all development must comply with the following:

1. Any deviation from the approved plans is a violation of this Code.
2. Upon approval of the PUD District by the City Council, the area will be subject to the stipulations of the approved plans. The developer, when requested, will make periodic reports to the Planning Commission.
3. Once the rezoning to a PUD District has been approved and building permits have been issued, the applicant may begin construction. The PUD District is, in all cases, conditional and no departure from the General Development Plan is allowed without approval by the City Council.

F. Additional Procedures and Standards

Due to their specific nature, when a PUD is proposed for certain areas, additional standards and procedures may apply as part of PUD District approval. These additional standards and procedures are as follows:

1. Planned Unit Developments in the Scenic Rivers Overlay District

In addition to the applicable standards regarding PUD Districts, the following procedures and standards for the review and approval of a PUD in the Scenic Rivers Overlay District apply.

a. Procedures

- i. Within the Scenic Rivers Overlay District, it is recommended that the applicant have a preliminary meeting with the Zoning Administrator and the Department of Natural Resources Area Hydrologist. If possible, this step should include a meeting and site inspection with all parties present.
- ii. General Development Plans must be approved by the Minnesota Commissioner of Natural Resources prior to final approval by the City Council.
- iii. Subdivision of the land involved should be carried out simultaneously.

b. Standards

The following standards will be considered:

- i. Land to be set aside as open space or common area must be clearly indicated on the plan. Facilities such as docks, swimming areas and launching ramps must be centralized and shown on the plan.
- ii. All developments must be serviced by City sewer and water utilities.

- iii. The maximum number of individual units which may be allowed within the PUD is determined by multiplying by one and one-half (1.5) the number of lots that would normally be allowed using a standard lot-block approach. Density increase within the first tier cannot exceed fifty percent (50%).
- iv. When, in the opinion of the City Council, a PUD will result in excessive surface water usage, the City Council may, as a condition to approval, restrict the number of allowable units and/or restrict access rights to public water bodies.
- v. Common open space is required and described as such:
 - (1) The location, shape, size and character of the common open space must be deemed adequate for the PUD.
 - (2) At least fifty percent (50%) of the project area must be common open space, which must include the area between residential structures and the water.
 - (3) Common open space areas must be preserved. This may be accomplished through the use of covenants, dedications or other methods.
 - (4) Recreational facilities, such as tennis courts and swimming pools, may be permitted on or within common open space.

2. Planned Unit Developments in the Shoreland Overlay District

Within the Shoreland Overlay District, a PUD is allowed for new projects on undeveloped land, redevelopment of previously built sites, or conversions of existing buildings and land.

a. Procedure

The applicant for a PUD must submit the following documents prior to General Development Plan approval:

- i. A site plan and/or plat for the project showing locations of property boundaries, surface water features, existing and proposed structures and other facilities, land alterations, sewage treatment and water supply systems where public systems will not be provided, and topographic contours at ten (10) foot intervals or less. When a PUD combines commercial and residential development, the site plan and/or plat must indicate and distinguish which buildings and portions of the project are residential, commercial or a combination.
- ii. A property owners association agreement for residential-only development with mandatory membership, and all in accordance with the provisions of this section.
- iii. Deed restrictions, covenants, permanent easements or other instruments that properly address future vegetative and topographic alterations, construction of additional buildings, beaching of watercraft, and construction of commercial buildings in residential-only developments, and ensure the

long-term preservation and maintenance of open space in accordance with the provisions of this section.

- iv. When necessary, a master plan/drawing describing the project and the floor plan for all commercial structures to be occupied.
- v. Any additional documents as requested by the Planning Commission or the City Council necessary to explain how the PUD will be designed and will function.

b. Standards

The following standards will be considered in the approval of a PUD in the Shoreland Overlay District:

- i. The existing recreational use of the surface water and likely increases in use associated with the PUD.
- ii. The physical and aesthetic impacts of increased density.
- iii. The suitability of lands for the PUD District approach, including the suitable area evaluation of Paragraph c (Suitable Area Evaluation) below.
- iv. Level of current development in the area.
- v. The amount and type of ownership of undeveloped lands.

c. Suitable Area Evaluation

- i. Proposed new, or expansions to existing PUD, must be evaluated using the procedures and standards of this section to determine the suitable area for the dwelling unit/density evaluation of Paragraph d (PUD Density Evaluation) below.
- ii. The project parcel must be divided into tiers by locating one (1) or more lines approximately parallel to a line that identifies the ordinary high water level of the river at three-hundred (300) foot intervals, proceeding landward.
- iii. The suitable area within each tier calculated by excluding from the tier area all wetlands, bluffs or land below the ordinary high water level of public waters. This suitable area and the proposed project are then subjected to the density evaluation steps of Paragraph d (PUD Density Evaluation) below to arrive at an allowable number of dwelling units or sites.

d. PUD Density Evaluation

The procedures for determining the “base” density of a PUD and density increase multipliers are as follows. Allowable densities may be transferred from any tier to any other tier further from the waterbody, but must not be transferred to any closer tier.

