

6.0 COMMUNITY DESIGN

6.1 SITE SIZE AND BUILDING REQUIREMENTS

- A. Building Size and Architectural Requirements. The following building size and architectural standards shall apply to all districts unless otherwise specified.
- B. Height Exceptions. The zoning district building height limits shall not apply to belfries, cupolas, domes, spires, monuments, radio or television towers, flag poles, chimneys, or flues, nor to elevators, water tanks, poles, towers and other structures for essential services as approved by the City. These exception structures cannot be used for human habilitation.
- C. Architectural Requirements. The following architectural requirements shall apply to all dwellings in the Agricultural and residential districts.
1. Principal dwellings shall have a width of not less than twenty-five (25) feet excluding garage.
 2. Dwellings shall be placed on a permanent foundation forming a complete enclosure under exterior walls, unless specifically required by the MN Building Code.
 3. Accessory Structures shall be located behind the Principals structure, excluding attached garages and riparian lots. Accessory Structures shall be constructed in accordance of Section 6.3 of this ordinance.
 4. Dwellings shall be placed on a permanent foundation forming a complete enclosure under exterior walls, unless specifically required by the MN Building Code.
 5. The roof pitch shall be a minimum of 4/12 in all residential districts excluding the Mobile Home Residential District (R-4).
 6. Exterior walls on dwellings shall have the appearance of wood or masonry regardless of their actual composition.
 7. Dwellings shall be constructed on site in all residential districts excluding the Mobile Home Residential District (R-4). Additions to manufactured homes shall not be considered in determining dimensional requirements. Construction of manufactured homes is prohibited without a Conditional Use Permit.
 8. All fronts or dwellings when positioned on the lot shall face a dedicated local street. On corner lots, one of the streets will be designed as the front street and the dwelling will face this street or may be angled toward the intersection of the streets. Under no condition shall the back of the house face or angle toward the street.

D. Minimum House Size Requirements.

1. The minimum size of the outside foundation of any detached dwelling unit shall be at least eight hundred fifty (850) square feet, with no less than 850 finished square feet with a minimum of an additional 350 square feet available for future expansion.
2. The minimum size of the outside foundation of any attached dwelling unit shall be at least seven hundred (700) square feet, with no less than 700 finished square feet.

E. Retail Size Requirements.

1. Retail establishments exceeding 150,000 square feet in floor space are allowed in the Highway Commercial District with a Conditional Use Permit and meet or exceed performance standards listed in Section 4.3.3.

F. Maximum Total Lot Coverage.

1. The total area of all buildings on residential lots shall not exceed more than twenty-five (25%) percent of the total buildable lot area and 50% for commercial or industrial lots.
2. The total area of all impervious surface including building area on a residential lot shall not exceed thirty-five (35%) percent of the total buildable lot area for residential district lots, sixty (60%) percent for Neighborhood Commercial (NC) lots, ninety percent (90%) for Central Business District (CBD) lots-and seventy (70%) percent for all other commercial and industrial lots.
3. Credit may be given for those areas that are not considered buildable which are permeable surfaces. (This requirement shall not apply to the CBD zone district).
4. Onsite drainage ponds shall not be considered as permeable surface, but may be given fifty percent (50%) credit. This does not apply to Planned Unit Developments Districts (PUD), Subdivisions and Conservation Overlay Districts.
5. Alternative methods may be used and must mitigate additional storm water runoff to a level consistent with the required impervious surface coverage as indicated in the zoning district under a 2.0 inch rainfall design storm. Design must be completed by a certified engineer or qualified professional and approved by the City Engineer.
6. Additional impervious surface credit of up to ten percent (10%) may be granted in the Commercial and Industrial Districts. This may be granted when alternative infiltration systems are used on the site to filter storm water run-off. The infiltration system may include, but is not limited to, rain water gardens, infiltration swales, and vegetative buffer strips. The design and additional credit shall be reviewed by city staff and the Planning Commission

and approved by the City Council. Credit cannot be granted in the Central Business District (CBD). Design must be completed by a certified engineer or qualified professional and approved by the City Engineer.

- G. Driveways. Any new driveways and additions of driveways shall require a driveway permit prior to construction. Replacement of an existing driveway does not require a permit. Residential district and uses shall meet the following driveway requirements:
1. All new construction within the city must be paved with impervious surface or pervious asphalt, pavers, concrete or similar material as approved by the City Administrator or designee. This includes new garage additions to existing structures.
 2. Residential driveways that are one-hundred (100) feet or greater shall pave at least forty (40) feet from street entrance, measured adjacent to the back of curb or edge of the public road.
 3. Gravel or unfinished driveways are allowed when the public road is of gravel material.
 4. When new garages or garage additions are constructed, existing or new residential driveways shall be improved to an impervious surface or approved pervious material as indicated in 6.1.G(1).
 5. Driveway access may be the width of the garage but shall not exceed thirty-six (36) feet width out in the public right-of-way.
 6. Garages less than twenty-four (24) feet wide may have an access up to twenty-four (24) feet measured adjacent to the back of curb or edge of public road.
 7. Any right-of-way repairs or street reconstruction, the city will only be responsible for replacing up to twenty-four (24) feet of the opening. The cost to replace the remainder of the driveway opening is the responsibility of the property owner.
 8. Driveways shall have a minimum five (5) foot side yard setback.
 9. Waterlines from the curb stop must be placed in the yard and not the driveway unless the setbacks cannot be met. The placement of the waterlines will be approved by the City Administrator or designee.
 10. Secondary driveways may be approved on a case-by-case basis by the City Administrator or designee considering the following:
 - a. Must meet five (5) foot side yard setback.
 - b. The property must be a minimum of 2 acres and have one hundred fifty (150) feet width at the Right of Way.
 - c. Cannot cause the property to exceed the maximum allowed impervious surface area.
 - d. Must be thirty (30) feet or more away from an intersection, measured from the Right of Way.
 - e. Type of curb, single-family uses shall be limited to one (1) curb cut access per property.
- H. Setbacks. The front building setback in residential subdivisions shall be varied and not a uniform minimum setback.
- I. Garages. A two-car garage shall be the minimum required for all new single-family residences.

- J. Minimum Building Site Size. Each building site in each zoning district shall be planned and arranged so as to occupy only that portion of a lot not otherwise required as a yard, setback, easement, right of way or other legally established open space.
1. Lot Area Requirement.
 - a. For purposes of measuring lot size and area, public and private easements contained within the lot lines, other than Street or alley easements may be included.
 - b. For purposes of determining buildable lot area only contiguous land with a slope of less than 24% and not a wetland or located within a 100-year Flood Plain or stream or other water body shall be considered buildable.
 - c. Where public services are not provided the minimum lot size is two (2) acres in the RR-1 district and 2.5 acres in all other districts.
 2. Frontage Requirements. The construction, erection, conversion, alteration or enlargement of any structure on any real property is prohibited unless the property has frontage on an improved public street or improved public access way.
- K. Bike Paths/Sidewalks. Concrete sidewalks and/or asphalt bike paths shall be provided as required by the City.

(Amended 02/26/2013, 02/24/2015, 09/26/2023)

6.2 YARD REGULATIONS

- A. General Statement. No yard, or other open space setback shall be reduced in area or dimension so as to make such yard or open space less than a minimum required by this ordinance, and if the existing yard or other open space is less than the minimum required it shall not be further reduced.
- B. Yard Requirements. The minimum setback distances from the appropriate lot lines are set forth within the zoning district provisions of this ordinance.
1. Corner Lots
 - a. Where a lot is located at the intersection of two (2) or more streets, the yard setback along each street shall be a minimum of thirty (30) feet or as specified in this ordinance, whichever is greater.
 - b. On a corner lot, nothing shall be placed or allowed to grow in such a manner as to materially impede vision between a height of two and one-half (2-1/2) and ten (10) feet above street level for a distance of thirty (30) feet from intersecting streets
 2. Through Lots. On a lot fronting on two (2) parallel streets, both street lines shall be considered front lot lines for applying the yard regulations of this ordinance.
 3. Earth Sheltered Buildings. Computations for yard requirements shall be based upon measurements from the exposed exterior surface of the building.
 4. Exceptions.
 - a. Architectural projections including chimneys, flues, leaders, sills, pilasters, lintels, ornamental features, mechanical devices, cornices, eaves, gutters, and the like, provided they do not extend more than three (3) feet and are not located over a public right of way, a drainage or utility easement.
 - b. Yard Lights and signs provided they are located (3) feet or more from all lot lines. Lights for illuminated parking or loading areas or yards for safety and security purposes may be installed where necessary provided the light source is directed down. No light from private property shall be disruptive to neighboring residents or the general public.
 - c. Off-street parking spaces except as hereinafter regulated.
 - d. Fencing or buffering materials as hereinafter regulated.
 - e. In front and side yards: balconies that extend a distance of four (4) feet or less provided they are seven (7) feet or more above grade at the building line. Also steps, terraces, driveways, stoops, decks, and patios which do not extend in elevation above the ground floor level of the principal building or to a distance of less than five (5) feet from any lot line.

- f. In rear yards: recreational, picnic tables, open arbors and trellises, balconies, breezeways, porches, detached outdoor living rooms and decks, and outdoor eating facilities, as allowed, provided these are five (5) feet from any lot line.

6.3 ACCESSORY BUILDINGS AND STRUCTURE REQUIREMENTS

A. Accessory Buildings and Structures must meet the following requirements:

1. Definition: Accessory buildings and structures is a subordinate structure or improvement that is located on the same lot on which the principal building is situated and is reasonably necessary and incidental to the conduct of the primary or principal use of such building and can reasonably be located at or greater than normal structure setbacks. A building is considered an accessory structure if the footprint exceeds twenty-five (25) square feet and/or six (6) feet in height. An attached or detached garage is considered an accessory structure. A retaining wall is considered an accessory facility.

This does not include playhouse(s), or structures that promote tourism, does not exceed 80 square feet, and cannot be used for storage. The dimensions to be measured will apply to the foundation size or footprint of the accessory structures. Additional square footage of second story “bonus rooms”, or lower level below grade “tuck under garages”, do not apply as additional square footage area unless they exceed the foundation size.

2. Permits: A building permit is required for any accessory buildings that will be permanently anchored or 120 square feet or larger. Any structures smaller than 120 square feet do not require a building permit, but do require a zoning permit.
3. Use: Accessory buildings may not be used as a space for the unregulated operation of any business venture including, but not limited to, the storage of materials or manufacturing of products. No detached garages or accessory structures shall be used for human habitation. Sanitary facilities may include a sink, one toilet or urinal, and one shower.
4. Time of Construction: No accessory buildings or structures shall be constructed on any lot prior to the time of construction of the principal building to which it is accessory.
5. Location: All permanently anchored accessory buildings must be placed on the side or rear yard. Accessory buildings placed in the front yard must meet the underlying zoning setbacks.
6. Setbacks: Accessory structures shall not be placed within any easements. No accessory building, which is not attached to a principle structure, shall be located within ten (10') feet of a principal structure or six (6') feet of another accessory building. All accessory structures must meet all required setbacks.

Table: 1

Rear yard	10 feet
Side yard	10 feet
Corner yard	10 feet

7. Driveways: When new garages or garage additions are constructed, existing or new residential driveways must be paved with impervious surface or pervious asphalt, pavers, concrete or similar material before the garage is completed. Residential driveways that are one hundred (100) feet or greater shall pave at least forty (40) feet from street entrance.
8. Maximum Structures: No more than three (3) accessory structures may be placed on a parcel on five (5) acres or less.
9. Temporary Structures: Use of temporary storage structures maybe allowed in residential districts and shall require a temporary structure permit. Temporary storage structures include but are not limited to the following: lean to structures and tubular metal framed structures with canvass or similar coverings. Temporary structures are allowed for up to eighteen (18) months. Said structure shall be removed if they become torn, discolored, or in any way damaged that modify their original appearance.
10. Design: Vertical paneled steel sided buildings are prohibited as accessory structures in all districts except for Agricultural districts and uses on lots greater than 5 acres. Transparent/translucent panels are prohibited on accessory structures in all districts except for Agricultural districts and uses on lots greater than 5 acres. Steel siding is permitted on accessory structures on lots smaller than 5 acres and in non-agriculture districts if it is beaded, shingled, log, shake, lapped, clapboard, or board and batten if it matches the primary residence. If the lot is sub-divided to less than 5 acres the accessory structures will need to be removed or brought into compliance. All accessory buildings shall resemble, in style, materials, color, roofline, and siding type, the principal building on the lot, except the following building types may vary from this standard:
 - a) Accessory structures located in the Agricultural District or on lots greater than five (5) acres.
 - b) Accessory structures under 120 square feet in size.
 - c) Horse stables and riding arenas
 - d) Greenhouses
 - e) Gazebos and decorative shelters
 - f) Historic buildings
 - g) Buildings constructed in the PUD or RC District which are subject to an overall site plan review.
11. Height and Garage Doors: Accessory buildings shall not exceed twenty-six (26) feet in height or exceed the height of the principal structure whichever is less. Garage door height may not exceed 9 feet if the accessory structure is located in the front or front half of the side yard for structures in all districts except for Agricultural districts and uses on lots greater than 5 acres.

