



City of Blaine

City Council Workshop

February 12, 2024 | 5:30 PM
Blaine City Hall
10801 Town Square Drive NE
Blaine, MN 55449

AGENDA

NOTICE OF WORKSHOP MEETING

In accordance with the provisions of Section 3.01 of the Blaine City Charter, a Council Workshop meeting is scheduled for the following purpose:

- 1. Call to Order**
- 2. Roll Call**
- 3. New Business**
 - 3.1.** 2024-35 Discuss Stormwater Management within the Coon Creek Watershed District
Sponsors: Megan Hedstrom, Stormwater Coordinator
 - 3.2.** 2024-41 Highway 65 Overlay District
Sponsors: Sheila Sellman, City Planner
 - 3.3.** 2024-36 Home Occupation Ordinance Discussion
Sponsors: Sheila Sellman, City Planner
 - 3.4.** 2024-40 Car Wash Study Discussion
Sponsors: Erik Thorvig, Community Development Director
- 4. Other Business**
- 5. Adjournment**



City of Blaine Staff Report

File Number: 2024-35

Agenda Date

February 12, 2024

Status

In Control

City Council

File Type

Presentation

New Business - Megan Hedstrom, Stormwater Coordinator

Agenda Item # 3.1

Discuss Stormwater Management within the Coon Creek Watershed District

Background

City and Coon Creek Watershed District staff will be in attendance to present water management items for Council consideration and discussion.

Tim Kelly, District Administrator for Coon Creek Watershed District, will give an introduction of the district and then provide information regarding emerging trends and standards in stormwater management. Staff wanted to provide the City Council with the most current information as City and District staff work to develop plans, schedules, and budgets to address items related to surface water impairments and flooding.

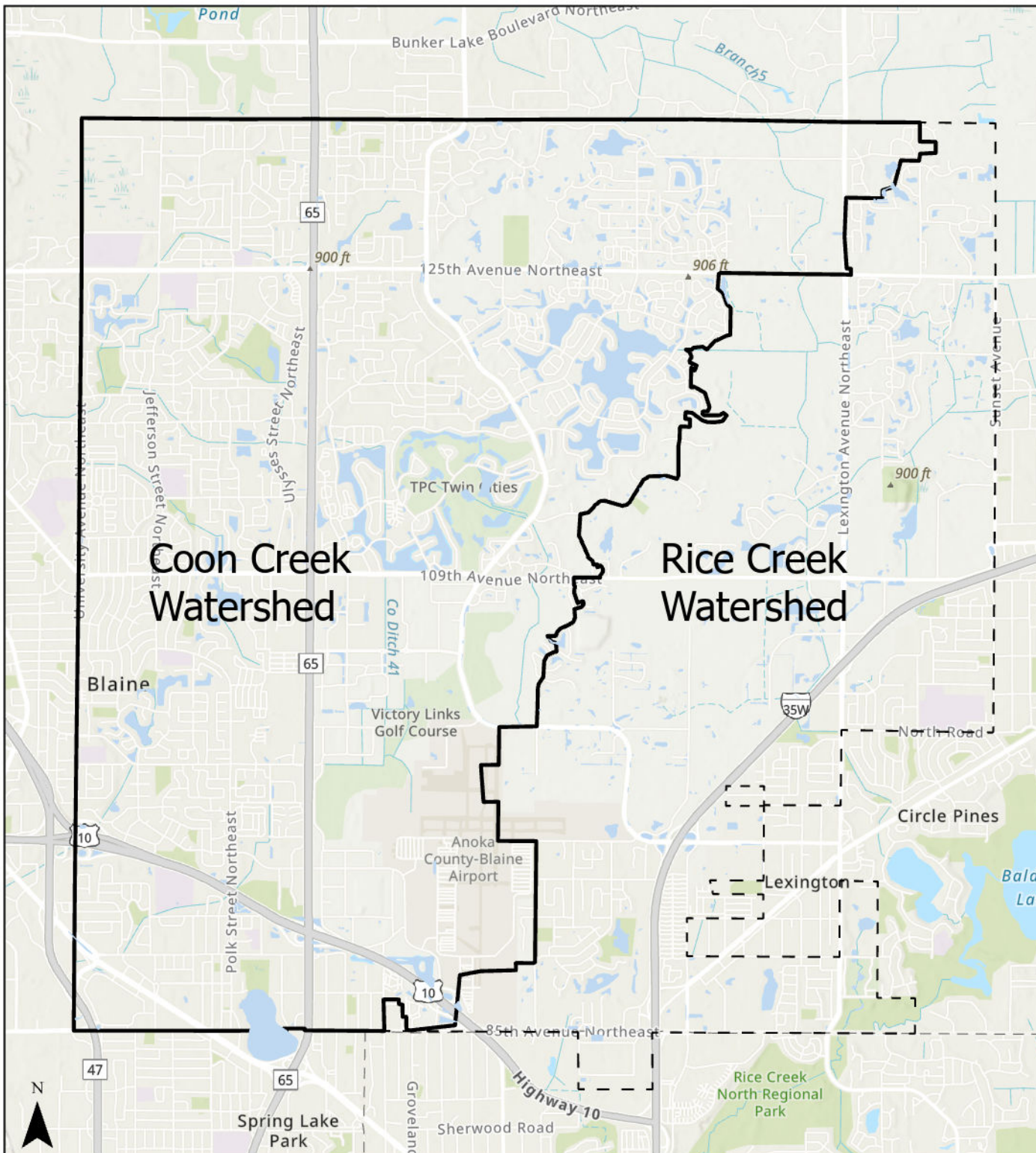
Staff Recommendation

This item is for information and discussion purposes.

Questions for Council

Attachment List

1. Watershed Boundary



City of Blaine

GIS and Data Services

The Coon Creek Watershed District covers approximately 64% of the city of Blaine. The remaining 36% of Blaine is located in the Rice Creek Watershed District.

Date: February 05, 2024

Author: GIS & Data Services

Map Credits: Esri, NASA, NGA, USGS, FEMA, Metropolitan Council, MetroGIS, Three Rivers Park District, Esri, TomTom, Garmin, SafeGraph, GeoTechnologies, Inc, METI/ NASA, USGS, EPA, NPS, USDA, USFWS

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City of Blaine Staff Report

File Number: 2024-41

Agenda Date	Status
February 12, 2024	
In Control	File Type
City Council	Workshop Item

New Business - Sheila Sellman, City Planner

Agenda Item # 3.2

Highway 65 Overlay District

Background

At the December 11, 2023, Council Workshop, council directed staff to create an ordinance/overlay for properties south of Highway 10 along Central Avenue/Highway 65 and to create performance standards for self storage in this area.

The Highway 65 Overlay (HOD) is an existing overlay in the zoning code, Section 32.50. This overlay district applies to all properties which are zoned Community Commercial (B-2), Regional Commercial (B-3), Office Park (B-4), Planned Business District (PBD), Light Industrial (I-1), Heavy Industrial (I-2), Medium Density Multi-Family (R-3B) and High Density Multi-Family (R-3C), which are located within seven hundred fifty (750) feet of the centerline of the right-of-way of Highway 65. Where only a portion of a parcel lies within seven hundred fifty (750) feet of the Highway 65 centerline, the ordinance applies to the entire parcel.

The purpose of this overlay district is to establish minimum standards for exterior architecture, design, landscaping, and signage of buildings that contribute to a community image of quality, visual aesthetics, permanence, and stability which are in the best interest of the citizens of the City. Since there is already a zoning overlay in place, staff suggests amending and updating this ordinance instead of creating a whole new district. The same objectives can be accomplished by amending this ordinance.

The underlying zoning will provide the list of permitted and conditional uses with development standards and the overlay will be the added layer that also has development parameters that need to be met. Certain uses can be allowed or prohibited in the overlay that might be in conflict with what the underlying zoning district has. The overlay district will supersede the underlying district. The majority of the properties in the HOD are zoned B-2 and B-3. Those ordinances are attached as reference.

Based on council direction, staff has added a new section to the HOD for development south of Highway 10. This area is proposed to allow self-storage as a conditional use (with development

parameters) and allows for reduced setbacks. Council members have previously mentioned the Highway 65 corridor should be looked at for allowable uses. It would be appropriate to discuss that at this time if council agrees to the staff's approach to amending the HOD. It should be noted that some of the current property uses may become legal non-conforming uses if the proposed changes are made or if council wants to prohibit more uses. Section 32.11 outlines nonconformities.

Staff Recommendation

Provide direction and feedback on the draft ordinance.

Questions for Council

Do you agree with amending the HOD rather than creating a new district?