i. Residential Use PUD Base Density Evaluation

The suitable area within each tier is divided by the single residential lot size standard for the rivers, the single residential lot width standard times the tier depth, unless the City has specified an alternative minimum lot size for rivers,

which is then used to yield a base density of dwelling units or sites for each tier. Proposed locations and numbers of dwelling units or sites for the PUD are then compared with the tier, density and suitability analyses, and the design criteria of this section.

ii. Mixed-Use PUD Base Density Evaluation

The following steps are followed to determine the base density evaluation:

- (1) Determine the average inside living area size of dwelling units or sites within each tier, including both existing and proposed units and sites. Computation of inside living area sizes does not include decks, patios, stoops, steps, garages, porches and basements, unless they are habitable space.
- (2) Select the appropriate floor area ratio from the following table - Table 11-3: Commercial Planned Unit Development Floor Area Ratios.

TABLE 11-3: COMMERCIAL PLANNED UNIT DEVELOPMENT FLOOR AREA RATIOS ¹	
AVERAGE UNIT FLOOR AREA SEGMENTS	URBAN RIVER SEGMENTS FLOOR AREA RATIO
200sf	.040
300sf	.048
400sf	.056
500sf	.065
600sf	.072
700sf	.082
800sf	.091
900sf	.099
1,000sf	.108
1,100sf	.116
1,200sf	.125
1,300sf	.133
1,400sf	.142
1,500sf	.150

FOOTNOTES TABLE 11-3

¹For average unit floor areas less than shown, use the floor area ratios listed for 200sf. For areas greater than shown, use the ratios listed for 1,500sf. For recreational camping areas, use the ratios listed at 400sf. Manufactured home sites in recreational camping areas must use a ratio equal to the size of the manufactured home, or if unknown, the ratio listed for 1,000sf.

- (3) Multiply the suitable area within each tier by the floor area ratio to yield total floor area for each tier allowed to be used for dwelling units or sites. Divide the total floor area by tier by the average inside living area size. This yields a base number of dwelling units and sites for each tier.
- (4) Proposed locations and numbers of dwelling units or sites for the PUD are then compared with the tier, density and suitability analyses and the design criteria of this section.

iii. Density Increase Multipliers

Increases to the dwelling unit or dwelling site base densities previously determined are allowed if the dimensional standards of the Shoreland Overlay District are met or exceeded, and the design criteria in Paragraph e (Maintenance and Design Criteria) below are met. The allowable density increases of Table 11-4: Allowable Dwelling Unit or Dwelling Site Density Increases will only be permitted if structure setbacks from the ordinary high water level are increased to at least fifty percent (50%) greater than the minimum setback, or the impact on the waterbody is reduced an equivalent amount through vegetative management, topography or additional means acceptable to the City, and the setback is at least twenty-five percent (25%) greater than the minimum setback.

TABLE 11-4: ALLOWABLE DWELLING UNIT OR DWELLING SITE DENSITY INCREASES	
DENSITY EVALUATION TIERS	MAXIMUM DENSITY INCREASE WITHIN EACH TIER
1 st	50%
2 nd	100%
3 rd	200%
4 th	200%
5 th	200%

e. Maintenance and Design Criteria

Before final approval of a PUD, adequate provisions must be developed for preservation and maintenance in perpetuity of open spaces and for the continued existence and functioning of the development.

i. Open Space Preservation

Deed restrictions, covenants, permanent easements, public dedication and acceptance, or other equally effective and permanent means must be provided to ensure the long-term preservation and maintenance of open space. The instruments must include all of the following protections:

- (1) Commercial uses are prohibited in residential-only developments.
- (2) Vegetation and topographic alterations, other than routine maintenance, are prohibited.
- (3) Construction of additional buildings or storage of vehicles and other materials are prohibited.
- (4) Uncontrolled beaching of watercraft are prohibited.

ii. Owners Association

Unless an equally effective alternative community framework is established, when applicable, all residential-only developments must use an owners association with the following features:

- (1) Membership must be mandatory for each dwelling unit or site purchaser, and any successive purchasers
- (2) Each member must pay a pro-rata share of the association's expenses, and unpaid assessments can become liens on units or sites.
- (3) Assessments must be adjustable to accommodate changing conditions.
- (4) The association must be responsible for insurance, taxes and maintenance of all commonly owned property and facilities.

iii. Open Space Requirements

Open space in a PUD must meet all of the following criteria:

