

MEMORANDUM

Date: August 8, 2022
To: Crystal Planning Commission
From: Dan Olson, City Planner
Re: Additional amendments to the Unified Development Code (UDC)

After the Planning Commission packets were assembled, staff noticed that the word “multiple” as used in the UDC and pertaining to “multiple family dwellings” and “multiple tenant buildings” was used inconsistently. At times the word “multi” was used, while other times “multiple” was used. In an effort to create clarity, staff offers the attached UDC amendments to consistently use the word “multiple” throughout the UDC.

considered dwellings and shall at no time be used as a dwelling, either temporarily or permanently. Tents may be used for recreational purposes.

Subd. 50. Dwelling, multiple family. “Dwelling, multiple family” means a building designed with three or more dwellings exclusively for occupancy by three or more families living independently of each other.

Subd. 51. Dwelling, one-family attached. “Dwelling, one-family attached” means a building, such as townhouses or row houses, containing dwellings in which:

- (a) Each dwelling is located on its own parcel;
- (b) Each dwelling is attached to another by party walls without openings; and
- (c) Each dwelling has primary ground floor access to the outside.

Subd. 52. Dwelling, one-family detached. “Dwelling, one-family detached” means a residential building containing not more than one dwelling entirely surrounded by open space on the same lot.

Subd. 53. Dwelling, two-family. “Dwelling, two-family” means a building designed exclusively for occupancy by two families living independently of each other and which is typically referred to as a double bungalow or duplex, where the entire building is located on a single lot.

Subd. 54. Easement. “Easement” means a grant by a property owner to either the public or an individual for the use of the owner’s property for certain specified purposes (i.e., drives, utilities, etc.).

Subd. 55. Equal degree of encroachment. “Equal degree of encroachment” means a method of determining the location of floodway boundaries so that floodplain lands on both sides of a stream are capable of conveying a proportionate share of flood flows.

Subd. 56. Essential services. “Essential services” means underground or overhead gas, electrical, steam, or water transmission or distribution systems, collection, communication, supply, or disposal systems by public utilities, municipal or other governmental agencies.

Subd. 57. Family. “Family” means one or more persons maintaining a common household and using common cooking facilities.

Subd. 58. Farm fence. “Farm fence” means a fence as defined by Minnesota Statutes, section 344.02, subdivision 1(a)-(d). An open type fence of posts and wire is not considered to be a structure in the floodplain overlay district requirements. Fences that have the potential to obstruct flood flows, such as chain link fences and rigid walls, are regulated as structures under the floodplain overlay district provisions.

Subd. 59. Filtration. “Filtration” means a process by which stormwater runoff is captured, temporarily stored, and routed through a filter bed to improve water quality and slow down stormwater runoff.

Subd. 60. Findings of fact. “Findings of fact” means written findings embodied in a resolution, ordinance, or other document approved or adopted by the body making such findings.

Subd. 61. Flag. “Flag” means any fabric or similar lightweight material attached at one end of the material, usually to a staff or pole, so as to allow movement of the material by atmospheric changes and which contains distinctive colors, patterns, symbols, emblems, insignia, or other symbolic devices.

Subd. 142. Retention facility. “Retention facility” means a permanent natural or man-made structure that provides for the storage of stormwater runoff by means of a permanent pool of water.

Subd. 143. Seasonal agricultural sales. “Seasonal agricultural sales” means the outdoor sale of goods or products obtained primarily through farming or agricultural activities, including, but not limited to: pumpkins; grain and seed crops; fruits and vegetables; nursery, floral, ornamental, and greenhouse products; and Christmas trees.

Subd. 144. Schools, elementary or secondary. “Schools, elementary or secondary” means buildings used to teach students that includes elementary schools, middle schools or high schools.

Subd. 145. Schools, nursery or preschool. “Schools, nursery or preschool” means a school or facility providing general daytime care and/or instruction for children six years of age or younger which conducts no instructional programs certified by the state department of education as meeting the minimum educational requirements for compulsory-age children.

