

WAYZATA PLANNING COMMISSION

Meeting Agenda

Wayzata City Hall Community Room, 600 Rice Street

Monday, April 17, 2023

6:30 PM

HYBRID MEETING INFORMATION

[Click here to join Zoom Meeting](#)

Meeting ID: 880 2598 5707 Passcode: 843194

Members of the public may attend this Planning Commission meeting in person, provided they follow all City policies and protocols related to the pandemic.



Members of the public may watch and listen remotely by viewing the meeting on Channel 8, WCTV, and at the City's website at www.wayzata.org/WCTV.

Public comment during the Public Forum and/or Public Hearing portions of the meeting may be provided in person at the meeting, in advance, or by logging into the zoom call and raising your hand during the public hearing. **When your name is called in the meeting, you will be seen and heard in our Council Chambers and the cable channel.** You will be asked to unmute and then you may begin your comment. All public comments must include your full name and address.

The City encourages comments or questions about items on the agenda and, when possible, requests that you submit them in advance by emailing PublicComment@wayzata.org, calling City staff at 952-404-5323, or mailing Wayzata City Hall at 600 Rice St E, Wayzata, MN 55391 (Attn: Public Comment).

1. **Call to Order**
2. **Roll Call**
3. **Approval of Agenda**
4. **Consent Agenda**
 - a. Approval of Meeting Minutes of April 3, 2023
 - b. Approval of Planning Commission Report and Recommendation for Approval of Zoning Text Amendments to Definitions and Performance Requirements Chapters
5. **Public Hearing Items**
 - a. Consider Application for Design Deviations for Rooftop Mechanical Equipment at 900 Wayzata Blvd E
 - b. Consider Application for Zoning Text Amendments to Chapter 936 - Tree Preservation Ordinance and Chapter 918 - Fencing/Screening
 - c. Consider Application for Conditional Use Permits for Municipal Solar at 600 Rice Street East and 747 Mill Street East
6. **Other Items**
 - a. Review of Development Activities
 - b. Planning Commission Meeting Schedule
7. **Adjournment**

Upcoming Meetings:
City Council - April 18, 2023
Planning Commission - May 1, 2023

Members of the Planning Commission and some staff members may gather at the Wayzata Bar and Grill immediately after the meeting for a purely social event. All members of the public are welcome.



City of Wayzata Planning Commission Agenda Report

MEETING DATE: April 17, 2023	AGENDA ITEM: 4.a
TITLE: Approval of Meeting Minutes of April 3, 2023	
PREPARED BY: Valerie Quarles, Assistant Planner	
REVIEWED BY: Emily Goellner, Community Development Director	
60 DAY DEADLINE: N/A	

BACKGROUND:

N/A

ACTION REQUESTED:

Staff recommends approval of the regular meeting minutes of April 3, 2023.

ATTACHMENTS:

1. Draft Meeting Minutes of April 3, 2023

**WAYZATA PLANNING COMMISSION
MEETING MINUTES
APRIL 3, 2023**

AGENDA ITEM 1. Call to Order

Chair Stockton called the meeting to order at 6:30 p.m.

Chair Stockton read a prepared statement outlining multiple options for joining remotely or submitting comments and questions.

AGENDA ITEM 2. Roll Call

Chair Stockton asked Planning Consultant Zweber to take roll call.

Present at roll call were Commissioners: Douglas, Merriam, Stockton, Sorensen, Schwalbe, Elg, and Severson. Planning Consultant Eric Zweber, Assistant Planner Valerie Quarles, and City Attorney David Schelzel were also present.

AGENDA ITEM 3. Approval of Agenda

Chair Stockton asked for a motion to approve the agenda for the meeting.

Commissioner Douglas made a motion, seconded by Commissioner Schwalbe to approve the April 3, 2023 agenda as presented. The motion carried unanimously.

AGENDA ITEM 4. Consent Agenda

a.) Approval of the Planning Commission Meeting Minutes and Workshop Minutes of March 6, 2023

Chair Stockton read the items on the consent agenda and asked if any Commissioner wished to pull an item for further discussion.

Commissioner Severson noted that the workshop summary from March 6, 2023 indicates that she was present, however, she was not in attendance.

Chair Stockton asked for a motion to approve the Consent Agenda as amended.

Commissioner Douglas made a motion, seconded by Commissioner Severson, to approve the Consent Agenda as amended. The motion carried unanimously.

AGENDA ITEM 5. Public Hearing Items

a) Consideration of Zoning Text Amendment – Definitions and Performance Requirements

1
2 Assistant Planner, Valerie Quarles, explained that they were experiencing some technical
3 difficulties with getting the presentation to show up on the Commission's screens, but noted that
4 the presentation very closely follows the information included in the staff report. She gave an
5 overview of the proposed zoning text amendments for Chapters 902, 916, 917, 919, and 920. She
6 acknowledged the work that has been put in by the Zoning Task Force on these proposed
7 amendments. She reviewed the basis for the proposed changes, new definitions, and the
8 differences between Conditional Use Permits and Variances, and explained the proposed changes
9 chapter by chapter.

10
11 Chair Stockton asked if the Commission had any questions for Staff.

12
13 Commissioner Douglas asked about spires and minarets and if they were limited to churches.

14
15 Assistant Planner Quarles stated that it would not be limited to just churches and could be on other
16 buildings. She noted that 'church' has been crossed out in the section she is referring to.

17
18 Commissioner Douglas referenced page 51 of the packet regarding Section 917.01.A and read
19 aloud the proposed language and asked why it would be allowed in R-1A and R-1.

20
21 Planning Consultant Zweber explained that typically R-1A and R-1 lots have shoreland along Lake
22 Minnetonka and the City's definition is that the front of the house faces the street, so when you
23 place structures closer to the lake, you end up with a very large front yard.

24
25 Commissioner Douglas referenced Section 917.01 D and read aloud the proposed language and
26 asked if it meant that they could have more than one detached garage on the property.

27
28 Assistant Planner Quarles stated that they can and explained that there were a few factors at play.
29 She noted that overall R-1A and R-1 lots tend to be extremely large where the impact of having
30 more than one structure may be less and explained that the goal was not to take away existing
31 rights. She stated that this was something that was already in the code.

32
33 Planning Consultant Zweber stated that was why staff was proposing to strike out B, and explained
34 that the lot coverage still applies and is a factor that affects the size and number of buildings.

35
36 Commissioner Douglas referenced Section 917.03 and read aloud the proposed language. She
37 asked if that meant that if someone had a one-story house with 3,000 square feet, there could be
38 1,500 square feet of accessory buildings.

39
40 Planner Quarles stated that the purpose of upping it from 30% to 50% was to let lot coverage and
41 impervious surface do more of the heavy lifting. She stated that it is more likely that you will hit
42 lot coverage and impervious surface limitations before you hit a requirement that had to do with
43 the floor area of the home.

44
45 Planning Consultant Zweber explained that the City is getting more requests for smaller homes
46 than in the past. He gave the example of a single-family one-bedroom home and the issues that

1 would arise if they were only allowed to have a garage that was 30% of the size of the home
2 because that would not even be the size of a typical two-car garage.

3
4 Commissioner Douglas explained that she was thinking of the larger 2 acre lots.

5
6 Commissioner Merriam stated that she had noticed this one too, but the explanation from staff
7 makes sense.

8
9 Commissioner Sorensen stated that his gut had sort of told him that 50% is a lot.

10
11 Commissioner Douglas asked if the percentage could be based on zoning.

12
13 Planning Consultant Zweber stated that it could be based on zoning and explained that they had
14 some discussion about whether this section should be separate from 917.01. He stated that their
15 reason for keeping it separate was that 917.03 applies to any zoning district. He stated that they
16 could 'unstrike' except cases of single-family and take a look at 917.01 and make sure that it is
17 addressed in the proper zoning district.