- (1) At least fifty percent (50%) of the total project area must be preserved as open space.
- (2) Dwelling units or sites, road right-of-way or land covered by road surfaces, parking areas or structures, except water-oriented accessory structures or facilities, are developed areas and are not included in the computation of minimum open space.
- (3) Open space must include areas with physical characteristics unsuitable for development in their natural state, and areas containing significant historic sites or unplatted cemeteries.
- (4) Open space may include outdoor recreational facilities for use by owners of dwelling units or sites, by guests staying in commercial dwelling units or sites, and by the general public.
- (5) Avoid adverse impacts on the systems.
- (6) Open space must not include commercial facilities or uses, but may contain water-oriented accessory structures or facilities.
- (7) The appearance of open space areas, including topography, vegetation and allowable uses, must be preserved by use of restrictive deed covenants, permanent easements, public dedication and acceptance, or other equally effective and permanent means.
- (8) The shore impact zone, based on normal structure setbacks, must be included as open space. For residential-only developments, at least fifty percent (50%) of the shore impact zone area of existing developments, or at least seventy percent (70%) of the shore impact zone area of new developments must be preserved in its natural or existing state. For mixed-use developments, at least fifty percent (50%) of the shore impact zone must be preserved in its natural state.

iv. Erosion Control and Stormwater Management

- (1)** Erosion control and stormwater management plans must be developed and the PUD must be designed, and the construction managed, to minimize the likelihood of serious erosion occurring either during or after construction. This must be accomplished by limiting the amount and length of time of bare ground exposure. Temporary groundcover, sediment entrapment facilities, vegetated buffer strips, or other appropriate techniques must be used to minimize erosion impacts on surface water features. Erosion control plans approved by a soil and water conservation district may be required if project size and site physical characteristics warrant.
- (2)** Erosion control and stormwater management plans must be developed and the PUD must be designed and constructed to effectively manage reasonably expected quantities and qualities of stormwater runoff. Impervious surface coverage within any tier must not exceed twenty-five percent (25%) of the tier area, except for mixed-use developments where thirty-five percent (35%) impervious surface coverage may be allowed in the first tier of general development lakes with an approved stormwater management plan and consistency with this section.

v. Centralization and Design of Facilities

Centralization and design of facilities and structures must be done according to the following standards:

- (1)** Planned unit developments must be connected to the City water supply and sewer system, if available. On-site water supply and sewage treatment systems must be centralized and designed and installed to meet or exceed applicable standards or rules of the Minnesota Department of Health and this Code. On-site sewage treatment systems must be located on the most suitable areas of the development, and sufficient lawn area free of limiting factors must be provided for a replacement soil treatment system for each sewage system.
- (2)** Dwelling units or sites must be clustered into one (1) or more groups and located on suitable areas of the development. They must be designed and located to meet or exceed the following dimensional standards for the relevant shoreland classification: setback from the ordinary high water level, elevation above the surface water features, and maximum height. Setbacks from the ordinary high water level must be increased in accordance with density increases.
- (3)** Shore recreation facilities including, but not limited to, swimming areas, docks, and watercraft mooring areas and launching ramps, must be centralized and located in areas suitable for them. Evaluation of suitability must include consideration of land slope, water depth, vegetation, soils, depth to groundwater and bedrock, and other relevant factors. The number of spaces provided for continuous beaching, mooring or docking of watercraft must not exceed one (1) for each permitted dwelling unit or site in the first tier, notwithstanding existing mooring sites in an existing commercially-used harbor. Launching ramp facilities, including a small dock for loading and unloading equipment,

may be provided for use by occupants of dwelling units or sites located in other tiers.

- (4) Structures, parking areas and other facilities must be treated to reduce visibility as viewed from public waters and adjacent shorelands by vegetation, topography, increased setbacks, color or other means acceptable to the local unit of government, assuming summer, leaf-on conditions. Vegetative and topographic screening must be preserved, if existing, or may be required to be provided.
- (5) Accessory structures and facilities, except water-oriented accessory structures, must meet the required principal structure setback and must be centralized. Water-oriented accessory structures and facilities may be allowed if they meet or exceed design standards of the Shoreland Overlay District and are centralized.

f. Conversions to Residential-Only Developments

The City may allow existing resorts or other land uses and facilities to be converted to residential-only developments if all of the following standards are met:

- i. Proposed conversions must be initially evaluated using the same procedures for new construction of residential-only developments. Inconsistencies between existing features of the development and these standards must be identified.
- ii. Deficiencies involving water supply and sewage treatment, structure color, impervious coverage, open space and shore recreation facilities must be corrected as part of the conversion or as specified in the approval conditions.
- iii. Shore and bluff impact zone deficiencies must be evaluated, and reasonable improvements made, as part of the conversion. These improvements must include, where applicable, the following:
 - (1) Removal of extraneous buildings, docks or other facilities that no longer need to be located in shore or bluff impact zones.
 - (2) Remedial measures to correct erosion sites and improve vegetative cover and screening of buildings and other facilities as viewed from the water.
 - (3) If existing dwelling units are located in shore or bluff impact zones, conditions must be attached to approvals of conversions that preclude exterior expansions in any dimension or substantial alterations. The conditions must also provide for future relocation of dwelling units, where feasible, to other locations, meeting all setback and elevation requirements when they are rebuilt or replaced.
- iv. Existing dwelling unit or site densities that exceed the standards may be allowed to continue but must not be increased, either at the time of conversion or in the future. Efforts must be made during the conversion to limit impacts of high densities by requiring seasonal use, improving vegetative screening, centralizing shore recreation facilities, installing new sewage treatment systems, or other means.