B. Zoning District Regulations

1. Residential Districts

- a) Lots less than One (1) acre
 - 1) Accessory buildings must not exceed (1,000) square feet or one

hundred percent (100%) of the square footage of the foundation size of the principal structure, excluding the foundation of the attached garage, whichever is greater.

- 2) The sum of the accessory structures must not exceed one hundred and twenty five percent (125%) of the square footage of the foundation of the principal structure.
- b) Lots One (1) acre or more
- 1) Accessory garages attached to the principal structure must not exceed one thousand (1,000) square feet or one hundred percent (100%) of the square footage of the foundation of the principal structure, excluding the foundation of the attached garage, whichever is greater.
 - 2) The sum of the accessory structures must not exceed two (2%) percent per buildable acre or one hundred and twenty five percent (125%) of the square footage of the foundation of the principal structure, whichever is greater.

(Table 2 is an example of the calculations.)

Table: 2

Lot A	Lot B
1.5 acres	10 acres
Buildable lot – 43,560 s.f.	Buildable lot – 5acres (217,800 s.f.)
<u>Principal Structure – 1,000 s.f.</u>	<u>Principal Structure – 1,000 s.f.</u>
43,560 s.f. x 2% buildable = 871.20 s.f.	217,800 s.f. x 2% Buildable = 4,356 s.f.
125% of principal structure = 1,250 s.f.	125% of principal structure = 1,250 s.f.
Lot A may have a total sum of 1,250 s.f. of accessory structures	Lot B may have a total sum of 4,356 s.f. of accessory structures.

2. Commercial and Industrial Non-Residential Districts
 - a) All Non-Residential Districts, excluding Agriculture districts and uses, must proceed through a design review process.

(Amendment: 02/24/2015,8/23/2022)

6.4 TOWERS AND ANTENNAS

A. Purpose. The City of Chisago City acknowledges the legal right of wireless communications providers to locate within the City. However, the City wishes to implement its legal authority to adopt zoning requirements which are nondiscriminatory, not intended to prohibit telecommunications service, and based on potential health effects of radio frequency emissions. In order to establish uniform, nondiscriminatory regulations that protect the public health, safety and general welfare of the City, these regulations are intended to:

1. Minimize adverse visual effects of towers through careful design, landscaping, and siting standards.
2. Avoid potential damage to adjacent properties from tower failure and weather related occurrences through structural standards and setback requirements.
3. Maximize the use of existing and approved towers and buildings to accommodate new wireless telecommunication antennas in order to reduce the number of towers needed to serve the community.
4. Utilize business, industrial and public land, buildings and structures for wireless communications whenever possible and/or appropriate.
5. Provide for the appropriate location and development of towers and antennas to accommodate the communication needs of the residents and businesses in the City.

B. Definitions. The following words and terms wherever they occur in this code, shall be defined as follows:

1. **Antenna.** Any structure or device used for the purpose of collecting or transmitting and/or receive radio or electromagnetic waves between terrestrial and/or orbital-based structures, including, but not limited to, directional antennas, such as panels, microwave dishes, and satellite dishes, and omnidirectional antennas, such as whip antennas.
2. **Commercial Receiving/Transmitting Antenna.** Any antenna erected for the commercial use of the information.
3. **Wireless Communication Signal:** Any commercial non-broadcast communication signals transmitted via wireless technology to and/or from a fixed customer location, which may include the following: audio, video and data communications. This definition does not include broadcast communication signals such as AM radio, FM radio, amateur (“ham”) radio, citizens band (CB) radio, and digital audio radio service (DARS) signals.
4. **Satellite Dish Antenna.** A combination of (1) a dish-shaped antenna for receiving communication or other signals from orbiting satellites and other extraterrestrial sources; (2) a low-noise amplifier (LNA) situated at the focal point of the receiving component for magnifying and transferring signals; and (3) a coaxial cable for carrying the signals into the interior of the building.
5. **Municipal Antenna Site.** A location in the City on which is located one or more radio or television antennas available for connection and use by any person, firm or corporation in accordance with the provisions of this Title.
6. **Private Receiving and/or Transmitting Antenna:** Any antenna erected for the non-commercial use of the information.
7. **Tower:** Any ground or roof mounted pole, spire, structure, or combination thereof taller than 15 feet, including supporting lines, cables, wires, braces, and masts,

intended primarily for the purpose of mounting an antenna, meteorological device, or similar apparatus above grade.

C. Exemptions. No antenna, dish antenna, or tower of any kind shall be erected, constructed, placed, re-erected, re-constructed, or replaced anywhere within the City without first making an application for an obtaining a permit from the City. Provided, however, no permit or building permit shall be required for the following:

1. Dish antennas not greater than nine (9) square feet in cross sectional area, which do not exceed six (6) feet in height as measured from the base of the dish antenna to the highest point of the dish antenna.
2. All towers or other antennas which do not exceed six (6) feet in height as measured from the base of the antenna or tower to the highest point of the antenna or tower.
3. Antennas, dish antennas, and towers erected or constructed by the City for City purposes.

D. Permit Application, Conditional Uses, Connection to Municipal Antenna Site:

Any new structures or towers constructed for the purpose of providing wireless communication signals in the City must first demonstrate to the satisfaction of the City that the applicant's needs for a new tower cannot be accommodated on an existing approved tower structure within the city.

1. Towers are a permitted use with an administrative permit for the following:
 - a. Towers and/or antennas erected temporarily for test purposes, or for emergency communications, interim periods, or for broadcast remote pick-up operations. Temporary antenna shall be removed within 72 hours following installation.
 - b. Adjustment, placement or replacement of the elements of an antenna array affixed to a tower or antenna.
2. Conditional Use Permit is required for the following as regulated in Section 3.1.
 - a. Private receiving or transmitting antennas more than twenty feet (20 ft) in height above a man-made structure or more than fifty feet (50 ft.) in height above the ground if constructed on the ground.
 - b. Commercial receiving or transmitting antennas regardless of height or size with the exception of satellite dish antennas shall first connect to and use the Municipal antenna site, if use of such facilities is technically feasible. The applicant shall provide proof to determine that a municipal location is not feasible.
 - c. Any commercial receiving or transmitting antennas and/or towers not located on the Municipal antenna site.
3. Building Permit. It is unlawful for any person, firm, or corporation to erect, construct, place, erect, replace, or make structural repairs to any tower without first making application for and securing a building permit. A building permit is not required for the following:
 - a. Adjustment, repair, or replacement of existing antennas or the elements of

an antenna affixed to a tower provided that adjustments or replacement does not reduce the safety factor.

- b. Routine maintenance and other nonstructural related repairs to towers.
- c. Public utility structures supporting wireless antennas and conforming to all provisions of this code that are located within public right-of-way allowed pursuant to a lease or master agreement with the city provided for review of the location, height and safety of the structure and antenna.

E. Height Restrictions

- 1. Height Determination: The height of towers shall be determined by measuring the vertical distance from the tower's point of contact with the ground or rooftop to the highest point of the tower, including all antennas or other attachments. When towers are mounted upon other structures, the combined height of the structure at the tower's point of attachment and tower must meet the height restrictions of this section.
- 2. In residential zoned property, the maximum height of any tower, including all antennas and other attachments, shall not exceed seventy-five feet (75 ft.). The Planning Commission shall review and the City Council may allow towers up to one hundred fifty feet (150 ft.) high if the applicant can demonstrate, based upon the topography of the site and surrounding area, siting of the antenna, antenna design, surrounding tree cover and structures and/or through the use of screening that off-site views of the tower will be minimized.
- 3. In all nonresidential zoning districts, the maximum height of any tower, including all antennas and other attachments, shall not exceed on hundred fifty feet (150 ft.). The Planning Commission shall review and the City Council may allow towers up to two hundred feet (200 ft.) high if the applicant can demonstrate, based upon the topography of the site and surrounding area, siting of the antenna, antenna design, surrounding tree cover and structures and/or through the use of screening that off-site views of the tower will be minimized.

F. Location. Commercial and wireless communication signal antennas and/or towers and satellite dishes over 9 square feet may be located in any commercial or industrial zoning district in the City. The Planning Commission may recommend, and the City Council may consider residential areas if the applicant demonstrates to the satisfaction of the City Council that no reasonable alternative location exists in another zoning district. The decision of the City Council shall take into consideration the following:

- 1. Spacing and locational needs to achieve adequate service coverage.
- 2. Possibility of placement of antenna on a pre-existing structure.
- 3. Design and height of any proposed tower.
- 4. Topography and other potential service impediments within the necessary locational radius.
- 5. Proximity tower to existing residences or future residential properties.
- 6. Efforts made to make the tower compatible with the surrounding neighborhood.
- 7. Availability of other potential sites within a reasonable locational radius.

G. Setbacks

1. The setback of a free-standing tower shall be the total height of the tower plus 10 feet from the property line or public right of way.
2. The setback requirement may be reduced upon documentation from a licensed Engineer that the tower is so designed that any debris in the event of a collapse or failure will be confined to the area of property under the control of the Provider or in any case will not seriously endanger adjacent property.
3. The structure and/or equipment used by the Provider shall be located as close as possible to the base of the tower or other structure on which the antenna is located unless another location is approved by the permit issuer.

H. Standards

1. All antennas, dish antennas, and towers shall be designed and situated to be visually unobtrusive, shall be screened as appropriate, shall not be multi-colored.
2. Dish antennas greater than nine (9) square feet in cross section area shall not be located on the roof or exterior wall of a principal or accessory building.
3. Dish antennas greater than nine (9) square feet shall only be located in the rear yard.
4. No antenna, dish antenna, or tower shall be located in the front yard.
5. No antenna, dish antenna, or tower shall be constructed, located, or maintained, at any time, permanently or temporarily, closer to the allowed buildable area of a principal building on any adjacent lot than it is to the principal building on the lot on which it is located.

I. General Requirements. All antennas, dish antennas, and towers for which a permit is required shall comply with the following requirements:

1. The applicant must demonstrate to the City that the proposed antenna structure will reasonably meet the radio frequency and spacing needs of the applicant and anticipated co-locators to provide wireless communication service with the area.
2. Antennas, dish antennas, and towers shall be grounded for protection against a direct strike by lightning and shall comply, as to electrical wiring and connections, with all applicable provisions of this Code and State law.
3. No antennas, dish antennas, or towers shall exceed a height equal to the distance from the base of the antenna, dish antenna, or tower to the nearest overhead electrical power line (except individual service drops), less five (5) feet.
4. Antennas, dish antennas, or towers shall be protected by a City approved barrier to discourage climbing by unauthorized persons.
5. No antennas, dish antennas, or towers shall have affixed to it in any way any signs, banners, or placards of any kind, except one sign not over ten (10) square inches may be affixed indicating the name of the manufacturer, installer, or required by any state and federal regulations. Lighting may be permitted by the City, for safety purposes only.
6. No tower shall have constructed on it, or attached to it in any way, any platform, catwalk, crow's nest, or similar structure.
7. All towers shall be constructed of corrosive-resistant steel or other corrosive-

resistant, non-combustible materials. Towers shall not be constructed or made of wood, including timbers or logs.

8. No part of any antenna, dish antenna, or tower, or any lines, cables, equipment, wires, or braces used in connection with any tower or antenna shall, at any time, extend across or over any part of a street, sidewalk, or alley.
 9. The applicant shall present documentation of the possession of any required license by any Federal, State, or local agency.
- J. Existing transmitting and receiving facilities and towers at the time of the adoption of this Title may remain in service. However, at such time as any material change or additions is made in the facilities or towers, full compliance with this Title shall be reviewed.