Subd. 146. Schools, trade or business. “Schools, trade or business” means a school operated for profit, which teaches business, professional, or technical trades or skills, or a school not otherwise included within the provisions of this UDC.

Subd. 147. Self-storage facilities. “Self-storage facilities” means a building or group of buildings having compartments, rooms, spaces, containers, or other types of units that are individually leased, rented, sold or otherwise contracted for by customers for the storage of personal or business goods or property, and where the facility owner/operator has limited access to such privately-rented units. For the purposes of this UDC, the term self-storage facilities shall be considered synonymous with the term mini-storage.

Subd. 148. Senior housing. “Senior housing” means a multiple family dwelling building or group of buildings in which each dwelling is occupied by at least one person age 55 or older. This does not include institutions such as specialized care facilities.

Subd. 149. Setback. “Setback” means the minimum required horizontal distance between a structure and a lot line, as measured perpendicular to the lot line. Setback standards provide open areas around structures for visibility and traffic safety, access to and around structures, access to natural light, ventilation and direct sunlight, separation between potentially conflicting activities, and space for privacy, landscaping, and recreation.

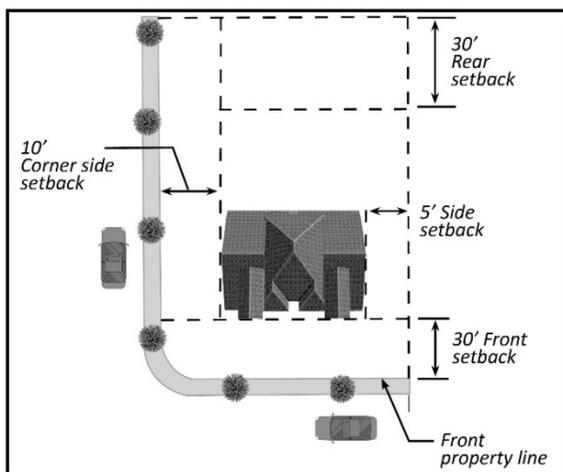


Figure 4: Illustration showing typical setbacks for a one-family dwelling

Subd. 150. Setback, front. “Setback, front” means the minimum required horizontal distance between a structure and the front lot line (see figure 4).

Table 3: Permitted Principal Uses								
Use Category and Use Type P = Permitted Use C = Conditional Use - = Not Permitted	Base Zoning Districts							Use-Specific Standards in Section:
	R-1	R-2	R-3	C	TC	I	AP	
Dwellings, Multiple Family	-	P	P	-	P	-	-	515.19, subdivision 2 (b)
Dwelling, One-Family, Attached	-	P	P	-	-	-	-	515.19, subdivision 2 (c)
Dwelling, One-Family, Detached	P	P	-	-	-	-	-	515.19, subdivision 2 (d)
Dwellings, Two-Family	P	P	P	-	-	-	-	
Group Living Use Category								
Specialized Care Facilities (1-6 persons) [1]	P	P	P	P	-	-	-	515.19, subdivision 3 (a)
Specialized Care Facilities (7 or more persons) [1]	-	C	C	P	-	-	-	515.19, subdivision 3 (a)
Commercial Use Category								
Airport Facilities	-	-	-	-	-	-	P	515.19, subdivision 4 (a)
Animal Hospital/Veterinary Clinics [1]	-	-	-	P	P	P	-	515.19, subdivision 4 (b)
Banks or Financial Institutions	-	-	-	P	P	-	-	
Banquet Halls or Event Centers	-	-	-	C	-	C	-	
Brewer Taprooms, Brewpubs or Microdistillery	-	-	-	P	P	P	-	1200
Clubs or Lodges	-	-	-	P	P	P	-	
Convenience Stores	-	-	-	P	P	-	-	
Day Care Facilities, Adult	C	C	C	P	-	P	-	515.19, subdivision 4 (c)
Day Care Facilities, Group Family	P	P	P	-	-	-	-	
Funeral Homes	-	-	-	P	-	-	-	
Greenhouses, Garden and Landscaping Sales and Service	-	-	-	P	-	P	-	
Hotel, Motel, Extended Stay Establishments	-	-	-	P	P	P	-	515.19, subdivision 4 (d)