18
19 Commissioner Douglas explained that she was thinking more of a single-family home.

20
21 Planning Consultant Zweber questioned whether Commissioner Douglas was implying that she
22 would be fine with one large accessory building rather than multiple smaller accessory buildings.

23
24 Commissioner Douglas stated that she would not and explained that it was the total of the accessory
25 buildings. She stated that she struggles with this one and would like it reflected in the record when
26 Council reviews this. She referenced page 60 of the packet, Chapter 919, Section D, and asked
27 why they were recommending the sentence 'it will not cause considerable depreciation' be struck.

28
29 Commissioner Merriam noted that there was another area somewhere in the document that talked
30 about that or 'blighting' the property.

31
32 Commissioner Douglas asked if the design standards and lot coverage dictate that it will not cause
33 a blight or depreciation.

34
35 Planning Consultant Zweber stated that for this particular example, part of is the rationale is what
36 happens before in the development process and when it is applied. He stated that this section is
37 about receiving a building permit which is done administratively. He stated that depreciation is
38 an item that is often raised by neighbors when there is a public hearing process for a CUP. He
39 stated that at this point in the development process, this would be a permitted use or an approved
40 conditional use because there is no neighborhood review of a building permit. He reiterated that
41 a large part of this is that building permits are handled administratively. He stated that if
42 depreciation was removed somewhere else, it may have been because there is a CUP process that
43 has property values as one of the criteria, so it would be redundant.

44
45 Commissioner Merriam referenced page 31 of the packet, definition of health clubs and read aloud
46 the language. She asked if they could say 'which may include' rather than 'such as'.

1
2 Planner Quarles stated that she can check and make sure the language is consistent because she
3 knows that 'which may include' was used in other sections.
4

5 Commissioner Merriam asked about the parking requirement and stated that she thinks of
6 someplace like CorePower Yoga because they cram people in and the parking lots are overflowing.
7 She stated that she is not sure that the parking standard needs to be that different between a health
8 club and a personal fitness club.
9

10 Planner Quarles stated that her only question would be whether Commissioner Merriam had
11 indicated that her example had multiple studios.
12

13 Commissioner Merriam stated that she believed that there were 2 or 3 studios where they have
14 yoga classes. She stated that she feels that this is something the City needs to be cautious of because
15 it is not just necessarily something like a Steele Fitness where there are a few people in there
16 working out on machines and may actually be a place that is attracting a lot of people with classes.
17

18 Planner Quarles asked if the issue for the Commission would be the 3,000 square foot cutoff or
19 the use within the space.
20

21 Commissioner Merriam stated that the City was giving definitions and then giving a parking
22 requirement based on that definition. She stated that she feels that they perhaps should not be that
23 different.
24

25 Planning Consultant Zweber stated that he understood Commissioner Merriam's point. He noted
26 that there is a Lifetime Fitness near his office and they have multiple classes going on at the same
27 time. He explained that they have a parking ramp and it is still completely full. He reiterated that
28 he understands her point in asking the question of whether there should be one parking requirement
29 that is 1/3 of the other parking requirement. He noted that he feels there may be some merit in re-
30 evaluating this point.
31

32 Commissioner Merriam referenced page 21, there are two Animal Clinics, and asked if they can
33 just get rid of 'animal clinic'.
34

35 Planner Quarles stated that she believed the difference there is actually a quirk of the use table.
36 She stated that whether a clinic offers kenneling or not is different for the different zoning districts
37 so there is a definition for each.
38

39 Planning Consultant Zweber explained that they did not find the parking demand to be that
40 different between the two, but that it was two different uses.
41

42 Commissioner Merriam clarified that she was confused as to why animal clinic was listed in both
43 definitions.
44

45 Planning Consultant Zweber explained that they wanted animal clinic as one that would be able to
46 be a clinic that does not provide grooming or day care as compared to animal clinic, hospital or

1 kennel. He stated that they could provide the same services but now they are expected to also
2 board animals, day care, and/or grooming in addition to the other services. He stated that there are
3 two different definitions in order to make that distinction.

4
5 Commissioner Merriam reiterated that she did not understand how the same words can have two
6 different definitions and believed that a choice should be made.

7
8 City Attorney Schelzel stated that staff can take a look at that situation and language.

9
10 Commissioner Merriam asked if an average grade plane could be created by using fill.

11
12 Planner Quarles stated that there are limitations on how much they can alter the base on which the
13 building sits. She stated that there is a provision in the code that says if an applicant fills a certain
14 amount across the lot they need Council approval. She explained that there is also another
15 provision that says you cannot raise the base of your building by adding too much fill.

16
17 Planning Consultant Zweber stated that the existing definition would allow someone to raise their
18 average grade plane by using fill. He stated that he believed that the new proposed definition
19 clarifies that it is the lowest point between the building foundation and the 6-foot mark. He stated
20 that he feels the proposed definition is meant to close a loophole that staff doesn't think was ever
21 intended.

22
23 Commissioner Schwalbe asked how the change in parking requirements could potentially affect
24 the current businesses in the City or if this change was designed primarily for future businesses.

25
26 Planner Quarles explained that it is primarily meant for future businesses. She noted that whenever
27 the City makes changes to the zoning code, if a business was compliant under the previous code,
28 the City does not ask them to come and make a change. She stated that if someone were to propose
29 a substantial change to their property then the City would look at the new code.

30
31 Planning Consultant Zweber noted that staff had taken a look at 9 restaurants and for 7 of those it
32 was basically a 5% difference either way. He stated that the other 2, Caribou Coffee and My
33 Burger, would require more parking with this new language, and that both of those have small
34 kitchen spaces.

35
36 Commissioner Elg stated that staff explained it as when there was a change in use it would trigger
37 the new requirements. He gave the example of a restaurant doubling the size of their bar and
38 making a floor plan change within the building.

39
40 Planner Quarles stated that typically when they talk about uses that have a 'legacy' from the
41 previous code they are typically looking at what the protections are under the State law in non-
42 conformities. She stated that her initial thought is that it would only be important if the footprint
43 was to change for a current restaurant. She noted that it may turn out to be more of a policy
44 decision for the City to decide whether they wanted to recalculate those requirements. She stated
45 that the City would not necessarily know that a business was making changes unless they pulled a
46 building permit, but explained that she could look into this specific question to find the best answer.

1
2 Commissioner Merriam stated that she has a few questions on things that were already included
3 within the code, but when she was reviewing this they caught her eye. She referenced page 24
4 related to the definition of clear cutting and asked if it had changed when the City changed the tree
5 ordinance.

6
7 Planning Consultant Zweber stated that he knows clear cutting was included in 2015 when the City
8 first adopted the Tree Preservation Ordinance. He stated that he would have to go back and check
9 the numerous amendments to these regulations that have been tweaked to check on that.

10
11 Planner Quarles stated that the Tree Preservation Ordinance was recently examined and included
12 the definition of clear cutting. She noted that she will double check that the City's base code is
13 perfectly correct and stated that it was possible that they missed updating the definition of clear
14 cutting.

15
16 Commissioner Merriam stated that the definition of 'fence' includes a continuous row of plantings
17 or a hedge. She asked whether this should be removed from the language.

18
19 Planner Quarles stated that was a fair question and explained that she was the main administrator
20 of the fence code. She noted that there was a lot to unpack with that code and staff are planning
21 to look at it as part of the zoning study that will happen later this year.

22
23 Commissioner Merriam noted that she had also seen the word 'hardship' included which she
24 believed should be changed to 'practical difficulty'.

25
26 There being no additional questions from the Commission for staff, Chair Stockton opened the
27 public hearing on the application at 8:06 pm.

28
29 Planner Quarles stated there were no people that called in to the meeting that have asked to speak
30 at the public hearing.

31
32 There being no one wishing to comment on the application, Chair Stockton closed the public
33 hearing at 8:06 pm.