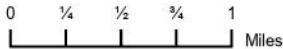
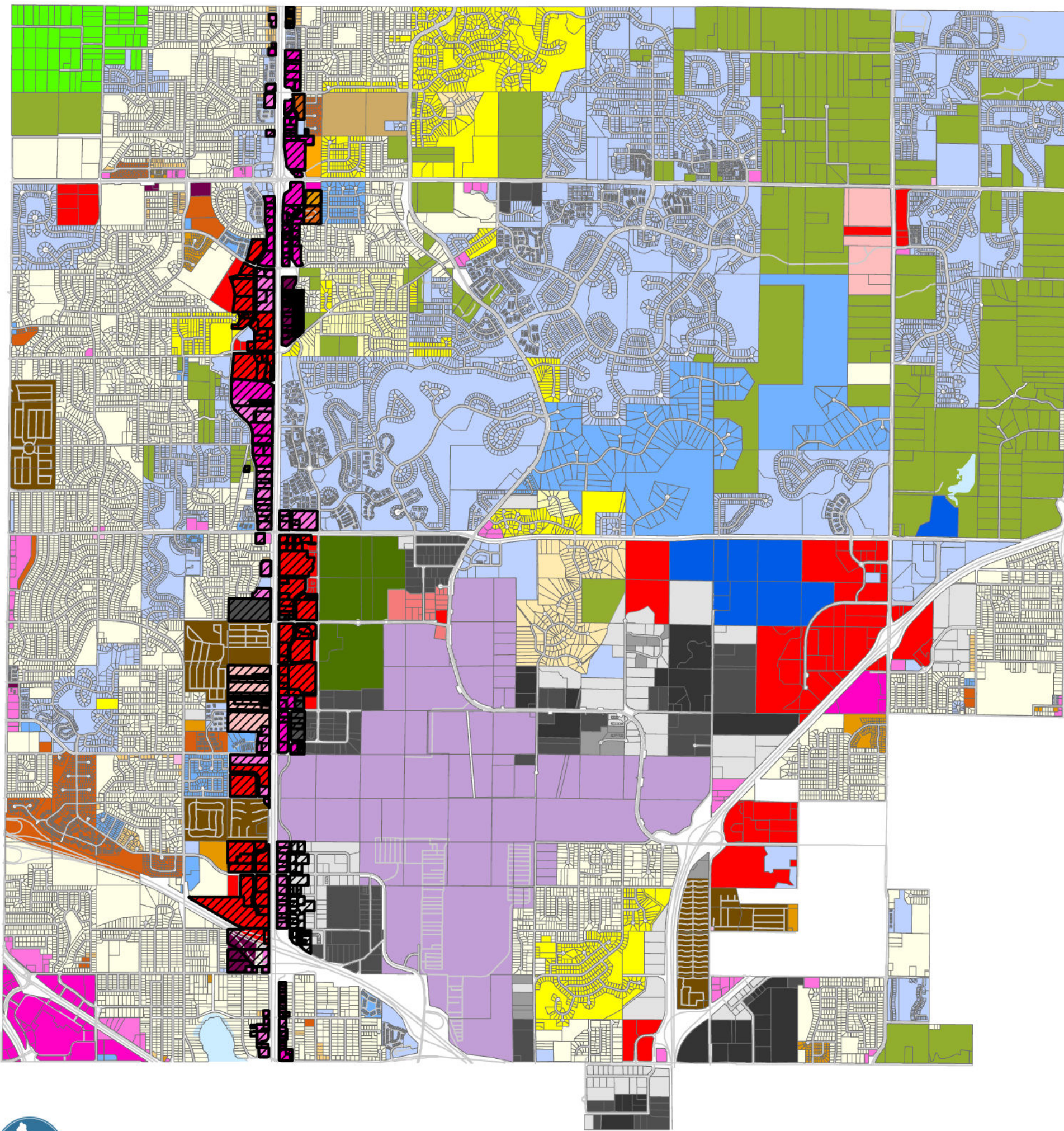
Do you agree with the prohibited uses listed?

Are there other changes you would like to see to this district that haven't been presented?

Attachment List

1. HOD Map
2. HOD Draft
3. (B-2) Zoning
4. (B-3) Zoning
5. 32.11 Nonconformities.

Zoning Map



Disclaimer: This document has been compiled using information gathered from various governmental offices and other sources and is to be used for reference purposes only. Every effort has been made to make sure the completeness and accuracy on this document. The City of Blaine does not represent that the data can be used for exact measurement of distance or direction or precision in the depiction of geographic features. If errors or discrepancies are found, please contact (763) 717-2639.

This map is in draft form and should not be looked upon as a legal document.
Map Created By City of Blaine GIS
Data provided by City of Blaine Planning Department
Map Date: January 2024



Legend

- | | | | |
|---------------------------------------|---------------------------------|---------------------------------|------------------------------------|
| B-1 - Neighborhood Business | PBD - Planned Business District | AG - Agriculture | R-3B - Medium Density Multi-Family |
| B-2 - Community Commercial | RR - Regional Recreation | FR - Farm Residence | R-3C - High Density Multi-Family |
| B-3 - Regional Commercial | Airport | RE - Residential Estate | R-4 - Mobile Homes |
| B-4 - Office Research Park | I-1 - Light Industrial | R-1 - Single Family | DF - Development Flex |
| B-5 - Town Commercial | I-1A - Light Industrial | R-1A - Single Family | RF - Residential Flex |
| RD - 105th Ave Redevelopment District | I-2 - Heavy Industrial | R-1AA - Single Family | Highway Overlay District |
| | I-2A - Heavy Industrial | R-1B - Single Family | |
| | POD - Planned Office District | R-2 - Two Family | |
| | | R-3A - Low Density Multi-Family | |

32.50 HIGHWAY 65 OVERLAY DISTRICT (HOD)

32.51 Intent.

The purpose of this overlay district is to promote the development of an attractive view of the community from Highway 65 through architectural and signage controls, landscaping, screening, building orientation to establish and establish minimum standards, for exterior architecture, design, landscaping, and signage of buildings that contribute to a community image of quality, visual aesthetics, permanence, and stability which are in the best interest of the citizens of the City, along the Highway 65 corridor.

~~These standards are further intended to ensure coordinated design of building exteriors, additions and accessory structure exteriors in order to prevent visual disharmony; minimize adverse impacts on adjacent properties from buildings which are or may become unsightly, and buildings that detract from the character and appearance of the area. It is not the intent of this ordinance to unduly restrict design freedom when reviewing and approving project architecture in relationship to the proposed land use, site characteristics and interior building layout.~~

(Ord. No. 98-1746, added 10-15-1998; Ord. No. 20-2447 , 7-20-2020)

32.52 Scope of application.

This overlay district shall apply to all properties which are zoned B-2 (Community Commercial), B-3 (Regional Commercial), B-4 (Office Park), B-5 (Town Commercial) PBD (Planned Business District), I-1 (Light Industrial), I-2 (Heavy Industrial) R-3B (Medium Density Multi-Family) and R-3C (High Density Multi-Family), which are located within seven hundred fifty (750) feet of the centerline of the right-of-way of Highway 65. Where only a portion of a parcel lies within seven hundred fifty (750) feet of the Highway 65 centerline, the ordinance shall apply to the entire parcel. (Ord. No. 98-1746, added 10-15-1998)

(Ord. No. 20-2447 , 7-20-2020)

32.53 Prohibited uses.

~~The following uses are prohibited within the Highway 65 Overlay District:~~

~~(a) Carwashes, except when accessory to a gas station•~~

~~(b)–Outside display area for boat sales or recreational vehicles.~~

~~(c) Pawn shop~~

~~(d) Self Storage facility north of Highway 10~~

~~(e)•–Small equipment rental yards.~~

(Ord. No. 98-1746, added 10-15-1998; Ord. No. 07-2139, amended 8-2-2007; Ord. No. 20-2447 , 7-20-2020)

32.54 Architectural Control Standards.

For development of properties within the Highway 65 Overlay District, the following standards shall be applied:

(a) ~~Construction materials.~~

-
- (1) At least fifty percent (50%) of all exterior wall finishes on any building shall be comprised of a combination of at least three (3) of the following materials with all materials present on each elevation:
 - Brick.
 - Natural or cultured stone.
 - Glass.
 - Masonry stucco or EIFS.
 - Cementitious siding.
 - Architectural metal.
 - Integrally colored rock faced block.
 - Other comparable or superior material as approved by the Zoning Administrator.
 - (2) The remaining fifty percent (50%) of all exterior wall finishes shall be comprised of any combination of decorative or rock face concrete block and textured concrete panels or other comparable or superior materials as approved by the Zoning Administrator. All building materials subject to approval of the Zoning Administrator. (Ord. No. 99-1807, amended 8-19-1999)
 - (3) Buildings may be constructed of primarily one (1) of the materials listed in subsection (1), if the design exceeds the intent of the ordinance.
 - (4) Buildings shall be oriented towards Highway 65 or at a minimum, give the appearance of having a front facing Highway 65 if adjacent to Highway 65.
 - (5) Building articulation elements shall be provided at a maximum of average spacing of 40 feet.