- (1) Generally. Any lot remaining after providing parking, sidewalks, driveways, building, or other permitted site improvements shall be planted and maintained in sod or turf grass, supplemented by required trees, shrubs, native grasses, flowering plants, or similar landscaping material.
 - (2) One and two family dwellings. For one and two family dwellings constructed after the effective date of this UDC, one overstory deciduous tree shall be planted in the front yard. An existing healthy and well-formed tree may be credited towards this requirement provided that the tree is protected before and during development of the site according to the requirements of this section. The tree to be credited shall be on the city's list of approved trees as established in subdivision 4 of this subsection.
 - (3) Uses other than one and two family dwellings. For a nonresidential, institutional, or multiple family residential principal building constructed after the effective date of this UDC, the following are the minimum landscaping requirements. Parking lots, which have specific requirements in this subsection, are exempt from these requirements.
 - (i) One overstory deciduous tree shall be planted for every 30 feet of lot frontage; and
 - (ii) Shrubs shall be planted along building foundations that are visible from the public street.
- (c) Installation of vegetation.
- (1) General requirements.
 - (i) Minimum dimensions. Wherever this UDC requires a landscaped area of a specified width, the width shall be measured within (interior measurements) any curb or wall bordering the landscaping area.
 - (ii) Soils. Where landscaping is required, good quality loose soil must be provided and shall not include substandard fill, gravel, sand or highly alkaline soil material.
 - (iii) Ball and burlap. Landscape materials installed in a ball or burlap form shall be installed such that the ball and burlap does not extend above the immediate grade at installation.
 - (iv) Protective curbing. Where landscaping is installed in areas that are designed to manage storm water run-off, no protective curbing shall be constructed that prohibits the flow of or infiltration of surface water. In other instances landscape islands and similar landscape areas may be protected by a B6-12 concrete curb and gutter where otherwise deemed necessary by the city engineer.
 - (v) Safety requirements. Landscape materials shall be located so that at maturity they do not interfere with safe sight lines for pedestrians or vehicular traffic and do not conflict with overhead lights or utility lines.
 - (2) Turf or ground cover.
 - (i) Requirements for native prairie grasses and or drought tolerant species of native are located in the Crystal city code, section 615.
 - (ii) Ground cover may consist of grass normally grown in permanent lawns in Minnesota. Such turf grass shall be planted according to the requirements found in the Crystal city code, section 615, and may be sodded or seeded, except in swales or other areas

- (i) All protected trees shall be fenced in before grading or other land-disturbing activity begins. Fencing shall extend at least five feet from the edge of the drip line (See Figure 21 for illustration of a drip line), but in no case closer than ten feet to the trunk;

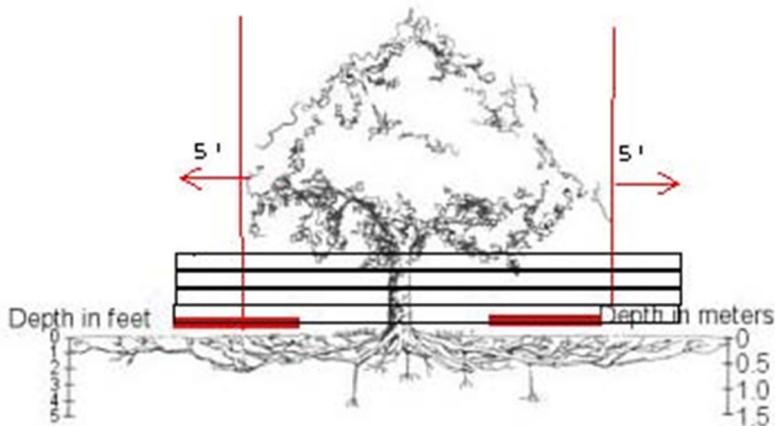


Figure 21: Illustration of protective fence placement for trees.