34
35 Chair Stockton asked for the Commission to share their questions and feedback on the application.

36
37 Chair Stockton stated that she liked that staff has gone through and run example scenarios with
38 parking for existing businesses.

39
40 Commissioner Sorensen stated that he would concur with some of the comments shared by the
41 other Commissioners regarding the accessory building size and the change to 50% of the gross
42 principal building area versus 30%. He stated that he feels that sticking with 30% would make a
43 bit more sense and thinks that if there is any question about it, erring on the side of caution would
44 be the better approach.

1 Commissioner Elg asked if a 'scale' system may work in that situation and gave the example of
2 the scale increasing as the lot size grew. He stated that 50% on a 0.5 acre lot is a lot is very
3 different than 50% on a 2 acre lot.
4

5 Chair Stockton stated that she thinks it is hard to imagine the visual impact.
6

7 Planner Quarles stated that one of the things to keep in mind is that there are two different standards
8 that they are proposing tying different percentages to and noted that when it comes to the size of
9 the lot, no matter how big the house is, they are looking at lot coverage. She stated that once they
10 get up to the largest lots, they start getting into the 10% range of lot coverage. She stated that this
11 particular provision in 917.03 is the only one that is tied to home size.
12

13 Commissioner Severson asked what would be another typical accessory structure, besides a garage
14 that would come to play in this situation.
15

16 Planner Quarles stated that people in the City often get creative with what these types of structures
17 might be and gave examples of a home office, shed, or a sauna.
18

19 Chair Stockton confirmed that these structures would be for the primary use of the property owner.
20

21 Planner Quarles stated that this was correct and are accessory to what is being done on the property,
22 which is generally living there.
23

24 Commissioner Severson asked if the difference between an accessory structure and an ADU is that
25 they are being lived in.
26

27 Planner Quarles explained that the standards are more relaxed if you are not living in it.
28

29 Commissioner Merriam referenced page 56 of the packet for 919.04 and the things that were not
30 considered encroachments on yard setbacks. She stated that the word 'uncovered' was removed
31 from porches which implies that a porch could encroach in the setback whether it is covered or
32 not. She stated that as a neighbor she is not sure that she would want someone else's porch closer
33 to yard.
34

35 Planner Quarles stated that is a great catch and noted that she agreed and staff can remove the
36 strike of the word 'uncovered'.
37

38 Planning Consultant Zweber stated that he feels staff was clumsy in what they intended. He
39 explained that they have moved 'uncovered' in front of all the items. He stated that they never
40 intended for covered porches to qualify in this situation. He reiterated that this was a good catch
41 and they will need to rework that language to make sure that it applies to all of those features and
42 reiterated that it was not their intent to now allow covered porches to qualify for this exception.
43

44 Commissioner Sorensen asked if the code was saying that people can build an uncovered deck or
45 porch and encroach on the setback as long as they are 5 feet from the property line.
46

1 Planner Quarles stated that it is saying that you can encroach 5 feet into the setback of the front
2 yard and on any other side of the home you can get within 5 feet of the property line. She shared
3 a recent example of this type of situation for the property located at 247 Central Avenue.

4
5 Commissioner Merriam stated that situation was just putting something closer to the road, which
6 was less of a concern to her.

7
8 Planner Quarles stated that she believes the idea is they should just allow a limited encroachment
9 into the front yard.

10
11 Commissioner Sorensen stated that for the side yard there is a 10-foot setback he asked if he was
12 understanding correctly that they could build a deck or porch up to 5 feet from the property line
13 which means the neighbor could also do the same which means the decks would just be 10 feet
14 apart.

15
16 Planner Quarles stated that was accurate.

17
18 Commissioner Sorensen asked if staff and the Commission thought that was a good idea.

19
20 Planner Quarles stated that may a situation where it is up to the choice of the individual neighbor.

21
22 Planning Consultant Zweber clarified that this has been allowed for decades.

23
24 Commissioner Sorensen stated that he did not feel that was a good idea.

25
26 Commissioner Elg noted that he would agree with Planner Quarles that in this situation it would
27 be up to the individual homeowners.

28
29 Commissioner Merriam asked about the definition of lodging found on page 32. She asked what
30 'more or less' temporary actually meant.

31
32 Planner Quarles explained that some of the more general definitions were pulled from a standard
33 practice of what zoning definitions generally say. She stated that she does not know about the
34 'more or less' specificity but believes the idea was to provide some flexibility as to what temporary
35 means.

36
37 Planning Consultant Zweber stated that he would have no issue with removal of those three words.

38
39 Commissioner Merriam referenced page 32 for lot base which refers to subdividing lots and seems
40 to relate to two-family dwellings and asked about the definition.

41
42 Planning Consultant Zweber explained that this is because they had removed quadraminium and
43 manor homes from all sections of the code.

44
45 Commissioner Merriam asked if that was implying that it would only pertain in a situation where
46 a lot was being subdivided into a two-family home.

1
2 Planning Consultant Zweber stated that this was correct because townhomes and multi-family have
3 different standards. He stated that two-family dwellings are commonly owned by separate people
4 and the City does not get into tenure, meaning whether something is owner-occupied or rental.
5

6 Commissioner Merriam referenced page 37 and read aloud the language related to satellite dishes.
7 She stated that technology is always changing and wanted to make sure that the City's definition
8 covers the latest technology.
9

10 Planner Quarles stated that she can double check and see if there have been any updates in how
11 satellite dishes are discussed.
12

13 Commissioner Merriam referenced page 58 and read aloud language related to usable open space.
14 She asked why the City is reducing the amount of useable open space down to 250 square feet.
15

16 Planner Quarles stated that one of the things the City has run into with this standard is that it is
17 fairly unrealistic to ask for 500 sq. ft. of open space per unit. She stated that she believed the
18 majority of the multi-family spaces in the City do not comply with this requirement. She stated
19 that the older style buildings generally have an apartment building and then a big, grassy, green
20 area around the building. She stated that this is not necessarily the style of construction that is
21 now seen and not the kind that the remaining developable lots allow for. She stated that the idea
22 was to bring it down to a number that was more enforceable per unit.
23

24 Planning Consultant Zweber explained that this included a discussion with Van Meter Williams
25 Pollack who helped the City with the Design Standards. He stated that with their experience doing
26 residential development, the City had asked about what they commonly provide for open space.
27 He referenced 909.15 and read aloud the language included. He stated that their reasons for
28 dropping it from 500 to 250 sq. ft. was for consistency with the Design Guidelines.
29

30 Commissioner Merriam asked why exceptions were made for elderly housing, memory care, and
31 assisted living.
32

33 Planning Consultant Zweber explained that many times that space is provided inside the facility.
34 He briefly checked the ordinance language.
35

36 Commissioner Merriam stated that she thought open space was defined as being outside.
37

38 Planner Quarles stated that the way it is described within the code is as a required ground area or
39 terrace area on a lot which is graded, developed, and landscaped which tells her that it is outside.
40 She stated that it also says that such areas shall be grassed and landscaped and covered only for
41 recreational purpose which also generally points towards outside.
42

43 Commissioner Merriam asked if there was anything in the code that had these requirements for
44 the inside of a senior living facility.
45

1 Planner Quarles explained that one of the things the City may be relying on is that there are many
2 more regulations at play than just the City's for that type of facility. She noted that she did not
3 know what the State requirements were surrounding common spaces but stated that it is the State's
4 role to mandate this type of item and not the City's.

5
6 Commissioner Douglas asked if there was a 12-unit multi-family dwelling if that meant that they
7 would have to have 6,000 square feet of outdoor open space.

8
9 Planner Quarles stated that was correct and noted that this is an example of how quickly 500 sq.
10 ft. per unit could add up. She stated that one of the things that they have included in their Design
11 Standards is to provide this type of common area and would imagine that some of the downtown
12 spaces would be looking to provide that kind of space higher in the building.