~~(b)—Architectural design.~~

- ~~(1) Each building design will be reviewed for at least the following considerations:~~
 - ~~• Appropriate location of structures on the site with relationship to other site amenities, restrictions, adjacent land usage, etc.~~
 - ~~• General massing, roof treatments, proportion and quantity of exterior openings.~~
 - ~~• Use of exterior materials as they relate to adjacent structures, and their impact on the quality and character of the immediate area.~~
 - ~~• Screening of mechanical equipment, tanks, loading docks, refuse handling, ancillary equipment, etc., whether on the roof or on the site.~~
- (6) No more than 75% of the building sides visible from Highway 65 may be constructed of decorative concrete block, pre-cast concrete or stucco.
- (7) The exterior of the building shall have varied and interesting detailing. Large unadorned walls shall be prohibited (50' or more). All large walls viewable from Highway 65 must be relieved by architectural detailing, such as change in materials, change in color, offsets, or other significant visual relief provided in a manner or at intervals in keeping with the size, mass and scale of the wall and its views from the public right-of-way.

(8) Exterior building material colors shall be complimentary of other buildings within the district.

(c) *Landscaping.*

- (1) Applicable landscaping requirements set forth in Section 33.07 shall apply at least twenty-five percent of the required trees must be oversized. ~~be increased by 1.5 times, which shall include at least twenty-five percent (25%) of the number of ornamental, conifer and overstory trees exceeding minimum size requirements in the front yard adjacent to Highway 65 or the service drive adjacent to Highway 65.~~

~~(d) *Signage.*~~

~~(1) All wall signs shall be comprised of individual letters.~~

~~(2) All monument signs shall incorporate materials and architectural design consistent with the principal building.~~

- (e) *Truck Parking.* Truck parking shall not be permitted in any yard adjacent to Highway 65. Sites where it can be anticipated that there will be a need or occasion for parking of trucks shall provide space for semi-tractor/trailer parking. Such parking shall be located in a yard not adjacent to Highway 65 and shall be effectively screened from Highway 65 by principal ~~or accessory~~ buildings, or landscaping, berming, etc.

- (f) ~~*Gasoline Sales Standards.* Each Conditional Use Permit for gasoline sales will be reviewed. (Ord. No. 98-1746, added 10-15-1998)~~

(Ord. No. 20-2447 , 7-20-2020)

32.55 Property South of Highway 10 R-3B (medium-density multi-family) and R-3C (high density multi-family) residential.

- (a) Conditional uses (in addition to what is permitted with the underlying zoning district): Self Storage Facility as part of a mixed use

(1) Self Storage Facility Standards:

(aa) Must be part of a mixed-use project with a minimum of XXX square feet of other commercial use not related to the operations of the storage facility.

(bb) Storage units must be climate controlled

(cc) The self storage facility must be located in the rear of the property and not adjacent to Highway 65

(dd) No self storage facility may be located within 1,500 feet of another storage facility

(ee) Setback from residential is 100 feet.

(b) Building Setbacks along Central Avenue frontage road

(aa) front yard setback -30 feet

(bb) side yard setback – 20 feet – when adjacent to residential districts 50 feet

- (i) A reduction in the required setback buffer may be requested by following the requirements of section 33.20, Buffer Yard Flexibility

(cc) Rear yard setback – 20 feet -when adjacent to residential districts 50 feet

(i) A reduction in the required setback buffer may be requested by following the requirements of Section 33.20 Buffer Yard Flexibility

(c) Parking and driveways minimum setbacks from the property line:

(aa) Front yard/corner side -25 feet

(bb) Side yard -10 feet

(cc) Rear yard – 10 feet

(dd) When adjacent to any residentially zoned property, the side yard and rear yard parking/driveway setback shall be a minimum of 25 feet.

Landscaping. Applicable landscaping requirements set forth in Section 33.07 shall be increased by 1.5 times, which shall include at least twenty-five percent (25%) of the number of ornamental, conifer and overstory trees exceeding minimum size requirements in the front yard adjacent to Highway 65 or the service drive adjacent to Highway 65.

(b) An opaque buffer screen along Highway 65 shall be established comprised of a combination of berming, fencing and landscaping as approved by the Zoning Administrator. Degree of opaqueness based on landscape plantings providing coverage four (4) years after planting.

(Ord. No. 98-1746, added 10-15-1998; Ord. No. 20-2447 , 7-20-2020)

32.56 Standards for mini-storage facilities.

Existing legal non-conforming self-storage facilities shall be required to follow the standards of Section 32.54 for any portion of a building that lies within two hundred (200) feet of a public right-of-way. Those buildings beyond two hundred (200) feet may be constructed of decorative masonry block designed architecturally compatible with Section 32.54 as approved by the Zoning Administrator. All other sections of Section 32.50 shall apply to mini-storage facilities.

(Ord. 99-1807, added 8-19-1999; Ord. No. 20-2447 , 7-20-2020)



30.10 - COMMUNITY COMMERCIAL (B-2)

30.11 - Intent.

Intended to provide retailing and services of both a convenience and durable nature to shoppers, such as apparel, furniture, food, banking and financial services for a trade area of nearby residential neighborhoods.

(Ord. No. 20-2447, 7-20-2020)

30.12 - Permitted uses.

- (a) General retail, except when specifically listed elsewhere in the ordinance
- (b) Banks.
- (c) Restaurants.
- (d) Brew Pubs.
- (e) Personal services, including massage, hair salons, and similar businesses.
- (f) Dry cleaning and laundry.
- (g) Repair services, excluding repair of vehicles and small engines.
- (h) Business and professional offices, including medical offices.
- (i) Personalized instructional services and fitness centers, total floor area limited to 4,000 square feet without a conditional use permit.
- (j) Portrait or art studio.
- (k) Medical cannabis dispensary.
- (l) Taproom

(Ord. No. 20-2447, 7-20-2020, Ord. No. 22-2514, amended 12-19-22)

30.13 - Accessory uses.

Signs as regulated in Section 34.07(c).

(Ord. No. 20-2447, 7-20-2020)

30.14 - Conditional uses.

- (a) Animal hospitals.
- (b) Amusement and recreation.
- (c) Fitness center not meeting the requirements of 30.12 (i).
- (d) Gasoline station.
- (e) Minor auto repair for passenger vehicles. (Ord No. 23-2535, amended 12-18-23)
- (f) Car wash.
- (g) Construction and contractor's offices.
- (h) Day care centers—Commercial. (Ord. No. 89-1140, amended 5-18-1989)
- (i) Educational uses not meeting the requirements of 30.12 (i). (j)

- (j) Small equipment rental; moving van rental and minor repair. Moving vans are limited to single rear axle vans and trucks up to thirty-three (33) feet in total overall length. Repair activities are limited to moving vans owned or leased by the equipment rental facility. (Ord. No. 95-1575, amended 9-21-1995)
 - (k) Meeting/assembly halls.
 - (l) Motels/hotels.
 - (m) Open sales lot.
 - (n) Private clubs.
 - (o) Outdoor dining accessory to a restaurant. (Ord No. 23-2535, amended 12-18-23)
 - (p) Theaters.
 - (q) Vocation, technical, and trade schools.
 - (r) Zero lot line splits with shared parking and/or access.
 - (s) Off-Sale Liquor Stores. (Ord 86-928, amended 2-20-1986)
 - (t) Two (2) or more buildings on same lot. (Ord. No. 88-1087, amended 6-16-1988)
 - (u) Places of Worship. (Ord No. 23-2535, amended 12-18-23)
 - (v) Adult Uses-Principal. As defined and licensed under Article VI - Blaine Municipal Code. (Ord. No. 93-1320, amended 1-7-1993)
 - (w) Domestic animal indoor kennel and training facilities. (Ord. No. 93-1479, amended 11-18-1993)
 - (x) Major automobile repair for passenger vehicles. (Ord. No. 94-1534, amended 9-1-1994)
 - (y) Funeral Homes. (Ord. No. 03-1983, added 6-26-2003; Ord. No. 03-1990, Amended 8-21-2003)
 - (z) Vehicle Rental Agency with up to 15 vehicles on site. (Ord. No. 05-2063, added 10-20-2005; Ord No. 18-2407, amended 6-21-2018)
 - (aa) Pawn shop. (Ord. No. 09-2179, added 2-19-2009)
 - (bb) Indoor vehicle sales associated with and on the same property as major automobile repair.
 - (cc) Live entertainment accessory to a restaurant. (Ord No. 23-2535, amended 12-18-23)
- (Ord. No. 14-2295, added 10-16-2014; Ord. No. 20-2447, 7-20-2020, Ord. No. 22-2514, amended 12-19-22)

30.15 - Standards.