- (ii) The zoning administrator shall consider existing site conditions in determining the exact location of any tree protection fencing; and
 - (iii) All fencing required by this subsection shall be at least four feet in height and secured using appropriate posts.
- (e) Encroachments into root zones. Encroachment into root zones shall comply with the following:
- (1) Encroachments within the root zones of trees protected in accordance with this subsection shall occur only in rare instances; and
 - (2) If such an encroachment is anticipated, written verification by a qualified arborist shall be required documenting the tree's condition before and after the encroachment, including preventive measures that shall be employed prior to, during, and after the encroachment to insure the viability of the tree.

Subd. 6. Parking lot landscaping requirements.

- (a) Purpose. The purpose for parking lot landscaping requirements is to provide for effectively designed and properly placed landscape improvements to minimize the potential negative effects of large expanses of asphalt, such as creating unnecessary surface water runoff and presenting a sterile image.
- (b) Parking lots adjacent to streets. The area of a parking lot facing a street shall comply with the following:
 - (1) A parking area for a nonresidential, institutional, or multiple family residential use adjacent to a public street shall be designed to provide a landscaped planting strip of the minimum required setback area between the street right-of-way and any parking area (see Figure 22);

- (1) Use of building walls, parapets, and/or roof systems (See Figure 24)

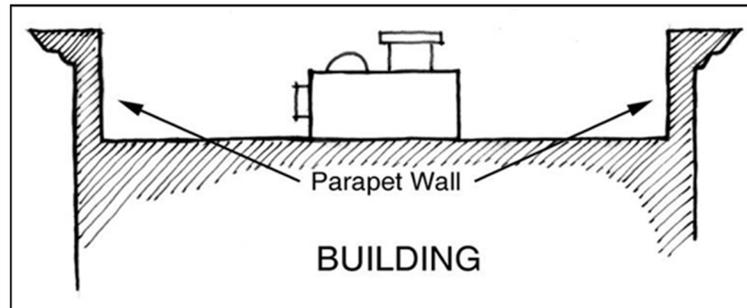


Figure 24: Example of how parapet walls are utilized to screen roof mounted mechanical equipment.

- (2) Locate the equipment to a sufficient distance from the roof edge so as to not be visible.
- (d) Outdoor storage. Screening shall create a visual and or/sound barrier of the object being screened from adjacent properties and the public right-of-way. Commercial truck storage or parking, vehicle impound lots, and rental of trailers and/or vehicles in excess of three quarter ton (3/4) ton capacity shall utilize an opaque fence of not less than six feet in height;
- (e) Commercial uses. Screening shall create a visual and/or sound barrier between the commercial use and residential dwellings. Requirements for parking lot screening are found in the Crystal city code, subsection 520.11; and
- (f) Multiple family residential dwellings. Screening shall create a visual barrier between the multiple family dwelling and one and two family residential dwellings or commercial buildings. Requirements for parking lot screening are found in the Crystal city code, subsection 520.11.

Subd. 5. Design standards for screening. Screening shall comply with the following design standards:

- (a) Screening shall be installed to create a visual barrier so as to reduce the vision of the object being screened;
- (b) If vegetation is used for screening, it shall consist of a compact evergreen or deciduous hedge or trees of a sufficient width and density to provide an effective screen throughout the year;
- (c) If a berm is used for screening, it shall be of a sufficient height to provide an effective screen; and
- (d) A screening fence or wall shall be constructed of an opaque material. Such screening shall provide a solid screening effect and not exceed the height limitations in the Crystal city code,

- (2) An auxiliary space cannot exceed 12 feet in width and 24 feet in length, and must be at least ten feet from the habitable portion of a residential structure on an adjacent property; and
- (3) For access to the auxiliary space, a hard surfaced taper also is permitted, provided it does not extend into the boulevard and has an angle of at least 22-1/2 degrees and no more than 45 degrees. If the property has setback or topographic constraints that prevent reasonable access to a lawful auxiliary space, then the city engineer may allow the taper to extend into the boulevard but only to the minimum extent necessary to provide reasonable access.