6.5 OUTDOOR STORAGE, DISPLAY, OR SALE OF MERCHANDISE

- A. Purpose. The purpose of this section is to protect and promote the public health, safety and welfare through the general establishment of standards and regulations governing the outdoor storage, display or sale of merchandise.
- B. General Prohibition. Subject to Section 6.5.C, all merchandise storage, display or sales areas in the commercial and industrial districts shall be wholly within a completely enclosed building or structure or shall be screened as practicable so as not to be visible from an adjacent public street or across the street from residential properties. The screening shall consist of earth mounds, fences or walls, plant material or landscape fixtures used in combination so as to block access to the merchandise.
1. Exceptions. The following outdoor sales and commercial activities shall not be subject to the provisions of this section to the extent otherwise allowed by the City Ordinance:
 - a. Building material and supplies areas in the light industrial district.
 - b. Fruit and vegetable sales.
 - c. Horticultural nurseries.
 - d. Vending machines.
 - e. Gasoline pumps.
 - f. Sidewalk sales when sponsored by business or civic organizations and approve by the City Council.
 - g. Garage sales when conducted on residential property for a period not to exceed three (3) days during a six (6) month period.
 2. Conditional Use Permit. Permanent or temporary outdoor sale of merchandise not already specified may be permitted subject to review and approval of the conditional use permit. Outdoor sales or storage areas shall be located and screened from residential areas.
- C. Highway 8 Prohibition. Notwithstanding Section 6.5.B, it is unlawful for a real property owner to display for sale any merchandise, including but not limited to automobiles, boats, trailers, motorcycles, motor driven vehicles and accessory buildings, on any real property abutting within 200 feet of the R.O. W. and visible from Highway 8. For the purpose of this subsection, display for sale means placing or storing merchandise on real property that either abuts or is visible from Highway 8 with a sign or notice on or near said merchandise indicating the merchandise is for sale.
1. Exceptions. The following outdoor storage and sales shall not be subject to the provisions of Section 6.5.C.1.c to the extent otherwise allowed by the City Ordinance:
 - a. Merchandise displayed on real property that is specifically zoned and permitted for such display.
 - b. Real estate sales.
 - c. Products for sale via peddler/produce permit.

- d. Automobiles, boats, trailers, motorcycles or motor driven vehicles displayed in the established residential/commercial or driveway/parking lot of the item's owner and limited to two items at a time.
 - e. Garage sales when conducted on residential property for a period not to exceed three (3) days during a six (6) month period.
- D. Exterior Storage and Parking in Residential Districts and Uses.
1. All material, machinery, and equipment located in residential districts and uses shall be stored within a building or fully screened so as not to be visible from public streets, adjoining or adjacent lands.
 2. Parking visible to neighboring properties and public streets in residential districts within a subdivision and in one and one-half (1.5) acres or less shall be subject to the following requirements:
 - a. All motorized vehicle and utility trailer parking shall be parked or stored upon those areas that have been legally improved for driveway or off-drive parking area purposes with an approved paved or gravel surface in the front and side yard.
 - b. No more than four (4) vehicles or one and half (1.5) vehicles per current licensed driver within the household, whichever is greater, may be stored or parked outside on a residential property. All vehicles shall be currently registered to a member of the household. This does not pertain to guest parking.
 - c. No commercial vehicle, with a gross vehicle weight rating of 16,001 lbs. or greater, may be parked at the residence of the owner or operator of the vehicle.
 - d. Only one utility trailer shall be parked or stored on a lot outside. This does not include trailers for watercrafts.
 - e. Only one recreational vehicle may be stored outside and must be currently registered to a family member.
 - f. Only one off-road vehicle may be stored outside and must be currently registered to a family member.
 - g. A maximum of 5 watercrafts or snowmobiles may be stored outside in the rear and must be currently registered to a family member.
 - h. A maximum of 2 ATV, go-carts, golf carts, motorcycles, or off-road motorcycles may be stored outside.
 3. Exceptions.
 - a. Construction and landscaping materials and equipment currently being used on the premises.
 - b. Tow trucks or other similar service on-call vehicles that are 26,000 lbs. or less. The vehicle must be currently registered to a business and must be parked on private property, during such time that the vehicle driver residing at the residence is on-call.
 - c. Agricultural equipment and materials in agricultural zoning districts and uses.
 - d. Firewood piles that are neatly stacked shall be stored in the rear and side yards only.
 - e. Parking in the rear yard does not require a paved or gravel surface.

(Amended: 11/25/2014)

6.6 SIGNS

- A. Purpose: The purpose of this section is to protect and promote the public health, safety, order, and general welfare through the general establishment of standards, regulations and procedures governing the erection and uses of signs and other devices:
1. Establish standards that would permit businesses in the city a reasonable and equitable opportunity to advertise.
 2. Preserve and protect the value of land and buildings and also preserve and protect landscapes.
 3. Prevent hazards to life and property.
 4. To assure the continued attractiveness of the City.
- B. Definition: See Section 9.0 (Definitions)
- C. General: The following are minimum requirements.
1. Off-Premise Signs. All off-premise signs along Highway 8 shall not be erected unless regulated in this chapter.
 2. It is unlawful to erect or maintain any sign on any property, public or private, without the consent of the property owner thereof.
 3. Signs may be erected or maintained by the leasee with the consent of the owner.
 4. Illuminating signs. Illuminating signs in all districts shall meet the following standards:
 1. No sign may be brighter than is necessary for clear and adequate visibility.
 2. Sign shall be constructed and maintained that the source of light is not visible from the public right-of-way or residential property, does not interfere with or obstruct any official traffic sign or signal, nor is illuminated by rotating light except for signs giving public service information.
 3. All illuminated signs shall have a sun relay switch or similar device.
 4. Illuminating signs must not exceed a maximum illumination of 5,000 nits (candelas per square meter) during daylight hours and a maximum illumination of 500 nits (candelas per square meter) between dusk to dawn.
 5. Signs shall not operate at a brightness level of more than one (1) footcandle meter above ambient light in all districts or five-tenths (.5) a footcandle meter above ambient light where it is adjacent to a residential property. Measurement may be taken at the property line.
 5. Electronic Signs. Changeable electronic signs are allowed subject to the following conditions:
 1. Changeable electronic signs are allowed only on freestanding signs.
 2. The images and messages displayed must be static, and the transition from one static display to another must be instantaneous without any special effects.
 3. Electronic signs shall not have distracting flashing or moving light so designed or lighted as to be a traffic hazard, except public informational signs such as signs stating time and temperature.
 4. The message on an electric sign may change at a rate of no less than 6 seconds.

5. The images and messages displayed must be complete in themselves, without continuation in content to the next image or message or to any other sign.
6. Electronic signs must be designed and equipped to freeze the device in 1 position if a malfunction occurs. The displays must also be equipped with a means to immediately discontinue the display if it malfunctions, and the sign owner must immediately stop the dynamic display when notified by the city that it is not complying with the standards of this chapter.
6. All signs shall conform to the building setback regulations for the district in which they are located except as may be otherwise specified in this Section. Those free-standing signs located within Commercial districts may have a support structure located no closer than ten (10) feet from the property line or public right-of-way.
7. All new, rebuilt, and reface monument or pylon signs must be constructed to meet wind loads of at least 80 mph.
8. Plans must be submitted to show how the sign will be anchored to the building for all wall and projecting signs.
9. Signs must be located at least five hundred (500) feet from a park, historical site, or rest area, nor within one hundred (100) feet of a church or school.
10. Signs shall not be closer to any other sign on the same side of the highway facing traffic proceeding in the same direction than one hundred (100) feet. This spacing between signs does not apply to structures separated by buildings or other obstructions in such a manner that only one sign facing located within the above spacing distances is visible from the highway at any one (1) time.
11. At least one address sign identifying the correct address shall be required on each principal building in all districts. The numbers shall be at least three- and one-half (3 ½) inches in height and shall be distinctively in contrast to the color of the principal building.

D. Prohibited Signs and sign structures: No sign shall be erected or maintained:

1. Which purports to be or resembles an official traffic control device, sign, or signal, or railroad sign or signal; or which hides from view or interferes in any material degree with the effectiveness of any traffic control device, sign, or signal, or railroad sign or signal, or which obstructs or interferes with the driver's view of approaching, merging, or intersecting traffic for a distance not to exceed five hundred (500) feet;
2. No sign shall be located within or over a public right of way unless otherwise specifically permitted by this section or the City Council.
3. No signs shall be located on rooftops. Exceptions would be in cases where applicant demonstrates difficulties in using a wall sign or freestanding signs. No rooftop sign shall exceed forty (40) square feet.
4. No sign shall be erected or maintained which imitates or resembles any official traffic sign, signal or device. Furthermore, no sign shall contain such wording including, but not limited to STOP, WARNING, CAUTION or DANGER which may be confused with traffic signing or controls unless such signs are approved by the City.
5. Which contains statements, words, or pictures of an obscene, indecent or immoral character, or such as would offend public morals or decency on any right-of-way or the interstate system of highways, except as otherwise provided by law or allowed by the Commissioner of the Minnesota Department of Transportation;
6. Which has distracting flashing or moving light so designed or lighted as to be a traffic hazard, except public informational signs such as signs stating time and temperature.
7. Which in the opinion of the City building inspector or City Administrator that are structurally unsafe, are in disrepair, or abandoned.
8. No sign shall be painted, drawn or placed on a utility pole, tree, rocks or natural features except those signs that provide public information concerning a school, city, county, state, or federal event, unless approved by city staff.

9. No sign/structure shall be placed that will obstruct safe access to doors, windows or fire escapes.
 10. No signs shall be supported by guy wires.
- E. Signs Permitted without or no-fee permit. Signs without a permit include signs on owner's private property, approved by the City Administrator or designee or political and campaign signs permitted by Minnesota State Statutes. Signs requiring a no-fee permit are signs located on City's Public right-of-way.
1. Traffic signs as approved by the City Administrator or designee.
 2. Public signs as approved by the City Administrator or designee.
 3. Political and Campaign signs as permitted by Minnesota State Statutes. All candidates and politically oriented groups may post their political and campaign signs for sixty (60) days and shall be removed within seven (7) days after an election. For the purpose of this Subdivision, the primary election and general election held in the same year for the same offices(s) shall be considered one election. Political and campaign signs may not be placed on the public right-of-way or easement or on any other publicly owned property. Signs located on public property in conflict with this Subdivision may be removed by the City and the expense of said removal shall be paid by the candidate, group, or property owner.
 4. Real estate, lease, and rental signs not in excess sixteen (16) square feet of sign may be placed within the front yard of such property to be sold or leased. Only one (1) such sign is permitted per street frontage. Corner properties may contain two (2) signs, one (1) per frontage. Such signage shall not be less than sixteen (16) feet from the front lot line unless located against the structure. Failure to remove said sign within ten (10) days of sale or lease of property or failure to maintain said sign shall be considered a violation of this Ordinance.
 5. One free-standing, per corner, off-site real estate sign announcing an "open house" or similar activity for the purpose of showing or displaying real estate for sale are permitted provided the off-site sign is located on private property with the approval of the owner. The off-site sign shall be displayed only during the "open house". The maximum size of such sign shall be eight (8) square feet. Said signs may be placed in the city boulevard area on the same day of the open house and only during the open house.
 6. One temporary, per corner, off-site directional signs for specific events, garage sales, auctions or similar functions may not exceed three (3) square feet in area and may be located on private property with the approval of the owner.
 7. One temporary, on-site construction sign promoting a new residential development, commercial, or industrial project may be located at a construction site provided a final plat for residential development or concept plan in other zoning districts has been filed for the period of construction only. Sign may not exceed a hundred (100) square feet and six (6) feet above grade in height if located in a residential district, and eight (8) feet above grade in height if located in other districts. Said sign shall not be erected before issuance of a building permit and shall be removed within seven (7) days following issuance of certificate of occupancy for a single residence or when ninety-five percent (95%) of a project is sold.
 8. Signs stating the name and/or address of the owner, lessee or occupant of such property or information not to exceed two (2) square feet.
 9. Service club and religious notices.
 10. No trespass/no hunting and similar signs not to exceed two (2) square feet in

size may be placed on private property.

11. Ribbons, banners, pennants, streamers, and similar devices are allowed in commercial, industrial and public institution districts. Said signs shall be removed if they become torn, discolored or in any way damaged to modify their original appearance or within three (3) days after termination of the event or function. A maximum of two (2) signs per lot is allowed for said signs.

F. Signs Requiring a Permit.

1. On-site portable signs for specific or special events, sales, and new item promotions. Signs shall be authorized on a lot no more than four times in any calendar year for a time period not exceeding a total of 40 days in any calendar year. They shall be removed within 24 hours after expiration of the permit.
2. Agriculture, Residential, and Public/Semi-Public Districts
 - 1) One free-standing identification sign not to exceed thirty-five (35) square feet in size or five (5) feet in height for residential developments with six or more single family or multiple family dwelling units.
 - 2) One free-standing identification sign not to exceed a hundred (100) square feet in size or five feet in height for each church, school, hospital or residential care facility. Public/Semi-Public Districts visible on Highway 8 may have a sign height of 25 feet. Such sign shall be solely for the purpose of displaying the name of the institution and its activities or services.
 - 3) Wall, Canopy, or Marquee. For signs in the Public/Semi-Public Districts a total sign area on any one side of a building may not exceed forty (40) square feet. Total sign area on any one side of a building with multiple tenants may not exceed forty (40) square feet per business.
3. Highway Commercial, Business Park
 - 1) One free-standing sign for each principle structure or legal parcel, whichever is more restrictive, not to a hundred (100) square feet, per side, twenty - five (25) feet in height.
 - 2) One, per driveway entry, on site directional sign for campus type buildings, businesses with multiple entryways, tenants and/or uses not to exceed fifteen (15) square feet and six (6) feet in height.
 - 3) Wall, Canopy, or Marquee. Total sign area on any one side of a building or per business front, may not exceed six (6%) percent of the building façade on which the sign is erected, or forty (40) square feet, whichever is greater. Total sign area on any one side of a building with multiple tenants may not exceed forty (40) square feet per tenant. The top of any sign, including its super structure if any, shall be no higher than the wall height of a building to which such sign may be attached or twenty - five (25) feet above ground level, whichever height is less.
4. Downtown Commercial Business District: Area as designated in the Downtown Design Guideline.
 - 1) For lots with at least twenty (20) feet of front yard, one monument sign for each principle structure or legal parcel, whichever is more restrictive, not to exceed a hundred (100) square feet or twenty - five (25) feet in height.
 - 2) Wall, Canopy, or Marquee. Total sign area on any one side of a building may not exceed six (6%) percent of the building façade on which the sign is erected, or exceed forty (40) square feet, whichever is greater. Total sign area on any one side of a building with multiple tenants may not exceed forty (40) square feet per tenant.