13
14 Planner Quarles gave a summary of the items that she felt there was consensus by the Commission
15 based on the discussion tonight and things that staff will check into more closely.

16
17 Commissioner Schwalbe stated that she is continually amazed at how much minute work goes into
18 preparation of the staff reports in this kind of situation and commended staff for their work.

19
20 Commissioner Sorensen stated that he agreed and also felt that it would be appropriate to
21 acknowledge all the hard work that went into these proposed changes. He stated that he has a lot
22 of confidence that staff is working to provide ostensible clarity, usability, and consistency with the
23 zoning code. He encouraged the City Council to listen to the commentary that was raised during
24 this meeting because he thinks there were important issues that were brought up that are worthy
25 of further thought and conversation.

26
27 There being no further discussion, Chair Stockton asked for a motion on the application.

28
29 Commissioner Merriam made a motion, seconded by Commissioner Sorensen, to direct staff to
30 prepare a draft Planning Commission Report and Recommendation with appropriate findings
31 reflecting a recommendation of approval for the proposed Zoning Ordinance Text Amendment for
32 review and adoption at the next Planning Commission meeting, with the changes as discussed and
33 outlined by Planner Quarles. The motion carried unanimously.

34
35 **AGENDA ITEM 6. Other Items:**

36
37 **a) Review of Development Activities**

38
39 Planner Quarles gave a brief overview of the recent development activities. She noted that there
40 are 3 applications slated for the next meeting, Wells Fargo, and two CUPs for solar on City
41 buildings. She noted that the application for the TCF building at 200 Lake Street East has been
42 deemed complete and will most likely be on the Planning Commission schedule in May.

43
44 **b) Planning Commission Meeting Schedule**

45
46 **AGENDA ITEM 7. Adjournment.**

1
2 There being no further business on the agenda, Chair Stockton asked for a motion to adjourn.
3

4 Commissioner Severson made a motion, seconded by Commissioner Schwalbe to adjourn the
5 Planning Commission meeting. The motion carried unanimously.
6

7 The Planning Commission meeting was adjourned at 8:12 p.m.
8

9 Respectfully submitted,

10 Kayla Atkins Rokosz

11 *TimeSaver Off Site Secretarial, Inc.*
12

DRAFT



City of Wayzata Planning Commission Agenda Report

MEETING DATE: April 17, 2023	AGENDA ITEM: 4.b
TITLE: Approval of Planning Commission Report and Recommendation for Approval of Zoning Text Amendments to Definitions and Performance Requirements Chapters	
PREPARED BY: Valerie Quarles, Assistant Planner	
REVIEWED BY: Emily Goellner, Community Development Director	
60 DAY DEADLINE: N/A	

BACKGROUND:

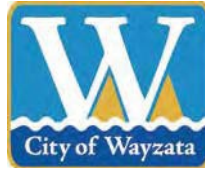
The Planning Commission considered amendments to Chapters 902, 916, 917, 919, and 920 at their April 3 meeting and recommended approval of the proposed changes (7-0) with certain conditions, directing staff to prepare a draft Report and Recommendation of Approval. The conditions are summarized in the attached Draft Meeting Minutes of April 3, 2023 on this meeting's consent agenda. The attached redlined and clean copies of these chapters have incorporated the majority of those changes, and staff are working to finalize the Planning Commission's requests before City Council consideration.

ACTION REQUESTED:

Staff recommends approval of the Planning Commission Report and Recommendation.

ATTACHMENTS:

1. Definitions and Performance Requirements Updates - Report and Recommendation of Approval
2. Performance Requirements - Clean Code Copy
3. Performance Requirements - Redlined Code Copy
4. Definitions - Clean Code Copy
5. Definitions - Redlined Code Copy



WAYZATA PLANNING COMMISSION

April 17, 2023

REPORT AND RECOMMENDATION OF APPROVAL OF ZONING ORDINANCE AMENDMENTS

DRAFT

SUMMARY OF RECOMMENDATION

Approval of Amendments to Chapters 902, 916, 917, 919 and 920 of the Zoning Ordinance

REPORT AND RECOMMENDATION

Section 1. BACKGROUND

- 1.1 Zoning Ordinance Updates. The Zoning Study Task Force, Planning Commission, City Council, and City staff have been engaged work to update Zoning Ordinance provisions related to commercial, institutional, and residential zoning districts. On September 26, 2022 and on January 25, 2023, the Task Force reviewed potential revisions to the Definitions, the General Building, Performance Requirements, and Off-Street Parking sections of the Zoning Ordinance to ensure clarity and consistency is provided throughout the entire Zoning Ordinance. The Planning Commission discussed the changes at a workshop on March 6, 2023, and at a regular meeting on April 3, 2023.
- 1.2 Zoning Ordinance Amendments (text). City staff has prepared proposed Zoning Ordinance amendments that are a direct continuation of the Zoning Ordinance updates completed in 2022 under Ordinance 811, and feedback provided by the Planning Commission, to bring it more in line with such updates and the goals and guidance of the 2040 Comprehensive Plan, and to make it easier to understand and administer. A draft Ordinance to make such Zoning Ordinance amendments (the “Zoning Ordinance Amendments”) is attached to this Report as Attachment A.

- 1.3 Notice and Public Hearing. Notice of the public hearing on the Zoning Ordinance Amendment was published in the *Sun Sailor* on March 23, 2023 and on the City's website. The public hearing on the Zoning Ordinance Amendment was held at the April 3, 2023 Planning Commission meeting.

Section 2. STANDARDS

- 2.1 Zoning Ordinance Amendments. City Council has the discretion and authority under state law and City Code to amend the City's Zoning Ordinance (Text or Zoning Map). In considering a proposed amendment to the Zoning Ordinance under Sec. 903.02.F of the Zoning Ordinance, the Planning Commission and City Council must consider the possible adverse effects of the proposed amendment. Their judgment shall be based upon (but not limited to) the following factors:
- A. The proposed action in relation to the specific policies and provisions of the official City Comprehensive Plan.
 - B. The proposed use's conformity with present and future land uses of the area.
 - C. The proposed use's conformity with all performance standards contained in the Zoning Ordinance (i.e., parking, loading, noise, etc.).
 - D. The proposed use's effect on the area in which it is proposed.
 - E. The proposed use's impact upon property value in the area in which it is proposed.
 - F. Traffic generation by the proposed use in relation to capabilities of streets serving the property.
 - G. The proposed use's impact upon existing public services and facilities including parks, schools, streets, and utilities, and the City's service capacity.

Section 3. FINDINGS OF FACT

Based on the materials submitted by City Staff, the Staff report, comment and information presented at the public hearing, and the standards of the Wayzata Zoning Ordinance, the Planning Commission of the City of Wayzata makes the following findings of fact:

- 3.1 Zoning Ordinance Amendments. The Planning Commission has considered all of the factors of Sec. 903.02.F of the Zoning Ordinance and finds that the proposed Zoning Ordinance Amendments would not have any adverse effects, and would better clarify and streamline existing language of the Zoning

Ordinance, make the Zoning Ordinance easier to understand and administer, and bring the language of the Zoning Ordinance more in line with the goals and guidance of the 2040 Comprehensive Plan. The Zoning Ordinance Amendments meet the applicable standards in that:

- A. The Zoning Ordinance Amendments do not contravene any policies and provisions of the official City Comprehensive Plan, and would instead help implement them in a clearer and more efficient manner.
- B. The Zoning Ordinance Amendments would conform with the present and future land uses within the City as set for in the City's Comprehensive Plan.
- C. The Zoning Ordinance Amendments would conform with all performance standards contained in the Zoning Ordinance, and improve the clarity of several standards, making them easier to understand and apply.
- D. The Zoning Ordinance Amendments would not have a negative effect on any areas of the City, including residential, institutional, and commercial areas.
- E. The Zoning Ordinance Amendments would not have any known detrimental effect on property values in the City.
- F. The Zoning Ordinance Amendments would not have any known detrimental effect on traffic.
- G. The Zoning Ordinance Amendments would not negatively impact existing public services and facilities including parks, schools, streets, and utilities, and the City's service capacity.