- (a) Reserved.
- (b) Front yard setback—Fifty (50) feet. (Ord. No. 93-1491, amended 12-16-1993)
- (c) Side yard setback—Twenty (20) feet when adjacent to commercial or industrial districts; corner lot fifty (50) feet; when adjacent to residential districts—One hundred (100) feet. (Ord. No. 93-1491, amended 12-16-1993)
 - (1) A reduction in the required setback buffer may be requested by following the requirements of Section 33.20 , Buffer Yard Flexibility. (Ord. No. 86-937, amended 4-3-1986)
- (d) Rear yard setback—Twenty (20) feet when adjacent to commercial or industrial districts; when adjacent to residential districts—One hundred (100) feet.
 - (1) A reduction in the required setback buffer may be requested by following the requirements of Section 33.20 , Buffer Yard Flexibility. (Ord. No. 86-937, amended 4-3-1986, Ord. No. 22-2514, amended 12-19-22)
- (e) In the event where front, side or rear setback requirements from a differing adjacent district fall within a public street or highway right-of-way, the minimum setback shall be twenty (20) feet from the property line but not less than the required setback from the adjacent differing district boundary.

- (f) Maximum building height shall not exceed three (3) stories, or fifty (50) feet in height, whichever is less.
- (g) Parking and driveways may be constructed to within the following minimum setbacks of property line: (Ord 85-898, amended 8-15-1985)

- (1) Front yard/corner side yard 30 feet.
- (2) Side yard 10 feet.
- (3) Rear yard 10 feet.(Ord. No. 95-1553, amended 4-20-1995)

When a B-2 zoning district is located adjacent to any residentially zoned property, the side yard and rear yard parking/driveway setback shall be a minimum of twenty-five (25) feet.

- (h) Off-street loading—Refer to Section 33.15.
- (i) Major Automobile Repair Standards. (Ord. No. 94-1534, amended 9-1-1994)
 - (1) No outside storage of vehicle that have exterior damage or are dismantled.
 - (2) No air quality or noise impact to adjacent properties shall be permitted.
 - (3) Additional screening as determined by the Zoning Administrator.
 - (4) A seventy-five-foot landscaped buffer between a major automobile repair facility and all residential zoning districts. (Ord. No. 94-1539, amended 11-17-1994; Ord. No. 20-2447, 7-20-2020)

30.16 - Landscaping.

- (a) All open areas of any lot not used for parking, driveways, or storage, shall be landscaped with trees, shrubs, berms, and planted ground covers.
- (b) It shall be the owners responsibility to see that the landscaping is maintained in an attractive and well maintained condition. The owner shall also replace any dead or damaged trees or shrubs with a similar species. Any dead or damaged sod shall also be replaced.
- (c) All vacant lots or portions of lots shall be maintained in an orderly manner, free of litter and junk.
- (d) All lots in this district shall provide a landscaped yard. This yard shall be kept clear of all structures, storage and off-street parking. Except for driveways, the yard shall extend along the entire boundaries of the site. This yard shall have a minimum width of not less than ten (10) feet.
- (e) For additional landscaping requirements, refer to Section 33.07.
- (f) Underground irrigation shall be required for all yards. Such irrigation shall extend to include public boulevards and into landscaped parking islands, except natural areas to be preserved. (Ord. No. 88-1075, amended 3-17-1988; Ord. No. 89-1177, added 1-4-1990; Ord. No. 20-2447, 7-20-2020)

30.17 - Screening.

On a lot adjacent to a lot in a residential district, there shall be an opaque screen made up of trees and/or berms and a six foot high solid fence made of maintenance free materials.

(Ord. No. 20-2447, 7-20-2020)

30.18 - Storage.

- (a) Refuse facilities, except for individual containers for public use, shall be located only in the side yards or rear yards when feasible. Refuse facilities may be located in the front yard subject to approval of the Zoning Administrator. Such facilities shall be constructed of masonry materials such as brick or textured block in colors compatible with the principal structure. Such facilities shall have solid gates. (Ord. No. 22-2494, amended 1-19-22)

- (b) No outdoor storage of any materials is permitted except as provided for in Section 30.19. (Ord. No. 02-1948, amended 6-20-2002)
- (c) Employee service vehicles with a maximum of 10,000 gvw, associated with a commercial retail business that is specifically mentioned in this zoning district, may be parked outside under conditions as approved by the Zoning Administrator. Vehicles associated with a commercial retail business specifically mentioned in this zoning district greater than 10,000 GVW may be parked in a loading area with at least one overhead door approved by the Zoning Administrator and meeting the requirements of 33.14 of the Zoning Code. (Ord. No. 91-1267, amended 10-3-1991)

(Ord. No. 22-2494, amended 1-19-22; Ord. No. 20-2447, 7-20-2020)

30.19 - Outside display.

Outside display in B-2 retail sites is allowed provided the following standards are met:

- (a) Outside display area is limited to a maximum of thirty percent (30%) of the width of a building frontage and is not to exceed a total of one hundred fifty (150) square feet of area for buildings under 40,000 square feet and not to exceed 400 square feet for buildings larger than 40,000 square feet. Building frontage is defined as the dimension or width of a store front occupied by the retailer establishing the outside display. For purposes of this ordinance a frontage must contain a public or customer entrance or exit and no space is allowed more than two (2) frontages.
- (b) Outside display to be located immediately adjacent to and within the dimensions of the building frontage and shall not extend from the front building edge more than fifty (50) inches.
- (c) Outside display shall not exceed a height of sixty (60) inches.
- (d) Vending machines or cabinets for items such as beverages, ice and propane are exempt from the height and area restrictions provided they are limited to a maximum of three (3) machines or cabinets per frontage.
- (e) Outside display shall not be located so as to block pedestrian walkways, doorways, parking stalls, drive aisles (including access for emergency services). Thirty-six (36) inches is the minimum width required to maintain pedestrian access.
- (f) Outside display to be maintained in an orderly and attractive manner that does not detract from the image of the community or adjacent businesses.
- (g) Outside display should be a representation of the products sold on site, not a storage area for inventory on pallets.
- (h) Products shall be able to be sold from the display.

(Ord No. 02-1948, added 6-20-2002; Ord. No. 20-2447, 7-20-2020)

30.191 - Architectural control.

- (a) At least fifty percent (50%) of all exterior wall finishes on any building shall be comprised of a combination of at least three (3) of the following materials with all materials present on each elevation.
 - (1) Brick.
 - (2) Natural or cultured stone.
 - (3) Glass.
 - (4) Stucco or EIFS.
 - (5) Cementitious siding.
 - (6) Architectural metal.
 - (7) Integrally colored rock faced block.

- (b) The remaining portion of all exterior wall finishes shall be comprised of any combination of decorative, rock faced concrete block and textured concrete panels or other comparable or superior materials as approved by the zoning administrator. All materials subject to Zoning Administrator approval.
- (c) Buildings may be constructed of primarily one of the materials listed in subsection (a) if the design meets or exceeds the intent of the ordinance.
- (d) All buildings to incorporate four sided design.
- (e) Gasoline canopies support columns shall be constructed of masonry materials consistent with the principle building to a minimum height of 5 feet.

(Ord. No. 20-2447, 7-20-2020)



Zoning Ordinance

10801 Town Square Drive NE, Blaine MN 55449

Planning Department

phone: 763-785-6180 | **BlaineMN.gov**

Blaine

30.20 - REGIONAL COMMERCIAL (B-3)

30.21 - Intent.

Intended to provide retailing and services of both a convenience and durable nature to shoppers, such as apparel, furniture, food, banking and financial services for a regional trade area.

(Ord. No. 93-1491, amended 12-16-1993; Ord. No. 20-2447, 7-20-2020)

30.22 - Permitted uses.

- (a) General retail, except when specifically listed elsewhere in the ordinance.
- (b) Banks.
- (c) Restaurants.
- (d) Brew Pubs.
- (e) Personal services, including massage, hair salons, and similar businesses.
- (f) Dry cleaning and laundry.
- (g) Repair services, excluding repair of vehicles and small engines.
- (h) Business and professional offices, including medical offices.
- (i) Personalized instructional services and fitness centers, total floor area limited to 4,000 square feet without a conditional use permit.
- (j) Portrait or art studio.
- (k) Medical cannabis dispensary.
- (l) Taproom

(Ord. No. 84-850, amended 11-15-1984; Ord. No. 20-2447, 7-20-2020, Ord. No. 22-2514, amended 12-19-22)

30.23 - Accessory uses.