- 3) Projecting signs. Total sign area may not exceed ten (10) square feet and may not project more than five (5) feet. The sign shall be situated no lower than ten (10) feet and no higher than eleven (11) feet above grade.
 - 4) Projecting signs shall not be erected directly above wall signs. They may be located along side of a wall sign.
 - 5) Wall or projecting signs shall not be bare or painted plywood.
5. Industrial District
- 1) One monument sign for each principle structure or legal parcel, whichever is more restrictive, not to exceed a fifty (50) square feet or six (6) feet in height.
 - 2) One, per driveway entry, on site directional sign for campus type buildings, businesses with multiple entryways, tenants and/or uses not to exceed fifteen (15) square feet.
 - 3) Wall, Canopy, or Marquee. Total sign area on any one side of a building may not exceed six (6) percent of the building façade on which the sign is erected, or Forty (40) square feet, whichever is greater. The top of any sign, including its super structure if any, shall be no higher than the wall height of a building to which such sign may be attached or twenty - five (25) feet above ground level, whichever height is less.

G. Permit Requirements.

1. A Building Permit shall be obtained for any structure governed by the Uniform Building code supporting a sign.
2. Except as otherwise provided in this section, no sign or structure shall be erected, constructed, altered, rebuilt or relocated until a permit has been issued by the City.
3. Sign applications are available at Chisago City Hall. The applicant shall include sign dimensions, height, colors, construction materials, method of anchoring, content, and location. A sketch or photograph of the proposed sign is required and a site plan that adequately illustrates the location of the sign. In addition, the application shall include the location and size of all other signs at the subject property/development.
4. No signs shall be erected along U.S. Highway 8 without first obtaining the necessary permit(s) from the State of Minnesota. Said permit shall be for each individual sign eligible under this Title.
5. Once a completed sign application is filed with the City, the City Administrator or designee shall review the plans and specifications for the proposed sign(s). If the proposed sign(s) meets ordinance requirements, the building code and all other laws and ordinances of the City, a sign permit will be approved by the City Administrator or designee.
6. The required fee as established by resolution of the City Council shall be paid to the City before issuance of a sign permit.

H. Abandoned Signs. Any sign on any building or freestanding sign on a business site where the business has not been in operation for six (6) consecutive months shall be considered abandoned. Abandoned signs must be promptly removed by the owner or occupant of the premises on which the sign is placed. Seasonal signs may remain if approved by city staff.

I. Unsafe and Unlawful Signs.

1. Any sign erected or maintained in violation of any provision of this part or any

other sign regulation or of any other ordinance or law is a public nuisance. Upon receiving notice of noncompliance from the Zoning Administrator or Building Official, the sign shall be removed or brought into lawful compliance. Signs found by the Building Official to present a threat to public safety must be removed or made safe immediately. Other non-complying signs must be brought into conformity within thirty (30) days.

2. Any permit issued pursuant to this chapter may be revoked for failure to comply with any provision herein.
 3. The City has the right to remove illegal signs after 30-day notice and to charge the costs of removal to the property owner where the sign is located.
- J. Nonconforming and Illegal Signs. Signs which do not conform to the provisions of this Section applicable thereto shall be a non-conforming use.

6.7 OFF-STREET PARKING AND LOADING

- A. Purpose. The purpose of these regulations is to reduce street congestion and traffic hazard and to add to the safety and convenience of City residents by incorporating adequate, attractively designed, and functional facilities for off-street parking as an integral part of every land use.
- B. Scope of Regulations. No provision of any section of this ordinance shall be less restrictive than those outlined in this section. The off-street parking requirements and off-street loading requirements of this section shall apply within all zoning districts.
- C. Calculating Space.
1. Where calculations result in requiring a fractional space, any fraction less than one-half (1/2) shall be disregarded and any fraction of one-half (1/2) or more shall require one space.
 2. 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 building structure or use times the number of floors, minus ten percent (10%).
 3. Should a building or structure contain two (2) or more types of uses, each should be calculated separately for determining the total off-street parking spaces required.
- D. Site Plan. Except for single family dwellings, all applications for a building or an occupancy permit shall be accompanied by a site plan drawn to scale and dimension indicating the location of all off-street parking and loading spaces in compliance with the requirement of this section. For permitted uses, such plan shall be reviewed and approved by the zoning administrator. For conditional uses, such plan shall be reviewed and approved by the planning commission.
- E. Reduction of Existing Parking and Loading Spaces. No parking or loading spaces existing upon the effective date of this Ordinance shall subsequently be reduced below the requirements of this Section.
- F. Change of Use or Occupancy of Land or Buildings. No change of use or occupancy of land, or of use or occupancy of any building shall be made until there is furnished sufficient parking and loading spaces as required by this section.
- G. Use of Parking and Loading Space. Required parking or loading spaces shall not be used for storage or sales of goods or for storage of vehicles that are inoperable or for sale or rent.
- H. Surfacing. All areas devoted for parking space and driveways shall be surfaced with materials suitable to control dust and drainage, bituminous or concrete, or other approved surfaces.
- I. Drainage. All parking stalls and driveways shall be graded for proper drainage.

Plans for surfacing and drainage or parking areas for five (5) or more vehicles shall submit a drainage plan to the zoning administrator. Curbing shall be provided to control runoff for all new commercial, industrial or multifamily development.

- J. Striping. Except for single-family, two-family, and townhouses, all parking stalls shall be marked with white or yellow lines not less than four (4) inches wide.
- K. Lighting. Any lighting used to illuminate off-street parking areas shall be directed down away from abutting property and public right-of-ways.
- L. Signs. No sign shall be so located as to restrict the sight, orderly operation, and traffic movement within any parking lot.
- M. Screening and Landscaping. Except for single-family, two-family, and townhouses, all open parking areas of five (5) or more spaces and all commercial and industrial uses shall be screened and landscaped from abutting or surrounding residential uses or districts by a wall, fence, or densely-planted compact hedge or tree cover not less than four (4) feet in height. Fences and walls shall not exceed (8) feet in height. Earth mounding or berms may be used but shall not be used to achieve more than three (3) feet of the required screen.
- N. Maintenance. It shall be the joint and sole several responsibility of the lessee and/or owner of the principal use, uses or building to maintain in a neat and adequate manner, the parking area, striping, landscaping and screening.
- O. Stall, Aisle and Driveway Design.
 1. Except in the case of single family, two family, and townhouses, parking areas shall be designed so that circulation between parking aisles or driveways occurs within the designated parking lot and does not depend upon a public street or alley, and such design does not require backing into the public street. No parking spaces shall conflict with pedestrian movement along adjoining sidewalks or pedestrian ways.
 2. Except in the case of single family, two family, and townhouses, parking areas shall comply with the following standards:

Angle of Parking	Stall Width (ft.)	Stall Length (ft.)	Minimum Driveway Width (ft.)
0 (along curb)	10	22	12 ft. one way
30	10	19	11 ft. one way
45	10	21	13 ft. one way
60	10	22	24 ft. two way
90	10	20	24 ft. two way

3. No curb access shall be located closer than forty (40) feet from the intersection of two (2) or more street right-of-ways for residential uses, and

sixty (60) feet for commercial and industrial areas. This distance shall be measured from the intersection of lot lines.

4. Curb cut openings shall be a minimum of five (5) feet from the side property line.
5. All property shall be entitled to at least one (1) curb cut. Single-family uses shall be limited to one (1) curb cut access per property.
6. Driveway access in single-family, two-family, and townhome uses may be the width of the garage but shall not exceed thirty-six (36) feet width at the public right-of-way.
7. Residential uses with garages less than twenty-four (24) feet wide may have an access up to twenty-four (24) feet in width as measured adjacent to the back of curb or edge of public road.
8. Any right-of-way repairs or street reconstruction in residential districts, the city will only be responsible for replacing up to twenty-four (24) feet of the opening. The cost to replace the remainder of the driveway opening is the responsibility of the property owner.
9. All parking spaces shall be served by access aisle or driveway connections to a public right-of-way.

P. Letter of Credit. The City may require a letter of credit or other form of security acceptable to the City to assure compliance with the City’s off-street parking regulations.

Q. Number of Required Parking and Loading Spaces. The following minimum number of off-street parking and loading spaces shall be provided and maintained:

USES	NUMBER OF REQUIRED PARKING SPACES
Single-family, two-family townhouse dwelling (off-street)	2 spaces per unit, in addition to required garage
Multiple family dwelling (off-street)	2 spaces per unit of which 1 space shall be an enclosed garage
Animal Clinic	1 spaces for each kennel, plus 1 for each doctor and employee in the building.
Automobile service station	4 spaces plus 2 spaces for each repair stall plus adequate spaces for gas pump area
Auto-marine and auto sales mobile, boat (off-street), bus and taxi-terminals.	8 spaces plus 1 additional space per 800 sq. ft. of floor area over 100 sq. ft.
Banks	1 space per 400 sq. ft.
Boarding house	2 spaces for each 3 persons.
Bowling alley	5 spaces per lane or alley plus such additional spaces as required for affiliated uses.
Car wash	
a. Automatic drive-thru	3 spaces per bay
b. Self service	2 spaces per bay
Church, theater, auditorium, gymnasium,	1 space for each 4 seats

main assembly hall	
Clinics, Medical and Dental	Two (2) spaces for each examining or treatment room, plus 1 for each doctor and employee in the building.
Dance hall, skating rink, and auction house	1 space for 200 sq. ft. of gross floor area
Drive-in establishment and convenience foods	1 space for each 150 sq. ft. of gross floor area, but not less than 15 spaces.
Funeral homes	1 space per 50 sq. ft. of gross floor area
Furniture, appliance, household equipment, sales and repairs	1 space for 1,000 sq. ft. of floor area
Hospital	2 spaces per bed
Hotels a. with no other facility	1 space per rental room plus 1 space for each employee on any shift plus spaces required for restaurants
b. with other facility (restaurant, meeting rooms)	1 per room plus 1 per each 4 persons of capacity in other facilities
Libraries and museums	1 space for each 500 sq. ft. of floor area.
Manufacturing, fabricating, or processing of a product	1 space per 500 sq. ft. of gross floor area
Miniature golf course, archery, golf and driving range	10 spaces plus 1 additional space for each 150 s.f. of floor area
Motels	1 space per rental room plus 1 space for each employee on any shift plus spaces required for restaurants
Nursing home, sanitariums, or rest home	1 space per client
Office buildings, professional buildings, Restaurants, cafes, bars, and taverns	1 space for 200 sq. ft of gross floor area
a. Without intoxicating liquor or dancehall	1 space per 60 sq. ft. gross floor area
b. With intoxicating liquor	1 space per 50 sq. ft. gross floor area
	Additional parking maybe required for dance floors larger than 100 sq. ft. and if bar area is separate from the food service or other public areas.
Retail store and service of floor establishment	1 space for 250 sq. ft. of floor area devoted to show room or display of goods for sale and services.
Retail sales and services with 50% or more of floor area devoted to sales or devoted to storage, warehouse and/or	1 space per 250 s.f. of gross floor area plus 1 space per 2000 s.f. of storage area
Senior Citizen Housing	1 space per unit, which shall be within an enclosed garage
Self-service laundry	1 per 3 washing machines
Schools	
Preschools, nursery, kindergarten	1 per classroom plus 1 for each 30 student capacity
Elementary, Junior High/middle	1 per classroom plus 2 for each 30 student capacity
Senior high & Post-Secondary	1 per classroom plus 1 per each 6 student based on design capacity
Warehouse, storage or handling of bulk goods	That space which is solely used as office shall comply with office use requirements and 1

	additional space for each 2,000 s.f. of floor area, plus 1 space for each employee on maximum shift and 1 additional space for each company owned truck (if not stored inside principal building)
Other uses (off-street)	As determined by the Zoning Administrator

R. Credit for required parking spaces. Credit may be granted based on a review by the Zoning Administrator and approval by the City Council. Credit is to promote additional green space and reduce the impervious surface of the parking lot. Pervious parking shall be promoted where feasible. Review of the credit will be based on type of service, utilization of different modes of transportation by employees or clients, ability to share adjoining parking and on-street parking. The applicant must submit a site plan which will maintain sufficient land available to reinstate all required parking if the applicant's transportation plan should not be implemented.