Section 4. RECOMMENDATION

- 4.1 Planning Commission Recommendation. Based on the findings in section 3 of this Report, the Planning Commission recommends **APPROVAL** of the Zoning Ordinance Amendments.

Adopted by the Wayzata Planning Commission this 17th day of April 2023.

Attachments:

Attachment A: Proposed Ordinance to Adopt Zoning Ordinance Amendments

CITY OF WAYZATA
HENNEPIN COUNTY, MINNESOTA
DRAFT ORDINANCE NO. _____

**AN ORDINANCE AMENDING CHAPTERS 902, 916, 917, 919 AND 920
OF THE ZONING ORDINANCE**

WHEREAS, the Zoning Study Task Force, Planning Commission, City Council, and City staff have been engaged in work to update Zoning Ordinance provisions related to commercial, institutional, and residential zoning districts;

WHEREAS, on September 26, 2022 and on January 25, 2023, the Task Force reviewed potential revisions to the Definitions, the General Building, Performance Requirements, and Off-Street Parking sections of the Zoning Ordinance to ensure clarity and consistency is provided throughout the entire Zoning Ordinance;

WHEREAS, on March 6, 2023, the Planning Commission discussed the changes at a workshop, and on April 3, 2023, the Planning Commission discussed the changes at a regular meeting;

WHEREAS, City staff has prepared proposed Zoning Ordinance amendments that are a direct continuation of the Zoning Ordinance updates completed in 2022 under Ordinance 811 to bring the Zoning Ordinance more in line with such updates and the goals and guidance of the 2040 Comprehensive Plan, and to make it easier to understand and administer; and

WHEREAS, the Planning Commission has reviewed and updated such proposed amendments, and recommends approval and adoption of them as detailed in the Report and Recommendation of the Planning Commission dated April 17, 2023.

NOW THEREFORE, THE CITY OF WAYZATA ORDAINS:

Section 1. Adoption of Findings. The findings set forth in the Report and Recommendation of the Planning Commission dated April 17, 2023 are hereby adopted.

Section 2. Amendments to Chapters 902, 916, 917, 919 and 920 of Part IX of City Code (Zoning Ordinance). Chapter 902 - Rules and Regulations; Chapter 916 - General Building and Performance Requirements; Chapter 917 - Accessory Buildings, Structures, Uses and Equipment; Chapter 919 - General Yard, Lot Area, and Building Regulations; and Chapter 920 - Off-Street Parking and Loading of the Zoning Ordinance are hereby amended to read in their entirety as set forth on Attachment A of this Ordinance (~~struck~~ text deleted, underlined text added).

Section 3. Effective Date. This Ordinance will become effective upon passage and publication.

Adopted by the City Council this ____ day of _____, 2023.

Johanna McCarthy
Mayor

ATTEST:

Jeffrey Dahl
City Manager

First Reading:
Second Reading:
Publication:

Attachment A

Amendments to Chapters 902, 916, 917, 919 and 920 of Part IX of City Code (Zoning Ordinance)

CHAPTER 916 GENERAL BUILDING AND PERFORMANCE REQUIREMENTS

916.01 Purpose.

The purpose of this Section of the Zoning Ordinance is to establish general development performance standards. These standards are intended and designed to ensure compatibility of uses; to prevent urban blight, deterioration and decay; and to enhance the health, safety and general welfare of the residents of the community.

916.02 Dwelling Unit Restrictions.

- A. No garage, tent, accessory building (with the exception of accessory dwelling units), travel trailer or motor home shall at any time be used as living quarters, temporarily or permanently.
- B. Tents, play houses or similar structures may be used for play or recreational purposes only and may not be used as a dwelling unit.
- C. Basements and cellars may be used as living quarters or rooms as a portion of the principal residential dwelling as per Section 937.03A.

916.03 Platted and Unplatted Property.

- A. Any person desiring to improve property shall submit to the Building Official a survey of said premises and information on the location and dimension of existing and proposed buildings, location of easements crossing the property, encroachments, and any other information which may be necessary to ensure conformance to City Ordinances.
- B. All buildings shall be so placed so that they will not obstruct future streets which may be constructed by the City in conformity with existing streets, adopted plans, and according to the system and standards employed by the City.
- C. Substandard lots of record shall be governed by Chapter 915 of this Ordinance.
- D. Except in the case of planned unit development as provided for in Chapter 933 of this Ordinance, not more than one principal building shall be located on a lot. The words "principal building" shall be given their common, ordinary meaning as defined in Chapter 902 of this Ordinance. In the case of doubt or on any questions or interpretation, the decision of the Zoning Administrator shall be final, subject to the right to appeal to the Planning Commission and City Council. Except in the C-2 District, shopping centers shall be interpreted as having more than one principal building.
- E. On a through lot (a lot fronting on two parallel streets), both street lines shall be front lot lines for applying the yard and parking setback regulations of this Ordinance. In addition, no home on a through lot or corner lot in any residential zone shall maintain direct access to any arterial street designated as such by the Comprehensive Plan.
- F. When a development is proposed which is to be located on two or more lots, and such lots are required to meet the minimum district area and frontage requirement and/or are required to accommodate the use, the lots shall be combined in accordance with the City's Subdivision Ordinance, prior to the issuing of a building permit.
- G. When two or more lots are located in the same residential district, one or more of which lack adequate area or dimensions to qualify for residential use under the current Ordinance requirements and are contiguous and held in one ownership, they shall be combined for use in order to meet the lot requirements by subdividing the property in accordance with the Subdivision Ordinance.

916.04 Grading and Drainage.

- A. No land shall be developed and no use shall be permitted that results in water runoff causing flooding, erosion, or deposit of minerals on adjacent properties. Such runoff shall be properly channeled into a storm drain, water course, ponding area, or other public facilities subject to a permit issued through the City Engineer's office.
- B. In the case of all residential subdivisions, multiple family, and business developments, the grading and drainage plans shall be submitted to the City Engineer for review and the final drainage plan shall be subject to a permit issued through the City Engineer's office. In the case of such uses, no modification in grade and drainage flow through fill, erection of retaining walls or other such actions shall be allowed until such plans have been reviewed and received written approval from the City Engineer.
- C. The top of the foundation and garage floor of all structures shall be one foot above the grade of the crown of the abutting street upon which the property fronts, except when allowed under a permit issued through the City Engineer's office.
- D. Modifications which serve to alter the average and typical natural grade of an individual lot more than two feet shall require the approval of the City Council.

916.05 Traffic Sight Visibility Triangle.

No fences, structures, or plantings shall be permitted to exceed 30 inches in height within any front or side yard areas on a corner lot which may interfere with the visibility across the corner. A minimum sight triangle shall be established on each corner lot at every street intersection through which motorists shall have an unobstructed view. The minimum sight triangle is a triangle located at the corner of intersecting streets. The adjacent sides shall be located along the curb line or along the gutter line of streets without curb and gutter and shall be 60 feet in length. The third side shall be a straight line joining the end points of the adjacent sides. The City may order removal of vision obstructions located within the minimum sight triangle. These requirements shall not apply to conditions that legally exist prior to the effective date of this Ordinance unless such conditions are determined to constitute a safety hazard by the Zoning Administrator.