Signs as regulated in Section 34.07(a).

(Ord. No. 93-1491, amended 12-16-1993; Ord. No. 20-2447, 7-20-2020)

30.24 - Conditional uses.

- (a) Animal hospitals.
- (b) Amusement and recreation.
- (c) Fitness center not meeting the requirements of 30.12 (i).
- (d) Vehicle sales lot, for passenger vehicles only subject to the following standards.
 - (1) Minimum lots size shall be four (4) acres.
 - (2) Minimum building size shall be twenty five thousand (25,000) square feet.
 - (3) Site shall incorporate extensive berming along street frontages.
 - (4) Vehicle storage and display areas to have minimum twenty-five (25) foot setback from all interior property lines and forty (40) foot setback from any public right of way.
- (e) Gasoline station.

- (f) Minor auto repair for passenger vehicles. (Ord No. 23-2535, amended 12-18-23)
 - (g) Indoor vehicle sales.
 - (h) Boat sales and display areas.
 - (i) Bowling alleys.
 - (j) Car wash.
 - (k) Construction and contractor's offices.
 - (l) Dance Hall.
 - (m) Day care centers—Commercial. (Ord. No. 89-1140, amended 5-18-1989)
 - (n) Educational uses.
 - (o) Meeting/assembly halls.
 - (p) Manufactured home sales lots.
 - (q) Hotels.
 - (r) Private clubs.
 - (s) Recreational vehicle sales lots and showrooms.
 - (t) Outdoor dining accessory to a restaurant. (Ord No. 23-2535, amended 12-18-23)
 - (u) Skating rinks.
 - (v) Small equipment rental; moving van rental and minor repair. Moving vans are limited to single rear axle vans and trucks up to thirty-three (33) feet in total overall length. Repair activities are limited to moving vans owned or leased by the equipment rental facility. (Ord. No. 95-1575, amended 9-21-1995)
 - (w) Theaters.
 - (x) Vocational, technical, and trade schools.
 - (y) Zero lot line split with shared access and/or parking.
 - (z) Off-Sale Liquor Stores. (Ord No. 86-928, amended 2-20-1986)
 - (aa) Two (2) or more buildings on same lot. (Ord. No. 88-1087, amended 6-16-1988)
 - (bb) Places of Worship. (Ord No. 23-2535, amended 12-18-23)
 - (cc) Adult Uses—Principal. As defined and licensed under Article VI—Blaine Municipal Code. (Ord. No. 93-1320, amended 1-7-1993)
 - (dd) Domestic animal indoor kennel and training facilities. (Ord. No. 93-1479, amended 11-18-1993)
 - (ee) Major automobile repair for passenger vehicles. (Ord. No. 94-1534, amended 9-1-1994)
 - (ff) Funeral homes. (Ord. No. 03-1983, added 6-26-2003; Ord. No. 03-1990, amended 8-21-2003)
 - (gg) Vehicle Rental Agency with up to 15 vehicles on site. (Ord. No. 05-2063, added 10-20-2005; Ord. No. 18-2407, amended 6-21-2018)
 - (hh) Pawn shop. (Ord. No. 09-2179, added 2-19-2009)
 - (ii) Live entertainment accessory to a restaurant. (Ord No. 23-2535, amended 12-18-23)
- (Ord. No. 20-2447, 7-20-2020, Ord. No. 22-2514, amended 12-19-22)

30.25 - Standards.

- (a) Reserved.
- (b) Front yard setback—Fifty (50) feet.
- (c) Side yard setback—Twenty (20) feet when adjacent to commercial or industrial districts; when adjacent to residential districts – one hundred (100) feet.
 - (1) A reduction in the required setback buffer may be requested by following the requirements of Section 33.20 , Buffer Yard Flexibility. (Ord. No. 86-937, amended 4-3-1986)
- (d) Rear yard setback—Twenty (20) feet when adjacent to commercial or industrial districts; when adjacent to residential districts – one hundred (100) feet.

- (1) A reduction in the required setback buffer may be requested by following the requirements of Section 33.20 , Buffer Yard Flexibility. (Ord. No. 86-937, amended 4-3-1986)
 - (e) In the event where front, side or rear setback requirements from a differing adjacent district fall within a public street or highway right-of-way, the minimum setback shall be twenty (20) feet from the property line but not less than the required setback from the adjacent differing district boundary.
 - (f) Buildings exceeding three (3) stories or fifty (50) feet in height, whichever is less, must obtain a conditional use permit. (Ord. No. 90-1235, amended 10-18-1990)
 - (g) Parking and driveways may be constructed to within the following minimum setbacks of property line: (Ord. No. 85-898, amended 8-15-1985)
 - (1) Front yard/corner side yard 30 feet.
 - (2) Side yard 10 feet.
 - (3) Rear yard 10 feet. (Ord. No. 95-1553, amended 4-20-1995)
- When a B-3 zoning district is located adjacent to any residentially zoned property, the side yard and rear yard parking/driveway setback shall be a minimum of twenty-five (25) feet.
- (h) Reserved
 - (i) Off-street loading—Refer to Section 33.14.
 - (j) Major Automobile Repair Standards: (Ord. No. 94-1534, amended 9-1-1994)
 - (1) No outside storage of vehicles that have exterior damage or are dismantled.
 - (2) No air quality or noise impact to adjacent properties shall be permitted.
 - (3) Additional screening as determined by the Zoning Administrator.
 - (4) A seventy-five-foot landscaped buffer between a major automobile repair facility and al residential zoning districts. (Ord. No. 94-1539, amended 11-17-1994)

(Ord. No. 20-2447, 7-20-2020, Ord. No. 22-2514, amended 12-19-22)

30.26 - Landscaping.

- (a) All open areas of any lot not used for parking, driveways, or storage, shall be landscaped with trees, shrubs, berms, and planted ground covers.
- (b) It shall be the owners responsibility to see that the landscaping is maintained in an attractive and well maintained condition. The owner shall also replace any dead or damaged trees or shrubs with a similar species. Any dead or damaged sod shall also be replaced.
- (c) All vacant lots or portions of lots shall be maintained in an orderly manner, free of litter and junk.
- (d) For additional landscaping requirements, refer to Section 33.07.
- (e) Underground irrigation shall be required for all yards. Such irrigation shall extend to include public boulevards and into landscaped parking islands, except natural areas to be preserved. (Ord. No. 89-1177, added 1-4-1990)

(Ord. No. 88-1075, amended 3-17-1988; Ord. No. 20-2447, 7-20-2020)

30.27 - Screening.

On a lot adjacent to a lot in a residential district, there shall be an opaque screen made up of trees and/or berms and a six foot high solid fence constructed of maintenance free materials.

(Ord. No. 20-2447, 7-20-2020)

30.28 - Storage.

- (a) Refuse facilities, except for individual containers for public use, shall be located only in the side yards or rear yards when feasible. Refuse facilities may be located in the front yard subject to approval of the Zoning Administrator. Such facilities shall be constructed of masonry materials such as brick or textured block in colors compatible with the principal structure. Such facilities shall have solid gates. (Ord. No. 22-2494, amended 1-19-22)
 - (b) No outdoor storage of any materials is permitted except as provided for in Section 30.19. (Ord. No. 02-1948, amended 6-20-2002)
 - (c) Employee service vehicles with a maximum of 10,000 gvw, associated with a commercial retail business that is specifically mentioned in this zoning district, may be parked outside under conditions as approved by the Zoning Administrator. Vehicles associated with a commercial retail business specifically mentioned in this zoning district greater than 10,000 GVW may be parked in a loading area with at least one overhead door approved by the Zoning Administrator and meeting the requirements of 33.14 of the Zoning Code. (Ord. No. 91-1267, amended 10-3-1991)
- (Ord. No. 20-2447, 7-20-2020)

30.29 - Outside display.

Outside display in B-3 retail sites is allowed provided the following standards are met:

- (a) Outside display area is limited to a maximum of thirty percent (30%) of the width of a building frontage and is not to exceed a total of one hundred fifty (150) square feet of area for buildings under 40,000 square feet and not to exceed 400 square feet for buildings over 40,000 square feet. Building frontage is defined as the dimension or width of a store front occupied by the retailer establishing the outside display. For purposes of this ordinance a frontage must contain a public or customer entrance or exit and no space is allowed more than two (2) frontages.
- (b) Outside display to be located immediately adjacent to and within the dimensions of the building frontage and shall not extend from the front building edge more than fifty (50) inches.
- (c) Outside display shall not exceed a height of sixty (60) inches.
- (d) Vending machines or cabinets for items such as beverages, ice and propane are exempt from the height and area restrictions provided they are limited to a maximum of three (3) machines or cabinets per frontage.
- (e) Outside display shall not be located so as to block pedestrian walkways, doorways, parking stalls, drive aisles (including access for emergency services). Thirty-six (36) inches is the minimum width required to maintain pedestrian access.
- (f) Outside display to be maintained in an orderly and attractive manner that does not detract from the image of the community or adjacent businesses.
- (g) Outside display should be a representation of the products sold on site, not a storage area for inventory on pallets.
- (h) Products shall be able to be sold from the display.