Subd. 10. Setbacks. Except for off-street parking lots within the TC and TC-PD districts, which have separate requirements in paragraph (d) of this subdivision, all parking lots are subject to the setback requirements in paragraphs (a) through (c) of this subdivision.

- (a) The face of the curb shall not be within five feet of any property line and the back of the curb shall not be within four feet of any property line.
- (b) If a parking lot for a commercial, institutional, or multiple family dwelling use is adjacent to a property used for one or two-family residential dwellings, the face of the curb for the parking lot shall not be within ten feet of the shared property line and the back of the curb shall not be within nine feet of the shared property line.
- (c) All setbacks near intersections of public streets shall be determined by the city engineer.
- (d) Within the TC and TC-PD districts, if a parking lot is constructed it shall be subject to the following setback and locational requirements:
 - (1) Location. Off-street parking lots are prohibited in front of the building, but may be located to the rear or side of buildings (see Figure 28);

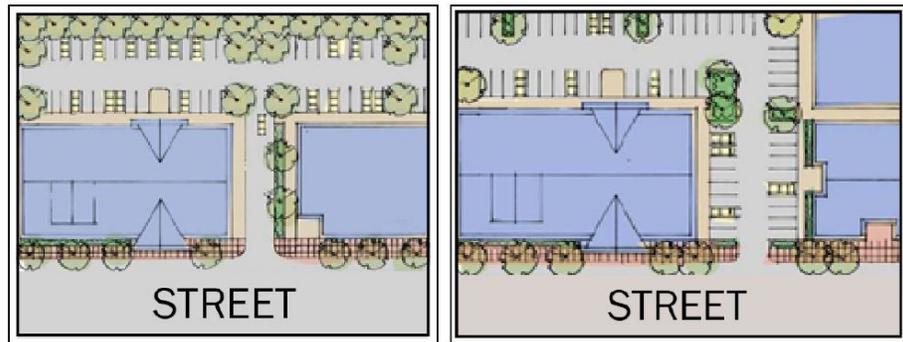


Figure 28: Allowable locations for off-street parking lots in the TC and TC-PD districts

- (2) Corner side property line. The face of the curb shall not be within 12 feet of the property line and the back of the curb shall not be within 11 feet of the property line;
- (3) Interior side property line. The face of the curb shall not be within 2 feet of the property line and the back of the curb shall not be within 1 foot of the property line; and

Table: 14: Signs allowed by zoning district								
Sign Type	Zoning District							<u>Sign Specific Standards</u>
	R-1	R-2	R-3	C	TC	I	AP	
Canopy, Marquee, and Fixed Awnings	P	P	P	P	P	P	P	530.11, subdivision 1
Electronically controlled readerboard	P	P	P	P	-	P	P	530.11, subdivision 2
Electric	P	P	P	P	P	P	P	
Freestanding	-	-	-	P	-	P	P	530.11, subdivision 3
Governmental	A	A	A	A	A	A	A	
Monument	P	P	P	P	P	P	P	530.11, subdivision 4
Multiple Tenant	-	-	-	P	P	P	-	530.11, subdivision 6
Off-Premise	-	-	-	-	-	-	-	
Projecting	-	-	-	P	P	P	P	530.11, subdivision 5
Roof	-	-	-	-	-	-	-	
Rotating	-	-	-	-	-	-	-	
Sandwich board	-	-	-	P	P	-	-	530.11, subdivision 7
Shimmering	-	-	-	P	-	P	P	
Temporary	P	P	P	P	P	P	P	530.11, subdivision 8
Small	A	A	A	A	A	A	A	
Wall	P	P	P	P	P	P	P	530.11, subdivision 9

530.11. Sign specific standards. The following requirements for specific sign types apply in addition to those requirements found in Table 14.