916.06 Glare.

Any lighting used to illuminate an off-street parking area, sign or other structure, shall be arranged as to deflect light away from any adjoining residential property, over public water or from the public streets, and it shall comply with Section 909.24 of this Ordinance. Direct or sky-reflected glare, where from floodlights or from high temperature processes such as combustion or welding shall not be directed into any adjoining property or over public water. The source of lights shall be hooded or controlled in some manner so as not to direct light to the sky, adjacent property or over public water. Bare incandescent light bulbs shall not be permitted in view of adjacent property, over public water, or public right-of-way. Any light or combination of lights which cast light on a public street shall not exceed one-foot candle (meter reading) as measured from the center line of said street. Any light or combination of lights which cast light on residential property or over public water shall not exceed four-foot candles (meter reading) as measured from said property. Where used LED (Light Emitting Diode) luminaires shall have a minimum Color Rendering Index (CRI) of 80 and a Correlated Color Temperature (CCT) between 2700-3500K.

916.07 Smoke.

The emission of smoke by any use shall be in compliance with and regulated by the State of Minnesota Pollution Control Standards, Minnesota Regulation APC 7005, as amended.

916.08 Dust and Other Particulate Matter.

The emission of dust, fly ash or other particulate matter by any use shall be in compliance with and regulated by the State of Minnesota Pollution Control Standards, Minnesota Regulation APC 7005, as amended.

916.09 Odors.

The emission of odor by any use shall be in compliance with and regulated by the State of Minnesota Pollution Control Standards, Minnesota Regulation APC 7005, as amended.

916.10 Noise.

Noises emanating from any use shall be in compliance with and regulated by the State of Minnesota Pollution Control Standards, Minnesota Regulations NCP 7010, and Chapter 708 of City Code as amended.

916.11 Refuse.

- A. Passenger automobiles and trucks not currently licensed by the State, or which are because of mechanical deficiency incapable of movement under their own power, parked or stored outside for a period in excess of 72 hours, and all materials stored outside in violation of the City Ordinances are considered refuse or junk and shall be disposed of.
- B. Any accumulation of refuse on any premises not stored in containers which comply with City Code, or any accumulation of refuse including car parts on any premises which has remained thereon for more than one week is hereby declared to be a nuisance and may be abated by order of the City Health Officer, as provided by Minnesota Statutes and the cost of abatement may be assessed on the property where the nuisance was found, as provided by law.

916.12 Exterior Storage/Display.

- A. **Exterior Storage.** In all zoning districts, all materials and equipment except as specifically noted and as provided for in Chapter 937 of this Ordinance shall be stored within a building or fully screened so as not to be visible from adjoining properties and the public right-of-way, except for the following:
 - 1. Clothesline pole and wires.
 - 2. Not more than two recreational vehicles and equipment. Refer to Section 920.08.A of the Zoning Ordinance regarding Off-Street-Parking.
 - 3. Construction and landscaping material currently being used on the premises.
 - 4. Off-street parking of passenger vehicles and non-commercial trucks not exceeding a gross weight of 12,000 pounds in residential areas (both on and off-street).
- B. **Outdoor Display.** In C-2 and C-3 Zoning Districts, merchandise which is offered for sale may be displayed beyond the confines of a building, but the area occupied by such outdoor display shall not constitute a greater number of square feet than ten percent of the ground floor area of the building housing the principal use. No storage of any type shall be permitted within the one-half of the required setback nearest a street nor within any required interior side yard or rear yard setback. Additional parking spaces shall be provided pursuant to Chapter 920 of this Ordinance for any such permanent display space based upon the square footage of the area involved.

916.13 Sewage Disposal.

Once available, all on-site sewage disposal systems shall be connected to the public sanitary system within two years.

916.14 Waste Material.

Waste material is regulated under Chapter 410 of the City Code.

916.15 Bulk Storage (Liquid).

All uses associated with the bulk storage of all gasoline, liquid fertilizer, chemical, flammable and similar liquids shall comply with requirements of the Minnesota State Fire Marshall's and Minnesota Department of Agriculture Offices and have documents from those offices stating the use is in compliance.

916.16 Radiation Emission.

All activities that emit radioactivity shall comply with the minimum requirements of the Minnesota Pollution Control Agency.

916.17 Electrical Emission.

All activities which create electrical emissions shall comply with the minimum requirements of the Federal Communications Commission.

916.18 Building Security.

All multiple family buildings shall be provided with security systems subject to comment of the Chief of Police and the Building Official.

916.19 Sales in Residential Areas.

A. Personal Vehicles.

1. Vehicles sold in residential areas shall be the personal property of the property owner or occupant.
2. Sales of personal vehicles shall be limited to no more than one vehicle per calendar year, unless approved by the Zoning Administrator.
3. Vehicles for sale shall not be parked in any portion of the public right-of-way, public boulevard, or required front yard except a designated, improved driveway.
4. For sale signs on or in such vehicles shall be limited to two square feet.

B. Garage or Rummage Sales.

1. Merchandise offered for sale shall be the personal property of the property owner or occupant.
2. Sales shall be limited to a maximum of four consecutive days and occurring no more than two times within one calendar year per property.
3. All goods shall be confined within a building and improved driveway with no display occurring within other portions of the front yard.
4. Signs shall be governed by Chapter 927 of this Ordinance.

CHAPTER 917 ACCESSORY BUILDINGS, STRUCTURES, USES AND EQUIPMENT

917.01 Single Family Detached Structures.

- A. With the exception of an attached garage servicing a residential use, or a guest or caretaker's house in the R-1A Zoning District, no accessory building or equipment may be placed within a front yard.
- B. Within the R-1A, R-1, R-2A and R-2 Zoning Districts, the total of all accessory buildings shall not exceed 50 percent of the gross floor area of the principal building.
- C. Within the R-3 and R-3A Zoning Districts, the total floor area of either an attached garage or a detached garage for a single family detached dwelling shall not exceed 750 square feet of floor area and not exceed the ground coverage of the dwelling.
- D. No accessory building, structure, and/or detached garage or combination thereof for a single-family dwelling shall occupy more than 25 percent of the area of the rear yard.
- E. Except in the R-1A and R-1 Zoning Districts, no building permit shall be issued for more than one detached or attached private garage for each single-family dwelling.
- F. With the exception of the R-1A and R-1 Zoning Districts, no building permit shall be issued for the construction of more than one accessory building and/or structure.

917.02 Garages with Alley Access.

Private garages having direct access onto an alley shall be setback 20 feet from the alley lot line.

917.03 Accessory Building Size.

With the exception of the R-1A, R-1, R-2A and R-2 Zoning Districts, the total of all accessory buildings shall not exceed 30 percent of the gross floor area of the principal buildings. .

917.04 Setbacks.

Accessory buildings shall be setback from adjoining lots as prescribed in the applicable district and shall not be located within a utility easement.

917.05 Time of Construction.

No accessory building or structure shall be constructed on any lot prior to the time of construction of the principal building to which it is accessory.

917.06 Building Materials.

The same or similar quality exterior material shall be used in the accessory building and in the principal building. All accessory buildings shall also be compatible with the principal building on the lot. "Compatible" means that the exterior appearance of the accessory building is not at variance with the principal building from an aesthetic and architectural standpoint as to cause:

- A. A difference to a degree to cause incongruity.
- B. A depreciation of neighborhood values or adjacent property values.
- C. A nuisance. Types of nuisance characteristics include unsightly building exterior.

917.07 Trash Receptacles.

All buildings, with the exception of single-family homes, having exterior trash receptacles shall provide an enclosed area in conformance with the following:

- A. Exterior wall treatment shall be similar and/or complement the principal building.
- B. The enclosed trash receptacle area shall be located in the rear or side yard.
- C. The trash enclosure must be in an accessible location for pick-up hauling vehicles.
- D. The trash receptacles must be fully screened from view of adjacent properties and the public right-of-way.
- E. The design and construction of the trash enclosure shall be subject to the approval of the Building Official.
- F. Recycling space must be provided as required by the State Building Code.