S. Compact Car.

1. A compact car space shall have a minimum width of eight (8) feet and a minimum length of 16 feet not including access driveways and turnarounds sufficient to permit a compact automobile to be parked in and removed from the space without the necessity of moving other vehicles. The minimum dimensions of compact stalls shall be as follows:

<u>Angle</u>	<u>Curb Length</u>	<u>Stall Length</u>
45°	10.0'	16.0'
60°	8.5'	17.5'
75°	8.0'	16.5'
90°	8.0'	16.0'
Parallel	16.0'	8.0'

2. Compact car parking may be provided if the following conditions are met:
 - a. A maximum of 25 percent of the total number of required parking spaces may be used for compact cars provided the total parking area has at least 20 stalls.
 - b. Compact car stalls shall be clearly marked with directional signs as approved by the city.
 - c. Compact car stalls shall be distributed throughout the parking area to have reasonable proximity to the structure(s) served by and shall not have generally preferential locations such that their use by non-compact cars will be discouraged.

T. Joint Facilities. The City Council may, after receiving a recommendation from the Planning Commission, approve a conditional use permit for one (1) or more businesses to provide the required off-street parking facilities by joint use of one (1) or more sites where the total number of spaces provided are less than the sum of the total required for each business if the following conditions are satisfactorily met:

1. The building or use for which the application is being made to utilize the off-street parking facilities provided by another building or use shall be located within three hundred (300) feet of such parking facilities.

2. The applicant shall show that there is no substantial conflict in the operating hours of the two (2) buildings or uses for which joint use of off-street parking facilities is proposed.

U. Off-Street Loading Facilities. The regulations of this Section are not applicable in the CBC district. Every lot used for commercial or industrial purposes and having a building or buildings with a total floor area of at least ten thousand (10,000) sq. ft. and every lot used for office or research purposes on which there is a building or buildings having a total floor area of at least twenty thousand (20,000) sq. ft., shall have an off-street loading space. An additional off-street loading space shall be required for lots used for commercial or industrial purposes where the floor area of all buildings exceeds one hundred thousand (100,000) sq. ft.

1. Use Restrictions. Any space allocated as a loading berth or maneuvering area so as to comply with the terms of this title shall not be used for the storage of goods, inoperable vehicles or be included as a part of the space requirements necessary to meet the off street parking area.
2. Hours of Loading and Unloading: Where noise from loading or unloading activity is audible in a residential district, the activity shall terminate between the hours of 7:00 PM and 7:00 AM.
3. Design standards:
 - a. Loading space required under this Section shall be at least seventy-five (75) feet long and twelve (12) feet wide.

(Amended: 02/24/2015)

6.8 FENCES

- A. General. Fences greater than thirty-six (36) inches in height require a building permit. Fences shall be maintained so as not to become unsightly, hazardous, or less opaque than when originally constructed. The fence shall be constructed in such a manner as to be capable of resisting the design wind loads for structures as defined by the state building code.
- B. Location. Fences may be located up to the property lines. No damage of any kind should occur to abutting properties. Pedestrian trails adjacent to any hazardous fences allowed by ordinance shall maintain a minimum five (5) foot setback from the edge of the trail surface. Any hazardous fences allowed by ordinance and placed adjacent to a pedestrian trail shall maintain a minimum five (5) foot setback from the edge of the trail surface.
- C. Materials. All fences built or maintained shall be constructed of materials capable of providing a finished appearance on the outward side visible to the public. All materials used to construct the fence shall be sound materials, resistant to rot, and capable of accepting and maintaining a visually attractive appearance. Exceptions to the fence materials are indicated in this section. Fences shall be constructed of the following materials:
1. Wood
 2. Simulated wood
 3. Chain link
 4. Decorative brick or stone
 5. Wrought iron or aluminum designed to simulate wrought iron
 6. Split rail
 7. Other materials or fence types as approved by the city
- D. Temporary Fences. Temporary fences such as snow fence or silt fence are allowed without a permit and shall meet the following:
1. For the purpose of reducing or eliminating run-off, or as otherwise required by city ordinance, a temporary silt fence shall be installed and constructed as described by the Chisago City Standard Plate.
 2. For the general purpose of reducing or eliminating snow drifts a snow fence maybe installed and maintained during October 1 through May 1.
- E. Prohibited Fences. Fences such as barbed wire, electric, chain link with barbs exposed, and walls with protruding sharp edges thereof, and other fences and walls designed for or likely to cause harm to persons are declared hazardous and are prohibited in the city with the following exceptions:
1. Barbed wire, single strand wires, electric, chain link with barbs exposed may be used to confine livestock, protect crops or as otherwise allowed by ordinance.
 2. Electrified fences shall use a UL approved for agricultural uses and shall be installed so as to not have current going through said fence except on an intermittent basis. Current shall not remain on longer than three (3) seconds. Electrified fences adjacent to a pedestrian trail

or residential subdivision shall be clearly designated as an electrified fence by the installation of one by one (1x1) square foot sign stating, "this fence is electrified".

- F. Agricultural Uses. Fences may be located on any lot line up to a height of six (6) feet for the purpose of confining livestock or protecting crops.
- G. Residential Districts. Fences may be located on any lot line up to a height of four (4) feet in the front or the front one-half of the side yard. A fence up to six (6) feet may be constructed in the rear yard or the rear one-half of the side yard.
- H. Commercial and Industrial Districts. Fences may only be located on the rear and rear one-half (1/2) of the side yard; the fence may be up to eight (8) feet in height.
- I. Public/Semi-Public Districts. Height restrictions are exempt for the following:
 - 1. In public parks, schools, or other educational facilities, public and private, fences for playgrounds, athletic fields, outdoor swimming facilities, and other similar uses
 - 2. Cemeteries, public utilities, and holding ponds.
- J. Swimming Pool. Any structure intended for swimming or recreational bathing that contains water over twenty-four (24) inches deep shall install a fully enclosed fence as required in the municipal code Section 70.00.
- K. Special Purpose Fences. A conditional use permit may be granted by the City for special purpose fences and fences differing in construction, heights or location for the following:
 - 1. Any variations in height in all zoning districts to add architectural design, confine livestock, protect crops or provide additional security.
 - 2. In commercial, industrial and Public/Semi-Public – Facility districts the use of barbed wire on the top one (1) foot of any fence along side or rear lot lines may be constructed of barbed wire. Barbed wire may also be placed on the top one (1) foot of fences in the Industrial or Public/Semi-Public – Facilities districts when fronting a public street and placed five (5) feet off the public right-of-way. Barbed wire shall not be permitted adjacent to any residential districts.

(Amended: January 11, 2011)

6.9 BED AND BREAKFASTS

- A. Purpose. The City recognizes that Bed and Breakfasts are an asset to the community for the preservation of historic homes. It is the intention of the City to limit Bed and Breakfast uses to those homes whereby a special use would benefit the City and surrounding area by allowing appropriate adaptive reuse for such dwellings. Allowing Bed and Breakfasts is in recognition that the expense of owning and maintaining historic homes has made them less suitable for single-family dwellings.

Bed and Breakfast are allowed by a conditional use permit in residential zone districts subject to the following conditions:

1. At least two off-street parking spaces must be provided on-site for the owner/manager and one parking space for each guest room. The parking spaces shall be signed, and plan approved by the Zoning Administrator.
2. The dining facilities of a Bed and Breakfast establishment shall not be open to the public but shall be used exclusively by the registered guest unless allowed as a separate permitted or conditional use.
3. Bed and Breakfast uses in residential areas shall be located at least six hundred (600) feet apart (approximately two (2) blocks).
4. No liquor is to be sold on the premises. If wine is served, a wine license must be obtained from the City or State of Minnesota.
5. Bed and Breakfast establishments are allowed an identification sign not exceeding four (4) square feet and shall be located on site. The sign must match the architectural features of the structure.
6. A Bed and Breakfast establishment is only permitted in single family residential zoning districts. Bed and Breakfast establishments are prohibited in all other districts.
7. The Bed and Breakfast structure will at least show proof of historic significance to the character of the City as determined by the State Historic Preservation office or local history preservation organization.
8. A maximum of five (5) guest rooms may be allowed in a residential Bed and Breakfast.
9. Adequate lighting must be provided between the Bed and Breakfast and the parking area.
10. Any additional external lighting is prohibited.
11. A Bed and Breakfast shall obtain required building permit, meet fire and health code requirements and shall provide the Zoning Administrator with required state sales and use tax number.

12. Restoration or addition to a Bed and Breakfast shall meet Secretary of Interior Standards for Rehabilitation.
13. Bed and Breakfast guest may stay a maximum of one (1) week.

6.10 MINIMUM LANDSCAPE REQUIREMENTS

- A. Purpose. The City of Chisago City places a high value on landscaping and greenery in both natural and the built environments. Landscaping and screening provides many aesthetic, ecological, economical and health safety benefit.
- B. Requirement. A detail landscape plan must be submitted to the Planning Department in the following cases:
 - a. With any application for new development requiring site plan review.
 - b. When changes are made to an existing landscape plan on file with the City.
 - c. As requested by the City Administrator or designee when either substantial redevelopment of a site is proposed or additions to an existing property.
- C. Landscape Plan Component. Landscape plans shall be prepared by a landscape architect, nursery designer or other qualified person. Landscape plans shall be reviewed and approved by the City Administrator or designee. A landscape plan shall include the following:
 - a. Name of project, owner and developer and street address of project.
 - b. Name, address, phone number of plan preparer and, if applicable, Minnesota license/certification number of the Landscape Architect or Certified Nursery and Landscape Professional (CNLP).
 - c. Scale and North arrow.
 - d. Locations of existing and proposed buildings and all other structures.
 - e. Location, height and materials of any existing and proposed screening.
 - f. Location, approximate size and common name of existing trees, shrubs and other vegetation that are to be retained as part of the new landscaping and description of how they will be protected during construction.
 - g. Location and details of irrigation systems.
 - h. Location, width and height of all proposed earth berms and retaining walls.
 - i. Planting details illustrating proposed locations of all new plant material.
 - j. Planting schedule containing:
 - 1) Plant key
 - 2) Common and botanical plant names
 - 3) Quantity of plants for each species
 - 4) Size of plant material at time of planting and at maturity
 - 5) Root condition (balled and bur lapped, bare root, container, etc.)
 - 6) Special planting instructions
 - k. Any other existing or proposed features that relate to or affect site finish and landscaping.
- D. All plant materials indicted on an approved landscaping plan that do not survive three (3) growing seasons shall be replaced with identical plants during or before the following season.

- E. **Minimum Landscape Requirement.** Deciduous trees shall be planted 50 feet on center and coniferous street trees shall be planted 40 feet on center. The following minimum landscape requirements shall be met for all projects:

Type of Tree/Shrub	Minimum Size
Deciduous Trees	2-1/2 inch caliber
Deciduous Shrubs	24 inches high
Coniferous Trees	6 feet high
Coniferous Shrubs	1 gallon

6.10.1 Residential Building Requirements (1-6 units per building)

The Developer or Builder of any new residence (or substantial modification to an existing residence) between 1- 6 housing units that is exclusively residential must adhere to the following requirements.

- A. Street tree requirements. A street tree shall be planted along all streets according to the City street tree planting plan or as required by the Zoning Administrator or designee. Street trees shall be set back a distance of ten (10) feet from the street right-of-way.
- B. Front yard tree requirements. A front yard tree shall be planted for every unit. The tree shall be planted outside the public right-of-way.
- C. Vegetative Cover Requirement. Vegetative Cover including sod, shrubs, trees, and related landscaping materials must be established in all front yard areas, and within the first 20 feet from the primary structure of all side yard and rear yard areas. The vegetative cover requirement shall not preclude the construction of the following provided minimum zoning setback requirements are met: decks, patios, and placement of rock and related landscape materials associated with foundation planting adjacent to a structure.
- D. Landscaping in Drainage and Utility Easements. Shallow root plantings including sod, turf, grass and shrubs shall be established in drainage and utility easement areas. The placement of landscaping or structures that significantly changes or impedes the designed drainage pattern shall be prohibited. The City reserves the right to review all landscaping plans.

6.10.2 Commercial and Industrial

Landscaping for all commercial, industrial, institutional, or multiple family building greater than 6 units shall consist of a combination of deciduous, coniferous, and ornamental trees, shrubs, hedges, flowers, sod, ground cover and other natural materials. Landscaping shall cover all areas not used for structures, drives, sidewalks, or parking.