Subd. 1. Canopies, marquees and fixed awnings. Signs are allowed on canopies, marquees and fixed awnings, which are an integral part of the structure to which they are attached. Within the residential districts, these signs are only allowed for multiple family dwellings, or institutional or commercial uses, but are allowed for all building types in the commercial and industrial districts. Canopy, marquee, and fixed awning signs are subject to the following standards:

- (a) An awning, canopy or marquee may not project into the public right-of-way nearer than 30 inches to the street curb or curb line;

Table: 16: Monument Signs					
Sign Type	Number Allowed	Maximum Height	Area	Setback From Any Property Line	Setback From Right-of-Way
			<u>Freestanding signs in C, I, and AP</u>		
Note: 1. A property abutting more than one street may have one additional monument sign on one of the additional street rights-of-way provided that such right-of-way is on an arterial or major collector street.					

Subd. 5. Projecting signs. Projecting signs are subject to the following standards:

(a) Projecting signs shall meet the requirements in Table 17; and

Table: 17: Projecting Signs					
Sign Type	Number Allowed	Maximum Height	Area	Setback From Any Property Line	Setback From Right-of-Way
Projecting	Maximum of 2 wall or projecting signs per wall [1]	Minimum 10 feet clearance above grade and may not be higher than roofline	Up to 10% of the wall area to which it is affixed when combined with wall signs	10 feet, but sign may be equidistant between the side property lines if the property is less than 20 feet in width	10 feet
Note: 1. A property abutting more than one street may have one additional projecting sign on one of the additional street rights-of-way provided that such right-of-way is on an arterial or collector street and such sign is more than 50 feet distant from any other projecting sign on the property.					

(b) Buildings exceeding 80,000 square feet in size on lots of over 20,000 square feet are permitted to have wall/projecting signage of up to 250 square feet.

Subd. 6. Multiple-tenant. The following provisions shall apply to multiple-tenant buildings within the commercial and industrial districts.

(a) Wall signs. Each tenant in a multiple-tenant building may have a flat wall sign in compliance with the wall sign requirements in Table 18. In addition, the multiple-tenant building may have wall signage on common walls of the building as long as no more than ten percent of that wall is occupied by signage.

- (b) Freestanding signs. Where allowed, one freestanding sign shall be permitted for each multiple-tenant building.
- (c) Canopies and awnings. The design of canopies shall be in keeping with the overall building design in terms of location, size, and color. No canopies with visible wall hangers shall be permitted. Signage on canopies may be substituted for allowed building signage and shall be limited to 25% of the canopy area.

Subd. 7. Sandwich board signs. Sandwich board signs are subject to the following standards:

- (a) Signs shall not exceed six square feet in size;
- (b) One sign is allowed per property. Within the TC district, one sign is allowed per business; and
- (c) Signs shall only be displayed during business operating hours.

Subd. 8. Temporary signs. The temporary use of banners, pennants, balloon signs, portable signs and similar devices requires a permit. The permit is valid for seven consecutive days. Not more than six permits for each property, or if applicable each tenant in a multiple tenant building, may be granted in a 12-month period. The permit must be prominently displayed at the principal use in the same manner required for building permits. Temporary signs shall conform to the same location and dimension requirements as permanent signs.

- (a) Non-commercial speech signs. Notwithstanding any other provisions of these sign requirements, all signs of any size containing non-commercial speech may be posted from August 1 in any general election year until ten days following the general election and 13 weeks prior to any special election until ten days following the special election.

Subd. 9. Wall signs.

- (a) Wall signs in residential districts. In the residential districts, wall signs are allowed for multiple family dwellings, or institutional or commercial uses, subject to the following standards:
 - (1) Wall signs are only permitted on walls fronting on a public street or facing other property used for institutional, commercial or industrial purposes.
 - (2) No more than one sign is permitted on each wall.
 - (3) No wall sign shall exceed 10% of the wall area or 75 square feet in area, whichever is less.
 - (4) Wall signs for home business are allowed according to the requirements in the Crystal city code, subsection 515.23.
- (b) Wall signs in commercial and industrial districts. In the commercial and industrial districts, wall signs are subject to the following standards:
 - (1) Wall signs shall meet the requirements in Table 18;