917.09 Opt-Out of Minn. Stats. § 462.3593.

Pursuant to authority granted by Minn. Stats. § 462.3593, Subd. 9, the City of Wayzata opts-out of the requirements of Minn. Stats. § 462.3593, which defines and regulates Temporary Family Health Care Dwellings.

CHAPTER 919 GENERAL YARD, LOT AREA AND BUILDING REGULATIONS

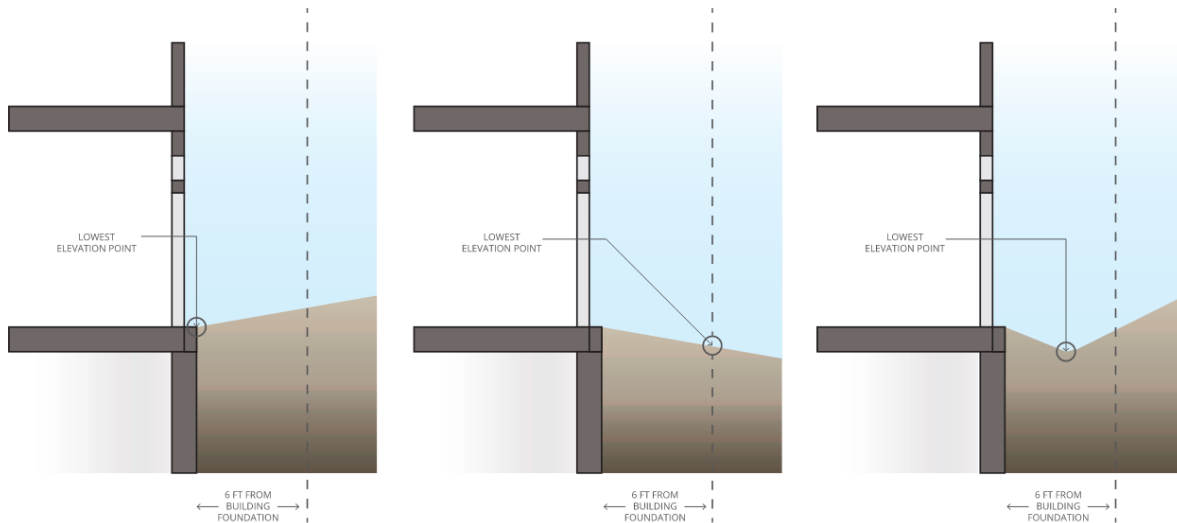
919.01 Purpose.

This Section identifies yard, lot area, building size, and building type and height requirements in each zoning district.

919.02 Height Requirements.

- A. A building which actual height from the foundation to the top peak of any portion of the roof exceeds the allowable building height in the applicable zoning district by more than five feet or roof pitches of more than a 45-degree angle for those structures at the building height limitation may be allowed as a conditional use permit, provided that:
 - 1. The architectural appearance of the building shall not be so dissimilar to the existing neighboring buildings as to cause or constitute a blighting influence within a reasonable distance of the lot.
 - 2. The construction does not limit solar access to abutting and/or neighboring properties.
 - 3. The provisions of Section 904.02.F, Conditional Uses, are considered and satisfactorily met.
- B. The building height limits established in each zoning district shall not apply to the following list of uninhabitable items, except that no such structural element may exceed 40 feet in total height or exceed the maximum height of the building by more than five feet, whichever is greater, except by conditional use permit:
 - 1. Belfries.
 - 2. Chimneys or flues.
 - 3. Minarets or spires.
 - 4. Cooling towers.
 - 5. Communication reception/transmission devices.
 - 6. Cupolas and domes which do not contain usable space.
 - 7. Elevator penthouses.
 - 8. Flag poles.
 - 9. Monuments.
 - 10. Parapet walls.
 - 11. Necessary mechanical and electrical appurtenances.
- C. Modifications to the site grading of a lot may not be undertaken as a means of achieving increased building height, unless approved by the City Engineer through the permit process outlined in Section 916.04.D.
- D. As may be appropriate, applicants may be required to submit a detailed survey for all proposed new residential and non-residential structures to determine the Average Grade Plane. The Average Grade Plane shall be established by the lowest points within the area between the building and the lot line or, where the lot line is more than six feet from the building, between the building and a point six feet from the building. The lowest elevation points for this calculation should be no more than 20 feet apart horizontally.

AVERAGE GRADE PLANE



919.03 Building Type and Construction.

- A. The requirements of the Design Standards shall be applied to properties located in the Lake Street District, Bluff District, and Wayzata Boulevard District, and Wayzata Boulevard as provided in Chapter 909 of this Ordinance.
- B. No galvanized or unfinished steel, galvalume or unfinished aluminum buildings (walls or roofs), except those specifically intended to have a corrosive designed finish such as corten steel shall be permitted in any zoning district.
- B. Buildings in all zoning districts shall maintain a high standard of architectural and aesthetic compatibility with surrounding properties to ensure that they will not adversely impact the property values of the abutting properties or adversely impact the community's public health, safety and general welfare.
- C. Exterior building finishes shall consist of materials comparable in grade and quality to the following:
 - 1. Brick.
 - 2. Natural stone.
 - 3. Decorative concrete block.
 - 4. Cast in place concrete or precast concrete panels.
 - 5. Wood, provided the surfaces are finished for exterior use and wood of proven exterior durability is used, such as cedar, redwood, cypress.

6. Curtain wall panels of steel, fiberglass and aluminum (non-structural, non-load bearing), provided such panels are factory fabricated and finished with a durable non-fade surface and their fasteners are of a corrosion resistant design.
7. Glass curtain wall panels.
8. Stucco.
9. Vinyl.
10. Other materials as determined by the Zoning Administrator, but not including galvanized or unfinished metal.

919.04 Yards.

Except as provided below, no lot, yard or other open space shall be reduced in area or dimension so as to make such lot, yard or open space less than the minimum required by this Ordinance. No required open space provided for any building or structure shall be included as part of any open space required for another structure.

- A. The following shall not be considered as encroachments on yard setback requirements:
 1. Cantilevers up to 10 feet in width, chimneys, flues, leaders, sills, pilasters, lintels, ornamental features, cornices, eaves, gutters, and the like, provided they do not project more than 2½ feet into a required yard. Each cantilever must be separated by at least 10 feet.
 2. Features without roofs including terraces, steps, decks, porches, stoops or similar features provided they do not extend above the height of the ground floor level of the principal structure or to a distance less than five feet from a side yard and rear lot lines, or more than five feet into a required front yard. No encroachment shall be permitted in existing or required drainage and utility easements.
 3. In rear yards, recreational and laundry drying equipment, arbors and trellises, detached outdoor living rooms, and air conditioning or heating equipment not exceeding established State noise levels, provided they are at a distance of ten feet from any lot line. No encroachment shall be permitted in existing or required drainage and utility easements.
 4. A one story entrance for a detached single family or duplex dwelling constructed prior to January 1, 1975, may extend into the front yard setback not exceeding five feet subject to the approval of a conditional use permit.
- B. Required Front Yard Setback Exceptions. In the case of lots platted prior to the date of this Ordinance, the required front yard setback as established by the respective zoning districts may be reduced, upon the approval of the Zoning Administrator, to a distance equaling the average setback of principal buildings within the block frontage in which the lot is located. In no case shall this distance be less than 15 feet, nor shall a principal structure be placed more than five feet beyond the setback of any principal structure on a directly abutting lot. The Zoning Administrator's approval shall be given as a matter of right if there is compliance with this Ordinance and any other applicable Ordinance.
- C. Corner Lots. Front yard requirements shall be observed on each street frontage of a corner lot. Where the rear boundary line of a corner lot is part of the side boundary of a residential lot no part of any structure or building on the corner lot shall exceed the front yard building setback required in the applicable residential zoning district.

919.05 Residential Standards in Non-Residential Districts.

Existing single family or two-family residential uses within R-4, R-5, INS, C-1, C-2, C-3 and C-4 Districts shall conform with R-3 District standards.