- A. A landscape plan shall be submitted with any commercial and industrial site plan application.
- B. The front yard lots shall be covered with sod and maintained in an appropriate manner. Portions of lots intended to be utilized for expansion of structures may be seeded with grass seed, mulched and fertilized

according to the recommendations of the zoning administrator instead of being sodded.

- C. Landscape islands shall be provided at each end of all rows of parking in parking lots in excess of 40 parking stalls. Planting islands in parking lots shall be planted with at least one (1) deciduous tree and at least two (2) shrubs (shrubs not to exceed 18 inches in height) and shall be mulched with a minimum of four (4) inches of rock, wood chips or similar material. All planting islands shall be treated.
- D. One (1) tube for feeding and watering shall be installed in each planting island.
- E. Where any commercial or industrial use (building, structure, parking or storage) is adjacent to or across the street from residential property screening shall be required along all boundaries of residential property.

6.11 SUPPLEMENTAL REGULATIONS

The provisions of this ordinance shall be subject to such exceptions, additions or modifications as set forth in the following supplementary regulations:

- A. Essential Services. Essential services, as defined in this ordinance, shall be permitted in all districts.
- B. Soil Stripping. No person, firm or corporation shall strip, excavate or otherwise remove top soil for sale, or for use other than on the premises from which it is taken, except in connection with the construction or alteration of a building on the premises and excavation or grading incidental thereto.
- C. Vacant Lots of Record. Notwithstanding the limitations imposed by any other provisions of this ordinance, the Council may permit erection of a dwelling on any lot (except a lot in an industrial district), separately owned or under contract of sale and containing, at the effective day of this ordinance, an area or width smaller than that required for a one family dwelling, provided that municipal sewer and water service is available to the site.
- D. Substandard Lots. No lot, yard, court or other open space, already containing less area than the minimum required under this ordinance, shall be further divided or reduced.
- E. Satellite Dishes. Satellite dishes shall be regulated as described below unless exempt by federal law. Satellite dishes shall be permitted in the rear or side yards of all districts. A building permit is required for dishes over 2 ft diameter. All district setbacks must be met in placement of dishes. Dishes shall not exceed thirty (30) feet in height.
- F. Bulk Storage (Liquid). Storage permitted only in the light industrial zone district. All uses associated with the bulk storage of oil, gasoline, liquid fertilizer, chemicals, and similar liquids shall require a Conditional Use Permit in order that the City Council may have assurance that fire, explosion, water, or soil contamination hazards are not present that would be detrimental to the public health, safety and general welfare. All existing above-ground liquid storage tanks having a capacity in excess over one thousand (1,000) gallons requires a conditional use permit within twelve (12) months following enactment of this Ordinance.

The City Council shall require the development of diking around said tanks and appropriate monitoring systems. Diking shall be suitably sealed and shall hold a leakage capacity equal to one hundred and fifteen percent (115%) of the tank capacity. Any existing storage tank that, in the opinion of the City Council, constitutes a hazard to the public safety must discontinue operations within one (1) year following enactment of this Ordinance. The City Council may require pressure testing of storage tanks on a periodic basis. Any liquid bulk storage providers shall submit to the City copies of any hazardous material reports submitted to Minnesota Pollution Control Agency (MPCA) or by the Federal Government.

- G. Structure Relocation. A building permit is required for all permanent relocation of structures. Construction sheds and other temporary accessory structures to be located on a lot for less than six (6) months do not require a building permit.
- H. Fish houses and movable accessory buildings. One (1) moveable storage accessory building (fish house) is allowed to be stored in either the side or rear yard of a parcel, or on parcels with lake access in the back yard behind the required setback.
- I. Lighting. In all districts, any lighting used to illuminate an off-street parking area, or other structure or area, shall be arranged not to be disruptive to neighboring residents or the general public. This includes, but not limited to, direct or sky-reflected glare, whether from floodlights or from high temperature processes such as combustion or welding. The source of light shall be hooded or controlled. Bare light bulbs shall not be permitted in view of adjacent property or public rights-of-way. No light or combination of lights which cast light on a public street shall exceed one (1) foot candle meter reading as measured from the centerline of said street nor shall any light or combination of lights which cast light on residential property exceed four-tenths (0.4) foot candles. Lighting standards shall not exceed twenty-five (25) feet in height.
- J. Keeping of Farm Animals. Every person who raises Farm Animals for sale, profit, or pleasure on parcels must keep them confined on the premises at all times, except for the purpose of when honeybees are pollinating, farm animals are being transported, racing and used in ceremonies. This section of the ordinance does not apply to the keeping of dogs, cats and other domestic animals customarily kept as pets, or Kennel License as regulated in the Municipal Code Chapter 151. Any persons keeping Farm Animals within the city limits shall follow the guidelines within this section or as written in the Municipal Code Chapter 151, whichever is more restrictive.
 - 1. It shall be unlawful for any person to keep or harbor any animal which habitually yaps, wails or cries. The habitual yap, wail, or cries shall exist when repeated intervals of at least ten (10) minutes with less than one minute of interruption over a period of one hour or more. Such yap, wail or cry must also be audible off of the owner's or caretakers' premises.
 - 2. The following animals are allowed on parcels of five (5) acres or larger. One (1) animal unit is permitted per two acres. Pigeons and fowl maybe combined to equal one (1) animal unit. Any other animals not listed below shall be reviewed by the Planning Commission and approved by the City Council.

The animal units are as follows:

1 Bovine	= 1 animal unit
1 Horse	= 1 animal unit
2 Swine	= 1 animal unit
5 Alpaca or llama	= 1 animal unit

5 Sheep/Goat = 1 animal unit
 20 Fowl = 1 animal unit

3. The following animals are allowed on parcels of five (5) acres or less.
 - a. Horses. Horses are permitted in the City on properties three (3) acres or more. One (1) horse is equivalent to one (1) animal unit. One (1) animal unit is permitted per two acres.
 - b. Pigeons and other Fowl. Pigeons and other fowl are permitted in the City on properties that are less than one (1) acre. They shall be protected from the weather and predators in a shelter or coop and have access to the outdoors. Properties one (1) acre or less shall provide a run area that is enclosed or fenced. Shelters, chicken coops and run area shall be placed in the rear yard and be at least twenty-five (25) feet from any residential dwelling on any other premises. The following are limitations on Pigeons and other fowl within the City.
 - i. No person shall keep roosters on any property less than two (2) acres.
 - ii. All premises on which the pigeons and fowl are kept or maintained shall be kept clean from filth, garbage, and any substances which attract rodents. The shelter, coop, and its surrounding must be cleaned frequently enough to control odor. Manure shall not be allowed to accumulate in a way that causes an unsanitary condition or causes odors detectible on another property. Failure to comply with these conditions may result in a violation of this section and municipal code Chapter 151.
 - iii. Pigeons and other fowl are not allowed on properties with three (3) or more dwelling units.
 - iv. Other fowl are allowed on properties less than one (1) acres. The following animals are allowed:

Pigeons or Other Fowl	
5 Pigeons or Other Fowl	Less than one (1) acre
10 Pigeons or Other Fowl	Greater than one (1) acre, but less than two (2) acres
20 Pigeons or Other Fowl	Greater than two (2) acres

- c. Honey Bees. Keeping, maintaining, and raising of honey bees may be allowed on properties a quarter (0.25) acre or greater. Any person keeping, maintaining, and raising honeybees shall comply with the following restrictions:
 - i. Any Africanize strain species of honeybees is prohibited.
 - ii. The beehives shall be located a minimum of twenty (20) feet from any property line, as measured from the nearest point on the hive to the property line.

- iii. The beekeeper shall establish and maintain a flyway barrier at least six (6) feet in height. The flyway barrier may consist of a wall, fence, dense vegetation or a combination thereof, such that honeybees will fly over rather than through the material to reach the colony. The flyway barrier must be in proximity to the hive to ensure the honeybees fly up and above head height. A flyway barrier is not required if the property adjoining is undeveloped or is used for agriculture or industrial; this does not include properties with horses or pedestrian trails. A flyway barrier is not required if the hives are located on the roof of a structure containing at least one (1) full story if all hives are located at least five (5) feet from the side of the structure and at least fifteen (15) feet from any adjacent and occupied structure.
- iv. No person is permitted to keep more than the following numbers of colonies on any lot within the city:

Bee Hives	
2 Bee Hives	Larger than 0.25 acre, but less than 1 acres
4 Bee Hives	Larger than 1 acres, but less than 3 acres
8 Bee Hives	Larger than 3 acres, but less than 5 acres

- v. Any person keeping, maintaining, or raising of honeybees shall comply with the following standards of practice:
 - 1. Honeybee colonies shall be kept in hives with removable frames, which shall be kept in sound and usable condition.
 - 2. Each beekeeper shall ensure that a convenient source of water is available to the colony prior to and so long as colonies remain active outside of the hive.
 - 3. Each beekeeper shall ensure that no wax comb or other material that might encourage robbing by other bees is left upon the grounds of the apiary lot. Such materials once removed from the site shall be handled and stored in sealed containers or placed within a building or other insect-proof container.
 - 4. Each beekeeper shall maintain his beekeeping equipment in good condition, including keeping the hives painted, and securing unused equipment from weather, potential theft or vandalism and occupancy by swarms. It shall be a violation of this section for any beekeeper's unused equipment to attract a swarm, even if the beekeeper is not intentionally keeping honeybees.
- vi. If a beekeeper serves the community by removing a swarm or swarms of honeybees from locations where they are not desired, a beekeeper shall not be considered in violation of the portion of this section limiting the number of colonies while temporarily housing the swarm on the apiary lot in compliance with the standards of practice established pursuant to this section if the swarm is so housed for no more than thirty (30) days.

4. Interim Use Permit Required. Any person who desires to exceed these limitations shall first apply for an Interim Use Permit as outlined in Chapter 3.2 of this ordinance.

K. Docks, Lifts and other Mooring Structures or Facilities.

Purpose: The purpose of this ordinance is to regulate docks, lifts and other mooring structures or facilities, other than those owned or operated by the state or a political subdivision, on all lots within the Shoreland Overlay District.

1. General Requirements:
 - a. No person shall store fuel upon any dock.
 - b. Docks, moorings and other structures must comply with Minnesota rules 6115.0210 and shall be so built and maintained that they do not constitute a hazard to the public.
2. Conditional Uses
 - a. Allowed conditional uses.
 - 1 Overnight use of watercraft as living quarters, beaching, docking, or continuous mooring of watercraft.
 - 2 Access easements. One ten (10) foot easement is allowed for docks or other mooring structures on riparian lots that are at least one hundred (100) feet wide at the OHWL. Easements must be designed to ensure that dock dimension and placement standards can be met.
 - b. Approval. The City Council may or may not approve conditional uses based on evaluation that includes consideration of lot width, lot depth, land slope, water depth, vegetation, soils, depth to groundwater and bedrock, compatibility with adjacent land uses and/or other relevant factors. The City Council may place relevant conditions to minimize any identified impacts.
3. Location: No dock, mooring or other structure shall be so located as to:
 - a. Obstruct the navigation of any lake or river.
 - b. Obstruct reasonable use or access to any other dock, mooring or other structure authorized under this chapter.
 - c. Present a potential safety hazard.
 - d. Be detrimental to significant fish and wildlife habitat or protected vegetation.
4. Design Standards for Detached Single Family Lots Not Created as Part of a Shoreland PUD. Docks or other mooring structures are allowed on single-family riparian lots meeting the minimum lot area and width standards under Section 4.7.3. E. and not created as part

of a Shoreland PUD. No permit is required provided the following requirements are met:

a. Dock Dimensional standards.

- 1 No dock shall exceed six (6) feet in width.
- 2 No dock shall exceed fifty feet (50') in length or the minimum straight-line distance necessary to reach a water depth of five (5) feet, whichever is greater. The width, but not the length, of the crossbar of any T- or L-shaped dock shall be included in the computation of length. The crossbar of any such dock shall not measure in excess of twenty-five (25) feet in length.

b. Dock Placement.

- 1 No dock shall encroach within five (5) feet of the extended property line (dock setback zone).
- 2 The owners of any two abutting lots may erect one common dock within the adjacent dock setback zones, if the common dock is the only dock on the two lots and the dock otherwise conforms with the provisions of this chapter
- 3 Docks shall be located so that moored watercraft and equipment are not located in the dock setback zone.
- 4 Docks not meeting the above standards that are accessed through an existing legal easement may be placed in the dock setback zone. These docks may be placed back in the water if they are removed before freeze-up and they meet the dimensional standards. Where possible, these existing docks shall be centered on the easement and every attempt must be made to stay in compliance.

c. Other Design Standards

- 1 Mooring is limited to five (5) registered watercraft.
- 2 All registered watercraft must be registered to a family member. No more than one (1) watercraft that is not registered to a family member can be moored for no more than four (4) consecutive days.
- 3 Rental of slips is not allowed.
- 4 Docks must be removed before freeze-up. For extenuating circumstances or difficult terrain, a dock may be moved as close to the lakeshore as possible.
- 5 All docks must be marked with reflective material on the front (facing the water) and each side of the structure. The reflective material must measure a total area of no less than nine (9) square inches every ten (10) feet on each side of the dock.