(Ord. No. 02-1948, added 6-20-2002; Ord. No. 20-2447, 7-20-2020)

30.291 - Architectural control.

- (a) At least fifty percent (50%) of all exterior wall finishes on any building shall be comprised of a combination of at least three (3) of the following materials with all materials present on each elevation.
 - (1) Brick.

- (2) Natural or cultured stone.
 - (3) Glass.
 - (4) Stucco or EIFS.
 - (5) Cementitious siding.
 - (6) Architectural metal.
 - (7) Integrally colored rock faced block.
- (b) The remaining portion of all exterior wall finishes shall be comprised of any combination of decorative, rock faced concrete block and textured concrete panels or other comparable or superior materials as approved by the zoning administrator. All materials subject to Zoning Administrator approval.
 - (c) Buildings may be constructed of primarily one of the materials listed in subsection (a) if the design meets or exceeds the intent of the ordinance.
 - (d) All buildings to incorporate four sided design.
 - (e) Gasoline canopies support columns shall be constructed of masonry materials consistent with the principle building to a minimum height of 5 feet.

(Ord. No. 20-2447, 7-20-2020)

32.11 Nonconformities.

- (a) *Continuance of Nonconformities.* A use, structure, or occupancy of land which was lawful before the passage or amendment of this ordinance but which is not in conformity with the provisions of this ordinance may be continued subject to the following conditions. Historic structures, as defined in 44 Code of Federal Regulations, Part 59.1, are subject to the provisions of Sections 32.11(a)(1)—32.11(a)(6) of this ordinance.
- (1) A nonconforming use, structure, or occupancy must not be expanded, changed, enlarged, or altered in a way that increases its flood damage potential or degree of obstruction to flood flows except as provided in 32.11(a)(2) below. Expansion or enlargement of uses, structures or occupancies within the Floodway District is prohibited.
 - (2) Any addition or structural alteration to a nonconforming structure or nonconforming use that would result in increasing its flood damage potential must be protected to the regulatory flood protection elevation in accordance with any of the elevation on fill or floodproofing techniques (i.e., FP-1 thru FP-4 floodproofing classifications) allowable in the State Building Code, except as further restricted in 32.11(a)(3) and 32.11(a)(7) below.
 - (3) If the cost of all previous and proposed alterations and additions exceeds 50 percent of the market value of any nonconforming structure, then the entire structure must meet the standards of Section 32.04 or 32.05 of this ordinance for new structures depending upon whether the structure is in the Floodway or Flood Fringe District, respectively. The cost of all structural alterations and additions must include all costs such as construction materials and a reasonable cost placed on all manpower or labor.
 - (4) If any nonconforming use, or any use of a nonconforming structure, is discontinued for more than one year, any future use of the premises must conform to this ordinance. The Assessor must notify the Zoning Administrator in writing of instances of nonconformities that have been discontinued for a period of more than one year.
 - (5) If any nonconformity is substantially damaged, as defined in Section 32.02 of this ordinance, it may not be reconstructed except in conformity with the provisions of this ordinance. The applicable provisions for establishing new uses or new structures in Sections 32.04 or 32.05 will apply depending upon whether the use or structure is in the Floodway or Flood Fringe, respectively.
 - (6) If any nonconforming use or structure experiences a repetitive loss, as defined in Section 26.06 of this ordinance, it must not be reconstructed except in conformity with the provisions of this ordinance.
 - (7) Any substantial improvement, as defined in Section 32.02 of this ordinance, to a nonconforming structure requires that the existing structure and any additions must meet the requirements of Section 32.04 or 32.05 of this ordinance for new structures, depending upon whether the structure is in the Floodway or Flood Fringe District.

(Ord. No. 15-2327 , 10-15-2015; Ord. No. 20-2447 , 7-20-2020)



City of Blaine

Staff Report

File Number: 2024-36

Agenda Date	Status
February 12, 2024	
In Control	File Type
City Council	Workshop Item

New Business - Sheila Sellman, City Planner

Agenda Item # 3.3

Home Occupation Ordinance Discussion

Background

In 2022 two conditional use permits for home occupations were denied. Both requests included outdoor storage and both were zoned Farm Residential (FR). The denials were based on findings that the property was being used commercially and was not consistent with adjacent residential properties and would have an adverse effect on neighboring properties. Currently, the code outlines the following criteria for permitted home occupations that do not require a conditional use permit:

1. Permitted home occupations shall not be conducted in any building on the premises other than the building which is used by the occupant as the private dwelling and, furthermore, that not more than one (1) room may be used for such purposes.
2. Home occupation may have one (1) wall sign per dwelling which may not exceed 2.5 square feet.
3. There shall be no exterior, garage or accessory building storage of any materials including business equipment, merchandise, inventory or heavy equipment. Motor vehicles used in the home occupation must be stored inside.
4. The area set aside for home occupations shall not exceed twenty percent (20%) of the total floor area of such residence.
5. Permitted home occupations shall not include the employment of any persons not residing on the premises in the performance of the occupation.
6. The use of mechanical equipment other than is usual for purely domestic or hobby purposes is prohibited.
7. Off-street loading and off-street parking requirements of Sections 33.14 and 33.15 must be provided.
8. Merchandise shall not be regularly or openly displayed or offered for sale within the residence.
9. The operation of any wholesale or retail business, unless it is conducted entirely by mail or by occasional home invitation.

10. Any home occupation or activity which produces noise or obnoxious odors, vibrations, glare, fumes, fire hazard, or electric interference detectable to normal sensory perception beyond the property line is prohibited.
11. Trucks shall not be stored, operated, or maintained in residential districts.
12. A home occupation must normally involve fewer than four (4) customers entering daily.
13. Home occupation is served by delivery trucks no larger than 20,000 GVW.

All home occupations which do not conform to the standards above shall only be conducted with a home occupation conditional use permit. However there is no criteria for the uses that qualify for a conditional use permit. With any conditional use permit the use must meet any criteria for that zoning district or use and meet criteria outlined in Section 27.04:

1. The use shall not create an excessive burden on existing parks, schools, streets and other public facilities and utilities which serve or are proposed to serve the area.
2. The use will be located, designed, maintained, and operated to be compatible with adjoining properties and the existing or intended character of the zoning district.
3. The use shall have an appearance that will not have an adverse effect upon adjacent properties.
4. The use, in the opinion of the City Council, shall be reasonably related to the overall needs of the City and to the existing land use.
5. The use shall be consistent with the purposes of the zoning code and purposes of the zoning district in which the applicant intends to locate the proposed use.
6. The use shall not be in conflict with the comprehensive plan of the City.
7. The use will not cause traffic hazard or congestion.
8. The use shall have adequate utilities, access roads, drainage and necessary facilities.

Throughout the year staff keeps track of language that is confusing, out of sync with other cities and that may raise legal issues in the zoning code. At the end of the year staff proposes changes to the zoning code as necessary. In 2022, staff proposed changes to section 33.10 (Home Occupations) in an effort to clarify language and provide criteria for all home occupations permitted or by conditional use. The proposed ordinance was not adopted (attached). Staff would like to revisit the proposed changes and have a dialogue with council on any additional changes, including but not limited to allowing different criteria for larger lots.

Staff Recommendation

Provide feedback and recommendations on changes to proposed ordinance.