- 6 No docks shall use flashing lights or bright lights that are disruptive to neighboring residents.

5. Permit Requirements & Design Standards for Shoreland Planned Unit Development (SLPUD) Districts:
 - a. For residential (single family and multi-family) lots not meeting the minimum lot standards in Section 4.7.3.E. and created as part of a residential shoreland PUD, no individual docks are allowed, and any mooring spaces for watercraft must comply with the applicable standards in Section 4.7.3.Q.7.d.(3).
 - b. For resorts, campgrounds, hotels, motels or other transient-oriented uses created as part of a commercial SL PUD, docks and mooring spaces must comply with the applicable standards in 4.7.3.Q.7.d.(3).

6. Permit Requirements for Multi-Family and Commercial Lots Not Created as Part of a shoreland PUD: Docks or other mooring structures for twin-homes, townhomes, multi-family, and commercial uses on riparian lots meeting the minimum lot area and width standards under Section 4.7.3.E. and not created as part of a shoreland PUD shall apply for a permit at the time of initial platting or subsequent to plat approval. If owners apply for additional docks, lifts, or other mooring structures after initial platting, a Conditional Use Permit (CUP) process outlined in this ordinance shall apply.

*(Amended Chapter 6.11.J July 24, 2012, Amended Chapter 6.11.K April 26, 2022
Amended Chapter 6.11.J October 24, 2023)*

6.12 RENEWABLE ENERGY SYSTEMS

The renewable energy regulations are intended to supplement existing zoning ordinances and land use practices, and ensure these systems are appropriately designed, sited and installed. The regulations are in place to balance the need to improve energy sustainability through increased use of renewable energy systems with concerns for preservation of public health, welfare, and safety, as well as environmental quality, visual and aesthetic values, and existing neighborhood social and ecological stability.

A. Wind Energy Conversion Systems (WECS)

1. Definitions

- a. Large WECS. A WECS of equal to or greater than 100kW in total nameplate generating capacity. The energy must be used on-site with excess energy distributed into the electrical grid.
- b. Small WECS. A WECS of less than 100kW in total nameplate generating capacity. The energy must be used on-site with excess energy distributed into the electrical grid.
- c. Tower Height. The total height of the WECS, including tower, rotor, and blade to its highest point to travel.
- d. Wind Energy. Kinetic energy present in wind motion that can be converted into electrical energy.
- e. WECS. A Wind Energy Conversion System which is an electrical generating facility comprised of one or more wind turbines and accessory facilities, including but not limited to, power lines, transformers, substations and metrological towers that operate by converting the kinetic energy of wind into electrical energy. The energy must be used onsite with excess energy distributed into the electrical grid.
- f. Wind Energy System. An electrical generating facility that consists of a wind turbine associated controls and may include a tower.
- g. Wind Turbine. A wind turbine is any piece of electrical generating equipment that converts the kinetic energy of blowing wind into electrical energy through the use of airfoils or similar devices to capture the wind.

2. Permits

- a. Large WECS Districts. Large WECS are permitted with a conditional use permit as outlined in Section 3.4 in all Commercial and Industrial Districts, Public/Semi-Public – Facility, and all properties located in the residential districts for purposes of shared WECS energy production among the residential dwelling units.
- b. Small WECS Districts. Small WECS are permitted with approval of a Design Review as outlined in Section 3.5 in all zoning districts.
- c. A valid building permit shall be obtained before installation of a Wind Energy Conversion System. Such systems must comply with the Uniform Building Code standards, and accepted engineering standards.

3. Locations

- a. One (1) large WECS shall be allowed on a single lot of one (1) to five (5) acre(s). All other larger parcels will be limited to one (1) large WECS per five (5) acres of land area.
- d. One (1) small WECS shall be allowed on a single lot up to one (1) acre in size. All other larger parcels will be allowed one (1) small WECS per five (5) acres of land area.

- b. No part of any wind energy conversion system may, at any time, extend over any property line. This includes the full arc area created by any rotor (blade/wind collector) used in the system.
- c. No part of any wind energy conversion system or any equipment used in connection therewith or connected thereto shall be constructed or maintained in or upon any drainage or utility easements.
- e. Roof mounted Large WECS are not permitted.
- f. Roof mounted small WECS are permitted at the rear
- g. WECS shall not encroach on public drainage, utility, roadway or trail easements.

4. Setbacks

- a. The setback of a WECS shall be the total height of the system plus 10 feet from the property line or public right of way.
- b. The setback requirement may be reduced upon documentation from a licensed Engineer that the system is so designed that any debris in the event of a collapse or failure will be confined to the area of property under the control of the Provider or in any case will not seriously endanger adjacent property.
- h. The structure and/or equipment used by the Provider shall be located as close as possible to the base of the wind turbine or other structure on which the system is located unless another location is approved by the permit issuer.
- i. No such system shall be constructed within twenty (20) feet laterally of any overhead power line (excluding secondary electrical service lines or service drops). Setback from underground distribution lines shall be at least five (5) feet.

5. Height

- a. WECS mounted on the ground in residential property shall not exceed sixty (60) feet in tower height.
- b. WECS mounted on the ground in non-residential zoned property shall not exceed one-hundred twenty-five (125) feet in tower height.
- c. WECS mounted on roof tops in all districts must not exceed the maximum height allowed in the zoning district for which it is installed.

6. General Standards

The following provisions will apply to all WECS erected under the provisions of this ordinance:

- a. Color: All portions of the wind energy system shall be a non-reflective, non-obtrusive color, subject to the approval of the City Administrator or designee. Only monopole towers are permitted. The appearance of the turbine, tower and any other related components shall be maintained throughout the life of the wind energy system pursuant to industry standards.
- b. Noise: All WECS shall comply with Minnesota Pollution Control Agency standards outlined in Minnesota Rules Chapter 7030.
- c. Over Speed Controls: Shall be equipped with manual and automatic over speed controls to limit the blade rotation within design specifications.
- d. Lighting: Have no installed or accessory lighting, unless required by federal or state regulations.
- e. Such systems shall be adequately grounded and designed to withstand lightning strikes.

- f. Electrical equipment and connections on wind energy conversion systems shall comply to all applicable state and local government regulations.
 - g. Intent to Install: Prior to the installation or erection of a WECS, the operator must provide evidence showing their regular electrical service provider has been informed of the customer's intent to install an interconnected, customer-owned generator. Off-grid systems shall be exempt from this requirement.
 - h. Signs: A sign or signs shall be posted on the tower, transformer and substation warning of high voltage. Signs with emergency contact information shall also be posted on the turbine or at another suitable point. The placement of all other signs, postings, or advertisements shall be prohibited on the units. This restriction shall not apply to manufacturer identification, unit model numbers, and similar production labels.
 - i. Commercial Installations: All WECS shall be limited to the purpose of on-site energy production, except that any additional energy produced above the total on-site demand may be sold to the operator's regular electrical service provider in accordance with any agreement provided by the same or applicable legislation.
 - j. Feeder Lines: Any lines accompanying a WECS, other than those contained within the WECS' tower or those attached to on-site structures by leads, shall be buried within the interior of the subject parcel, unless there are existing lines in the area which the lines accompanying a WECS can be attached.
 - k. Clearance: Rotor blades or airfoils must maintain at least 35 feet of clearance between their lowest point and the ground.
 - l. Blade Design: The blade design and materials must be engineered to insure safe operation in an urban area.
 - m. Energy Storage: Batteries or other energy storage devices shall be designed consistent with the Minnesota Electric Code and Minnesota Fire Code.
7. Operation and Maintenance
- a. Wind energy conversion system shall be guarded against unauthorized climbing. The first twelve (12) feet of the tower shall be unclimbable by design or be enclosed by a six-foot high non-climbable fence with a secured access.
 - b. The system shall be designed and operated so as to not cause radio and television interference.
 - c. Interface of a wind energy conversion system's operation with the consumer's electrical service shall be pursuant to all applicable federal and state regulations. The owner shall notify his local electric utility company in advance of said application and shall submit an agreement for co-generation if connected to the electrical utility service.
8. Abandoned. A WECS that is allowed to remain in a nonfunctional or inoperative state for a period of twelve (12) consecutive months, and which is not brought in operation within the time specified by the city after notification to the owner or operator of the WECS, shall be presumed abandoned and may be declared a public nuisance subject to removal at the expense of the owner or operator.

9. Decommissioning Plan. Large WECS shall submit a decommissioning plan by the owner or operator (or both) to ensure that it properly removes the equipment and facilities upon the end of project life or after their useful life. The owner or operator shall decommission the WECS in the event they are not in use for twelve (12) consecutive months. The plan shall include provisions for the removal of all structures and foundations, all electrical transmission components, the restoration of soil and vegetation, and a soundly based plan ensuring financial resources will be available to fully decommission the site. The owner/operator shall provide a current-day decommissioning cost estimate and shall post a letter of credit or establish an escrow account, in an amount determined by the City Engineer and approved by the City Administrator, to ensure proper decommissioning.

B. Solar Energy Sources and Systems

1. Definitions. In addition to capitalized terms otherwise defined in this Section and Chapter, the following words, terms and phrases, when used in this Section, shall have the meaning provided herein, except where the context clearly indicates otherwise:
 - a. Building-Integrated Solar System. An active solar system that is an integral part of a principal or accessory building, rather than a separate mechanical device, replacing or substituting for an architectural or structural component of the building. Building-integrated systems include, but are not limited to, photovoltaic or hot water solar systems that are contained within roofing materials, windows, skylights, and awnings.
 - b. Ground Mounted Panels. Freestanding solar panels mounted to the ground by use of stabilizers or similar apparatus.
 - c. Photovoltaic System. An active solar energy system that converts solar energy directly into electricity.
 - d. Roof or Building Mounted SES. Solar energy system (panels) that are mounted to the roof or building using brackets, stands or other apparatus shall follow all current National Fire Protection Association (NFPA) regulations.
 - e. Roof Pitch. The final exterior slope of a building roof calculated by the rise over the run, typically, but not exclusively, expressed in twelfths such as 3/12, 9/12, 12/12.
 - f. Solar Access. A view of the sun, from any point on the collector surface that is not obscured by any vegetation, building, or object located on parcels of land other than the parcel upon which the solar collector is located, between the hours of 9:00 AM and 3:00 PM Standard time on any day of the year.
 - g. Solar Collector. A device, structure or a part of a device or structure for which the primary purpose is to transform solar radiant energy into thermal, mechanical, chemical, or electrical energy.
 - h. Solar Energy. Radiant energy received from the sun that can generate electricity and be collected in the form of heat or light by a solar collector.
 - i. Solar Energy System (SES). A set of devices whose primary purpose is to collect solar energy and convert and store it for useful purposes including heating and cooling buildings or other energy-using processes, or to produce generated power by means of any combination of collecting, transferring, or converting solar-generated energy.
 - j. Solar Energy System, Accessory (ASES). Rooftop or ground mounted Solar Energy Systems which supply energy and are accessory to a principal use or structure.

- k. Solar Energy System, Community (CSES or Solar Garden). A facility that generates electricity by means of ground-mounted or roof-mounted solar photovoltaic systems that provide electricity and designed to supply energy for public utilities, multiple community members, businesses, or to participating subscribers and under the provisions of Minnesota Statutes Section 216B.1641 as amended from time to time or its successor statute.
 - l. Solar Hot Water System. A system that includes a solar collector and a heat exchanger that heats or preheats water for building heating systems or other hot water needs, including residential domestic hot water and hot water for commercial processes.
2. Regulation of types of Solar Energy Systems (SES). This Ordinance defines and regulates two (2) types of Solar Energy Systems:
- a. Accessory Solar Energy Systems (ASES). Accessory Solar Energy Systems (ASES) is a set of devices as defined above that supply energy to a principal use or structure. ASES shall be regulated as follows:
 - i. Rooftop mounted ASES are permitted accessory uses in all districts in which buildings and structures are permitted.
 - ii. Ground mounted ASES are prohibited.
 - iii. A building permit is required before installing a roof mounted ASES and the issuance of such building permit is at the discretion of the City.
 - iv. ASES shall be located on the same property or adjacent to the off-site user(s) and the user(s) shall be located within the city limits.
 - v. Rooftop systems shall be placed on the roof to limit visibility from the public right-of-way and to blend into the roof design, provided that the property owner is able to reasonably capture solar energy.
 - b. Community Solar Energy Systems (Solar Gardens/CSES). Community Solar Energy Systems may be allowed as a principal or accessory permitted use as limited below and subject to the following additional restrictions and requirements, except as otherwise regulated or prohibited in this section:
 - i. In addition to all other required permits, CSES as an accessory use is permitted only with an Interim Use Permit (“IUP”) as defined in Section 9.1 and issued in accordance with Section 3.2 on Parcels with a minimum lot size of forty (40) acres. No subdivision of such Parcel will be allowed until the IUP is terminated and all decommissioning of the CSES has been completed.
 - ii. In addition to all other required permits, CSES as a principal use is permitted only with an Interim Use Permit (“IUP”) as defined in Section 9.1 and issued in accordance with Section 3.2 and is limited to Parcels in the Agriculture District and any Residential District that are 40 acres or more in size. No subdivision of such Parcel will be allowed until the IUP is terminated and all decommissioning of the CSES has been completed. CSES as the principal use is prohibited in all Commercial, Industrial, Planning Mixed Development (PMD) and Planned Industrial District (PID) zoning districts.
 - iii. CSES shall not, either as a principal or an accessory use be located in the Conservation Overlay, Shoreland, and Floodplain districts.
 - iv. CSES as an accessory use shall be located on or adjacent to the off-site users and the primary user shall be located within the City limits.