Questions for Council

1. Do you agree with the proposed changes?
2. Do you want to have different criteria for larger lots?

Attachment List

1. Home Occupations 2022 Proposal

33.10 Home occupations. Proposed Changes in 2022 not approved

- (a) *Intent.* In order to provide peace, quiet, and domestic tranquility within all residential neighborhoods, within the City, and in order to guarantee to all residents freedom from excessive noise, excessive traffic, nuisance, fire hazard and other possible effects of commercial uses being conducted in residential areas.
- (b) *Definitions.*
 - (1) A *home occupation* is defined as any business, occupation, profession, or commercial activity that is conducted or petitioned to be conducted from property that is zoned for residential use. Home occupations must be conducted by a resident of the property. General farming and gardening activities are not considered home occupations and are not regulated by this ordinance. (Ord. No. 87-1007, amended 2-19-1987)
 - (2) A *home occupation conditional use permit* is a permit authorized by the City Council only after a public hearing by the Planning Commission. (Ord. No. 87-1007, amended 2-19-1987)
- (c) All home occupations shall comply with the following standards: ~~which conform to the following standards may be conducted without a conditional use under this ordinance:~~
 - ~~(1) Permitted home occupations shall not be conducted in any building on the premises other than the building which is used by the occupant as the private dwelling and, furthermore, that not more than one (1) room may be used for such purposes.~~
 - (2) Home occupation may have one (1) wall sign per dwelling which may not exceed 2.5 square feet.
 - (3) There shall be no exterior, ~~garage or accessory building~~ storage of any materials including business equipment, merchandise, inventory or heavy equipment, including materials located on trailers. ~~Motor vehicles used in the home occupation must be stored inside.~~
 - ~~(4) The area set aside for home occupations shall not exceed twenty percent (20%) of the total floor area of such residence.~~
 - ~~(5) Permitted home occupations shall not include the employment of any persons not residing on the premises in the performance of the occupation. (Ord. No. 87-1007, amended 2-19-1987)~~
 - (6) The use of mechanical equipment other than is usual for purely domestic or hobby purposes is prohibited.
 - (7) Off-street loading and off-street parking requirements of Sections 33.14 and 33.15 must be provided.
 - (8) Merchandise shall not be regularly or openly displayed or offered for sale within the residence.
 - (9) The operation of any wholesale or retail business, unless it is conducted entirely by mail or by occasional home invitation.
 - (10) Any home occupation or activity which produces noise or obnoxious odors, vibrations, glare, fumes, fire hazard, or electric interference detectable to normal sensory perception beyond the property line is prohibited.
 - (11) Trucks over 12,000 gvw shall not be stored, operated, or maintained in residential districts.
 - ~~(12) A home occupation must normally involve fewer than four (4) customers entering daily.~~
 - (13) Home occupation is served by delivery trucks no larger than 25,000 GVW ~~20,000 GVW.~~

(d) Home occupations that conform with the following additional standards may be conducted as permitted uses:

-
- (1) Permitted home occupations shall not be conducted in any building on the premises other than the building which is used by the occupant as the private dwelling and, furthermore, that not more than one (1) room may be used for such purposes.
 - (2) There shall be no garage or accessory building storage of any materials including business equipment, merchandise, inventory or heavy equipment.
 - (3) The area set aside for home occupations shall not exceed twenty percent (20%) of the total floor area of such residence.
 - (4) Permitted home occupations shall not include the employment of any persons not residing on the premises in the performance of the occupation.
 - (5) A home occupation must normally involve fewer than four (4) customers entering daily.

(e) *Conditional Use Permits:*

- (1) All home occupations which do not conform to the standards contained in Section ~~33.11(c)~~ 33.11(d) shall only be conducted with a home occupation conditional use permit. Conditional Use Permit applications shall be made and considered in accordance with 27.04 of this code.
- (2) ~~Conditional use permits, once granted, may be revoked by the City Council for cause after hearing before the City Council. Complaints seeking the revocation of such permit shall be filed with the Director of Community Development and may be initiated by the Planning Commission or any three (3) residents of the block (both sides where the home occupation is being conducted). All such revocation hearings shall be conducted in accordance with Section 27.07 of this ordinance. Publication and notice requirements shall be the same as for home occupation conditional use permit application hearings.~~



City of Blaine Staff Report

File Number: 2024-40

Agenda Date	Status
February 12, 2024	
In Control	File Type
City Council	Workshop Item

New Business - Erik Thorvig, Community Development Director

Agenda Item # 3.4

Car Wash Study Discussion

Background

On September 6, 2023, the City Council adopted a six-month moratorium to study zoning related to car washes. The City Council first discussed the study at the December 18, 2023, workshop with general discussion related to zoning performance standards (setbacks, screening, CUP requirements, etc.) and limiting the location of car washes along major corridors.

The following are proposed changes that attempt to address the concerns expressed by the city council at the workshop.

1.) Prohibit standalone and car washes accessory to gas stations on the Highway 65 corridor. - The zoning ordinance currently identifies an overlay district for properties located within 750 feet of the centerline of Highway 65 (see attached map with cross-hatch). The overlay district is intended to limit certain uses and require a higher standard of building design. Standalone and accessory car washes could be added as a prohibited use for the Highway 65 Overlay district. This would effectively eliminate the ability to construct a new car wash along the corridor. Changes to the Highway 65 Overlay district will occur this spring related to the proposal the City Council considered at 8634 Central Avenue (Uram project). This amendment could occur with those changes.

2.) Place performance standards within the B-2 and B-3 commercial zoning districts.- Standalone and car washes accessory to gas stations are allowed through a conditional use permit in these districts. The following performance standards could be added to the zoning districts. The city council has the ability to add additional conditions to a conditional use permit approval on a case-by-case basis in addition to the requirements below.

- Neither the car wash building, nor an accessory vacuum shall be located within 300 feet of any residentially zoned or guided property line. This restricts the location of car washes to a very limited area in the city with this zoning designation. Many of the smaller commercial sites would

be located too close to residential areas to allow car washes. The following are areas that would meet the distance requirement (see attached map with black circles). To note, any existing or new gas stations within these districts would not be able to have a car wash unless it's located in the areas listed below.

1. 109th and University (Oak Park Plaza area) - Only properties abutting University Avenue and not the strip center.
2. Ball Road and Lexington Avenue (Fleet Farm area) – Given the existing uses, it's not likely to have new development proposed in this area. If either of the existing car washes are rebuilt, they have non-conforming rights. However, if they expand, they will need to meet new requirements.
3. Naples Street and Lake Drive
4. 85th Avenue and Springbrook Drive

Given that some existing gas station sites are closer to residential areas, the City Council could consider having a lesser setback to residential areas for these car washes. This would allow the ability for older gas stations to redevelop to a more modern station with a car wash.

- All exterior lighting shall be placed and operated so as not to be a nuisance or source of annoyance to adjacent properties. Both the interior and exterior shall be clearly lighted at all times while business is being conducted.
- The City may require additional necessary conditions to limit the impact of drive-through lanes on surrounding property, including but not limited to: limiting hours of operation, restricting drive-through lane orientation, limiting the volume of loudspeakers and ordering devises, and/or requiring additional landscaping, berming, or other means of screening.
- The site and building(s) shall be designed to limit the effects of the washing operation on adjacent properties and public rights of way. Garage doors shall be positioned to limit exposure to main roadways and residential districts.

3.) Standards for car washes as an accessory use to gas stations in the Planned Business District (PBD) - The PBD district conditionally permits car washes as an accessory use to gas stations. Standalone car washes are not permitted. If the same setback standards listed above are applied to the PBD district and car washes are prohibited along the Highway 65 corridor, the attached map identifies where gas stations could have a car wash in the PBD district (blue circles). If the City Council has less concern about these types of car washes, the setback to residential could be reduced.

4.) Areas in the City Where Car Washes are Not Permitted (Current Regulations)

- 105th Avenue Redevelopment District
- Northtown Area to be Rezoned
- B-1 District
- B-4 District
- B-5 District (99th Avenue and Highway 65, 125th Avenue and Lexington Avenue)

5.) Nonconformities - If changes occur, certain existing car washes would become nonconforming.

Minnesota State Statute and Blaine zoning ordinance address nonconforming uses. Nonconforming uses are uses that were lawful upon the time of approval, however, due to a change in the zoning ordinance, they do not comply with current ordinances. Nonconforming uses are allowed to continue, but cannot be expanded without conforming to current regulations. Nonconforming uses can be rebuilt in the same footprint without coming into conformity. If a non-conforming use ceases for a period of one year, nonconforming rights are lost. Maintenance and restoration of a nonconforming use is permitted. Some of the car washes that are accessory to gas stations are smaller. Given new technology, it may be appropriate to allow expansion, provided the increase doesn't exceed a more than 50% increase.

The moratorium expires on March 6, 2024. In order to make the necessary amendments, an extension to the moratorium would need to occur. An extension is scheduled for the February 21 and March 4 meetings. The moratorium would be lifted once changes are formally adopted by the City Council.

Staff Recommendation

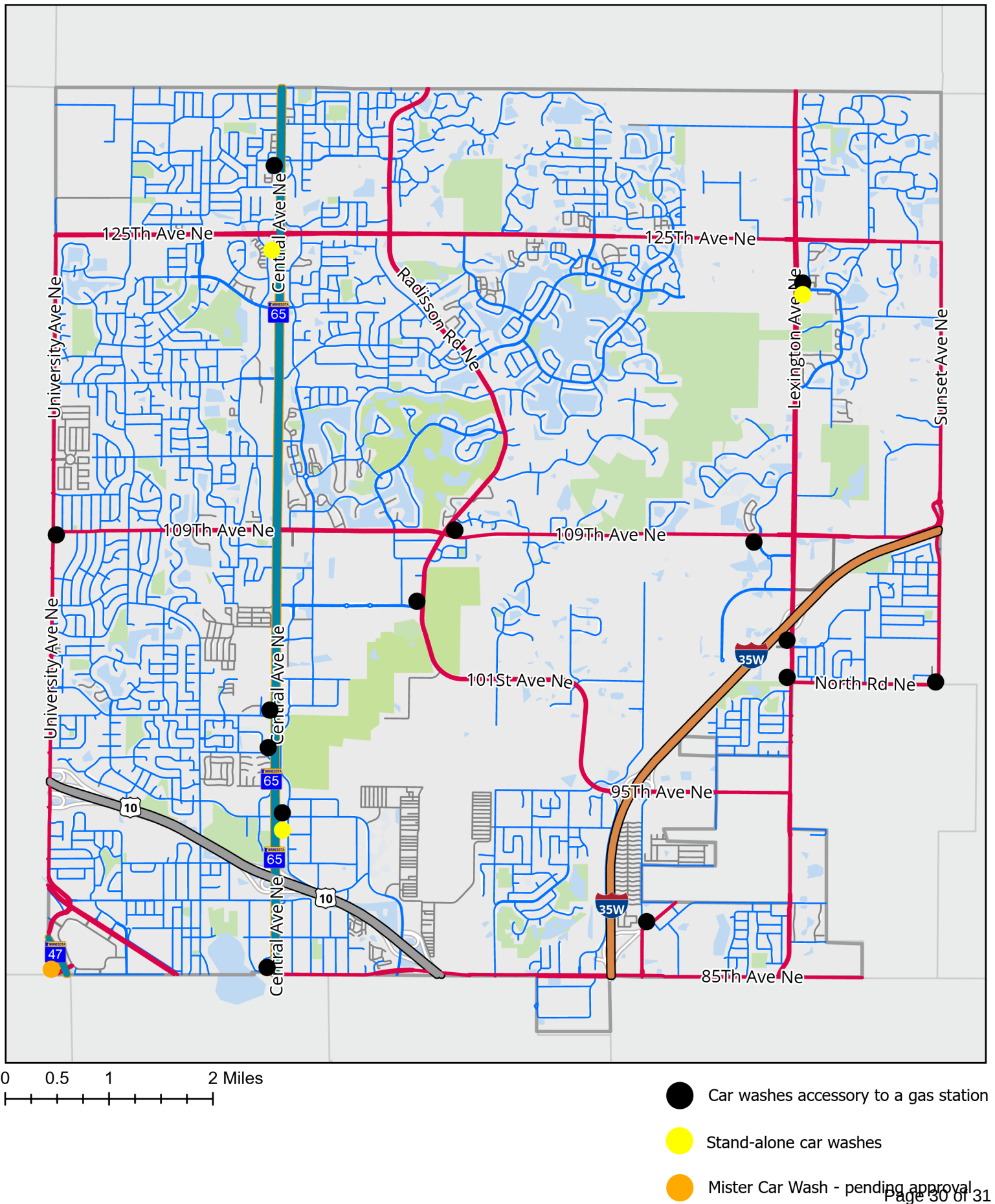
Questions for Council

1. Does the City Council want to:
 - a. Prohibit car washes within the Highway 65 Overlay District?
 - b. Add performance standards to the B-2 and B-3 zoning districts?
 - c. Add performance standards to the PBD zoning district?
 - d. Regulate standalone and accessory car washes the same?
2. Should existing car washes that are non-conforming be allowed to expand?

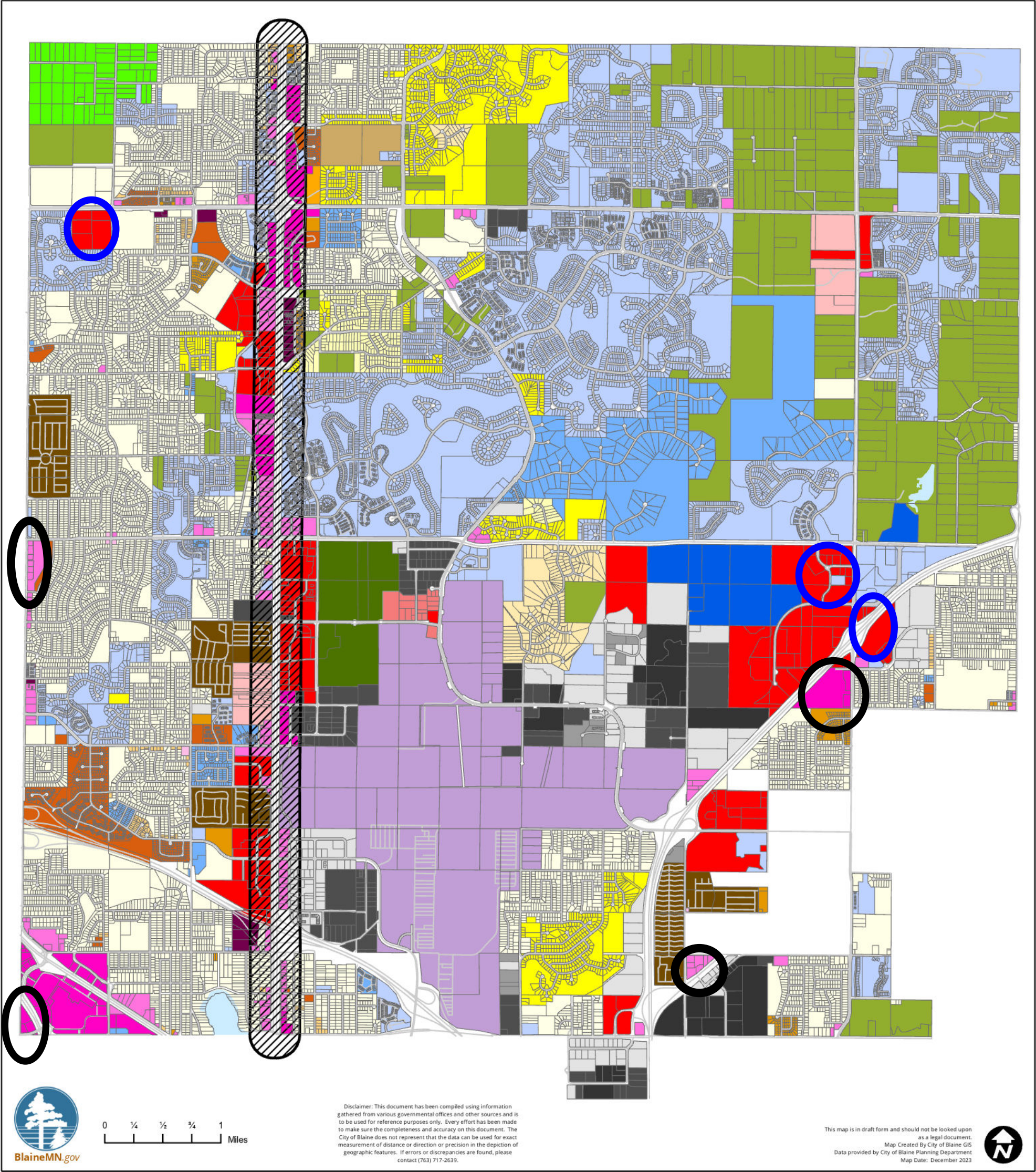
Attachment List

1. Car Wash Locations
2. Zoning Map w/ Potential Locations

Blaine Car Washes



Zoning Map



Legend

- | | | | |
|-----------------------------|---------------------------------|---------------------------------|------------------------------------|
| B-1 - Neighborhood Business | PBD - Planned Business District | AG - Agriculture | R-3B - Medium Density Multi-Family |
| B-2 - Community Commercial | RR - Regional Recreation | FR - Farm Residence | R-3C - High Density Multi-Family |
| B-3 - Regional Commercial | Airport | RE - Residential Estate | R-4 - Mobile Homes |
| B-4 - Office Research Park | I-1 - Light Industrial | R-1 - Single Family | DF - Development Flex |
| B-5 - Town Commercial | I-1A - Light Industrial | R-1A - Single Family | RF - Residential Flex |
| RD - 105th Ave | I-2 - Heavy Industrial | R-1AA - Single Family | |
| Redevelopment District | I-2A - Heavy Industrial | R-1B - Single Family | |
| | POD - Planned Office District | R-2 - Two Family | |
| | | R-3A - Low Density Multi-Family | |
| | | | Highway Overlay Location |