- v. CSES shall be a maximum five (5) MW or a maximum of forty (40) acres of contiguous or aggregate site area.
 - vi. The site area calculated for any CSES shall include all CSES components such as solar array panels, transformers, metering pads, batteries for energy storage, and similar equipment needed for the use. It shall also include any fences, and screening. The applicant shall show the lot dimensions of the CSES.
3. Permits and Applications.
- a. A Screening and Landscape Permit is required for all ground mounted solar energy systems. Screening and landscaping plans shall be submitted to the City for review at the time the application is submitted, shall be subject to City approval and shall be installed in accordance with such approved plans to the City's satisfaction to the approval and issuance of any building or other permit and installation of the Solar Energy System.
 - b. A building permit is required prior to constructing all SES, including but not limited to new installation of solar hot water systems and solar energy systems.
 - c. In addition to all other required permits, an Interim Use Permit as defined in Section 9.1 and issued in accordance with Section 3.2 is required for any new ground mounted Solar Energy Systems (SES) to the extent more restrictive in this Section 6.12.
 - d. The application shall also include two vertical sketch elevations of all structures on the subject parcel accurately drawn to a scale identified on the drawing, depicting the proposed solar energy conversion system and its relationship to the surrounding topography and public roadways. The sketches shall depict the proposed system's relationship to structures on adjacent properties and streets as viewed from eight (8) feet above ground level at the residential structure wall and at the center of all streets closest to the solar installation, one sketch showing the view without screening and the other sketch showing the view with proposed screening. The sketch elevations shall include a graphic scale not less than 1:50, or as needed to clearly show the vertical relationship between the proposed solar facilities and structures on adjacent properties.
4. Height and Placement
- a. Roof or building mounted SES shall not exceed the maximum allowed height in any zoning district. For purposes of height measurement, solar systems other than building-integrated solar systems shall be considered to be mechanical devices and are restricted consistent with other building-mounted mechanical devices.
 - b. Ground mounted SES shall not exceed twelve (12) feet in height when oriented at maximum tilt.
 - c. Ground mounted SES shall be located in such a manner as to minimize site of the SES from neighboring properties and shall not unreasonably interfere with the use and enjoyment of neighboring properties.
 - d. Ground mounted CSES shall have a minimum setback of three-hundred and fifty (350) feet from the property line, unless otherwise specified in this Section.
 - e. All CSES shall be a minimum of three-hundred and fifty (350) feet from the centerline of any City street, seven-hundred and fifty (750) feet from a county road, and one-thousand two hundred (1,200) feet from the centerline of Trunk Highway 8.
 - f. Ground mounted SES and CSES shall not be placed within wetland buffers or setbacks as regulated by Section 7.2.

- g. Ground mounted SES shall not be placed on berms.
 - h. Roof or Building Mounted SES. The collector surface and mounting devices for roof or building mounted SES shall not extend beyond the required setbacks of the building on which the system is mounted.
5. General Standards. In addition to all other requirements and standards in this Chapter, the following standards are required to be met in connection with any SES:
- a. Notification. Prior to the installation or erection of any SES, the applicant and the operator must provide evidence showing their regular electrical service provider has been informed of the customer's intent to install an interconnected, customer-owned SES. Off-grid systems shall be exempt from this requirement.
 - b. Feeder lines. Any lines accompanying any SES, other than those attached to on-site structures by leads, shall be buried within the interior of the subject parcel, unless there are existing lines in the area to which the lines accompanying an SES can be attached. The Zoning Administrator may grant exemptions to this requirement in instances where the Zoning Administrator determines that shallow bedrock, water courses or other elements of the natural landscape interfere with the ability to bury lines.
 - c. Noise. Equipment such as, but not limited to, generators and transformers, that may create a continuous humming or buzzing sound shall be placed in the center of the solar project to maximize the distance from any adjoining property lines to reduce or eliminate the sound from neighboring properties.
 - d. Reflector systems. Reflectors to enhance solar production is prohibited.
 - e. Ground Cover. Ground mounted systems shall have a permanent, deep rooted, low-growing, native grass and pollinator mix suitable to soil type and moisture conditions under and between the collectors and surrounding the system's foundation or mounting device. Plant growth shall be stable and self-supporting within two (2) growing seasons from the date of project approval. This excludes single residential ASES.
 - f. Screening. Ground mounted SES shall be fully screened at the time of planting from neighboring residents and public right of way. All screening shall provide year-round coverage from surrounding properties and public rights-of-way. In the discretion of the City, screening may require, but not be limited to, additional setbacks, berms, and vegetative planting.
 - g. Restrictions on SES Limited. No homeowners' agreement, covenant, common interest community, or other contract between multiple property owners within a subdivision of Chisago City shall restrict or limit solar systems to a greater extent than Chisago City's renewable energy ordinance.
 - h. Solar Easements. Chisago City encourages solar access to be protected in all new subdivisions and allows for existing solar access to be protected consistent with Minnesota Statutes. Any solar easements filed, must be consistent with Minnesota Statutes, Section 500.30.
 - i. Regulations. All SES shall follow all local, state and federal regulations.
6. Additional Performance Standards for Community Solar Energy Systems. Without limiting any other provisions in this Section 6.12 or this Chapter, CSES shall be subject to the following additional performance standards:
- a. Fencing. A security fence meeting the permit requirements of Section 6.8(k) surrounding the CSES shall be approved and constructed prior to the commencement of construction of the CSES and as a condition to the continuous operation of the CSES. Fences shall be mounted on wood posts, shall not include any barbed or razor wire, shall not exceed eight

(8) feet in height from the ground, shall be placed inside any required berm, and shall comply with the National Electric Code (NEC) and approved by the City. Where deemed necessary by the City, a fence may be required surrounding a ground mounted ASES in accordance with Section 6.8(K) and approved by City staff.

- b. Screening. In addition to any required fencing, screening shall be placed in such a manner as to fully screen the CSES facilities from surrounding properties and streets. The screening shall be based from the adjacent properties and streets as viewed from eight (8) feet above ground level at the residential structure wall and at the center of all streets closest to the solar installation. The CSES facility shall be fully screened from these locations at the time of planting. A detailed landscape plan as described in Section 6.10(C) shall be submitted; approved and constructed prior to the commencement of construction of any CSES. The screening shall include, but not be limited to, an eight (8) foot earthen berm at a 4:1 slope and trees and other acceptable vegetative screening four (4) feet in height at planting on all sides. The evergreen trees shall be planted eight (8) feet apart and shall reach a minimum mature height of twelve (12) feet. The vegetative screening shall include two (2) rows of evergreen trees and one (1) row of shrubs. The plantings shall be staggered and provide year-round screening. The applicant shall post a letter of credit, or the establishment of an escrow account with the City to ensure trees and other acceptable vegetation is installed and establishes itself as identified in the approved permit, based on an estimated cost for plantings and labor provided the by City engineer. ASES shall be screened from neighboring residents and street view and screening type will be reviewed and approved by the City in its discretion.
 - c. Dust Control. The subject property owner or operator must construct, maintain and operate all SES equipment in such a manner as to minimize on-site and off-site dust conditions.
 - d. Lighting. SES shall not be lighted except for downcast security lights on major equipment or storage buildings. Such light shall be shielded so as to not reflect or spill into adjacent properties.
 - e. Signage. In addition to any other restrictions imposed by this Chapter, signs shall be limited to equipment labeling, security warnings and messages, entrance identification and directional signs, and a single site identification sign.
 - f. Erosion. CSES are subject to stormwater management and erosion and sediment control best practices, including DNR guidance on Wildlife Friendly Erosion Control, and NPDES permit requirements, and the property owner and/or applicant and/or operator shall obtain and at all times comply with required permits from the MPCA, Watershed District, City and state organizations that may apply.
 - g. Plans. All plans submitted for building permit approval must be prepared by a licensed, professional engineer and shall be subject to review and approval by the City.
 - h. Annual Review and Report. The applicant, owner, and/or operator of any CSES facility shall submit an annual report to the Zoning Administrator by December 31. The report shall include the operation and energy production of the facility. The facility and report will be reviewed by the City Council annually.
 - i. Developer's Agreement. Developer of CSES facility shall enter into a development agreement with the city.
7. Abandonment of SES and Decommissioning Plan
- a. Abandonment. An SES is allowed to remain in a nonfunctional or inoperative state for a period not more than twelve (12) consecutive months, and if it is not brought in operation within such time period, the SES shall be presumed abandoned and may be declared a public nuisance by the City subject to removal at the expense of any or all of the owner, applicant or operator, in the City's discretion.

- b. Decommissioning Plan. As a condition to the approval of the IUP therefore, applicants for a CSES or a ground mounted SES shall submit a decommissioning plan to the City by which any or all of the owner, applicant or agree to operator properly remove ass SES equipment and facilities and otherwise restore the subject property upon the earlier of termination of the IUP, the end of project life of the SES or after the useful life of the SES facility. The owner or operator shall decommission the solar panels in the event they are abandoned as provided above. The plan shall include provisions for the removal of all structures and foundations, all electrical transmission components, the restoration of soil and vegetation, and a soundly based plan ensuring financial resources will be available to fully decommission the site. The City does not recognize any resale value to the SES and will not give any credit in order to decrease the decommissioning costs. The subject property owner, the applicant or the operator shall deliver to the City and at all times shall maintain in place an irrevocable letter of credit or with the consent of the City shall establish and at all times maintain an escrow account prior to the issuance of an IUP or building permit. The decommissioning cost to be secured by the letter of credit or escrow account will be determined by the City engineer and shall include an inflationary escalator to ensure proper decommissioning in accordance with the decommissioning plan. The issuer of the letter of credit and the form of the letter of credit or escrow account shall be subject to the City's satisfaction thereof.

C. Geothermal Energy Sources and Systems

1. Definitions. The following words, terms and phrases, when used in this Section, shall have the meaning provided herein, except where the context clearly indicates otherwise:
 - a. Closed Loop Ground Source Heat Pump System. A system that circulates a heat transfer fluid, typically food-grade antifreeze, through pipes or coils buried beneath the land surface or anchored to the bottom in a body of water.
 - b. Geothermal Energy. Renewable energy generated from the interior of the earth and used to produce energy for heating buildings or serving building commercial or industrial processes.
 - c. Ground Source Heat Pump System (GSHPS). A system that uses the relatively constant temperature of the earth or a body of water to provide heating in the winter and cooling in the summer. System components include closed loops of pipe, coils or plates; a fluid that absorbs and transfers heat; and a heat pump unit that processes heat for use or disperses heat for cooling; and an air distribution system. The energy must be used on-site.
 - d. Heat Transfer Fluid. A non-toxic and food grade fluid such as potable water, aqueous solutions of propylene glycol not to exceed twenty percent (20%) by weight or aqueous solutions of potassium acetate not to exceed twenty percent (20%) by weight.
 - e. Stormwater Pond. These are ponds created for stormwater treatment. A stormwater pond shall not include wetlands created to mitigate the loss of other wetlands.
2. Permits and Applications. A building permit is required with all new installation of a Ground Source Heat Pump System.
3. Location. A GSHPS is allowed in all zoning districts.

4. Design and Placement

- a. Noise. GSHPS shall comply with Minnesota Pollution Control Agency standards outlined in Minnesota Rules Chapter 7030.
- b. Easements. All components of GSHPS shall not encroach on easements.
- c. GSHPS are prohibited on surface waters, except for stormwater ponds where they are permitted.
- d. Only closed loop GSHPS utilizing Minnesota Department of Health approved heat transfer fluids are permitted.

5. Abandonment

A GSHPS that is allowed to remain in a nonfunctional or inoperative state for a period of twelve (12) consecutive months, and which is not brought in operation within the time specified by the city after notification to the owner or operator of the GSHPS, shall be presumed abandoned and may be declared a public nuisance subject to removal at the expense of the operator.

(Amended: 5/24/2016, 11/21/19)

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