919.06 Minimum Floor Area Per Dwelling Unit.

- A. **Single Family Dwelling Units.** Except as otherwise specified in the zoning district provisions, single family homes as classified below shall have the following minimum floor areas per unit:
- One Bedroom: 880 square feet above grade.
- Two Bedroom. 960 square feet above grade.
- Three Bedroom. 1040 square feet above grade.
- B. **Multiple Dwelling Units.** Except for elderly housing units, living units classified as multiple dwelling shall have the following minimum floor areas per unit:
- Efficiency Units. 500 square feet.
- One Bedroom Units. 700 square feet.
- Two Bedroom Units. 900 square feet.
- More than two-bedroom units. An additional 150 square feet for each additional bedroom.
- C. **Elderly (Senior Citizen) Housing.** Living units classified as elderly (senior citizen) housing units shall have the following minimum floor areas per unit:
- Efficiency Units. 440 square feet.
- One Bedroom Units. 520 square feet.
- More than one-bedroom units. An additional 80 square feet for each additional bedroom.
- D. **Two Family and Townhouse Dwelling Units.** Except as otherwise specified in the zoning district provisions, two family, and townhouse dwelling units, as classified below, shall have the following minimum floor area per one bedroom unit:
- Two Family. 650 square feet first floor above grade, plus 100 additional square feet for each additional bedroom.
- Townhouses. 600 square feet first floor above grade, plus 100 additional square feet for each additional bedroom.
- E. **Assisted Living or Memory Care Dwelling Units.** Except as otherwise specified in the zoning district provisions, assisted living and memory care units as classified below shall have the following minimum floor areas per unit:
- Units without Kitchen Facilities: 330 square feet
- Units with Kitchen Facilities: 370 square feet

919.07 Minimum Lot Area Per Unit.

The lot area per unit requirement for two family, townhouses, multiple family dwelling units and planned unit developments shall be calculated on the basis of the total area in the project and as controlled by an individual and joint ownership as per the specific zoning district regulation. Areas qualifying as wetlands pursuant to this Ordinance shall not be included in the calculation of total area.

919.08 Usable Open Space.

Except in the case of elderly (senior citizen) housing, memory care, or assisted living, each multiple family dwelling site shall contain at least 250 square feet of usable open space as defined in Section 902.02 of this Ordinance for each dwelling unit contained thereof.

919.09 Two Family, Townhouse, Multiple Family Uses.

- A. No single townhouse structure shall contain more than five dwelling units.
- B. Minimum unit lot frontage for townhouses shall be not less than 20 feet.
- C. Subdivision of Two Family or Townhouse Lots. The subdivision of base lots containing two family dwellings or townhouses to permit individual private ownership of a single dwelling within such a structure is acceptable upon the approval by the City. Approval of a subdivision request is contingent on the following requirements:
 - 1. Two family and townhouse lots intended for owner occupancy shall be subdivided on an individual lot basis .
 - 2. Prior to a two family dwelling or townhouse subdivision, the base lot must meet all the requirements of the zoning district.
 - 3. Except for planned unit developments, there shall be no more than one principal structure on a base lot in all residential districts. The principal structure on the base lot created in a two family or townhouse subdivision will be the portion of the attached dwelling existing or constructed on the platted unit lot.
 - 4. Permitted accessory uses as defined by the zoning districts are acceptable, provided they meet all the zoning requirements.
 - 5. A property maintenance agreement must be arranged by the applicant and submitted to the City Attorney for review and approval. The agreement shall ensure the maintenance and upkeep of the structure and lots to meet minimum City standards. The agreement is to be filed with the Hennepin County Recorder's Office as a deed restriction against the title of each unit lot.
 - 6. Separate public utility service shall be provided to each subdivided unit and shall be subject to the review and approval of the City Engineer.
 - 7. The subdivision is to be platted and recorded in conformance to the requirements of the Subdivision Regulations of the City.
 - 8. Structural requirements of the Uniform Building Code at the time of subdivision are complied with.
- D. Subdivision of multiple family, two family duplex and other such units.
 - 1. The subdivision is to be platted and recorded in conformance with the requirements of the Subdivision Regulations of the City as applicable.
 - 2. The subdivision shall comply with applicable cooperative or condominium laws of the State of Minnesota.

919.10 Minimum Lot Area, Unsewered Lots.

Lot sizes where public sewer is not available shall conform to the minimum requirements set forth below:

- A. The minimum single family lot size is five acres. This minimum lot size shall not apply to smaller separate parcels of record in separate ownership lawfully existing prior to July 1, 1990, provided that it can be

demonstrated by means satisfactory to the City that the small parcels will not result in groundwater, soil or other contamination which may endanger the public health.

- B. Commercial developments and multiple family dwellings are not allowable uses.
- C. Subject to the other provisions of the Zoning Ordinance other uses may be allowed by conditional use permit. The minimum lot size for each principal use is five acres. A conditional use permit shall not be granted unless it can be demonstrated by means satisfactory to the City that the use:
 - 1. Will not result in groundwater, soil or other contamination which may endanger the public health.
 - 2. Will not increase future City utility service demands and expense.
 - 3. Will not jeopardize public safety and general welfare.

919.11 Single Family Dwellings.

All single family detached homes shall comply with all of the following standards:

- A. They must be constructed upon a continuous perimeter foundation that meets the requirements of this Ordinance and Uniform Building Code.
- B. They may not be less than 30 feet in length and not less than 22 feet in width over that entire minimum length. Width measurements shall not take account of overhang and other projections beyond the principal walls. Dwelling shall also meet the minimum floor area requirements as set out in this Ordinance.
- C. They must have an earth covered, composition, shingled or tiled roof.
- D. They must receive a building permit. The application for a building permit in addition to other information required shall indicate the height, size, design and the appearance of all elevations of the proposed building and a description of the construction materials proposed to be used. The exterior architectural design of a proposed dwelling may not be so at variance with, nor so similar to, the exterior architectural design of any structure or structures already constructed or in the course of construction in the immediate neighborhood, nor so at variance with the character of the surrounding neighborhood as to adversely affect the public health, safety or general welfare.
- E. They must meet the requirements of the State Uniform Building Code or the applicable manufactured housing code.

919.12 Elevator Service.

Any multiple family dwelling over two stories in height shall be provided with elevator service.

920.11 Off-Street Parking and Loading Requirements.

A. Calculating Space.

1. Floor Area. The term "floor area" for the purpose of calculating the number of off-street parking spaces required shall be determined based on the Gross Floor Area minus ten percent, except as may be hereinafter modified.
2. Computation. When in the process of determining the required number of off-street parking spaces, there occurs a fraction of a space, such fraction shall be deemed as the requirement for an additional parking space. Parking spaces shall not be counted toward meeting a parking requirement when they are sufficiently inconvenient to be of questionable use.
3. Places of Public Assembly. In stadiums, sports arenas, churches and other places of public assembly in which patrons or spectators occupy benches, pews or other similar seating facilities, each 18 inches of such seating facilities shall be counted as one seat for the purpose of determining requirements.
- 4.
4. More than One Use. Except for a shopping center, should a structure contain two or more types of uses, the Gross Floor Area of each use shall be calculated and a ten percent reduction shall be made for non-productive space. For mixed-use buildings, the reduction may be increased to up to 20% subject to review of a floor plan that demonstrates no additional impact on parking demand, as determined by the Zoning Administrator. The resulting net usable floor space figure shall be utilized to determine the off-street parking requirement.

- B. **Minimum Number of Spaces.** The minimum number of off-street parking and loading spaces for each use shall be as follows:

	Use	Number of Parking Spaces Required	Off-St. Loading Spaces Required
1.	Animal Clinics, Hospitals or Kennels	Six spaces plus one for each 200 sq. ft. of floor area over 10,000 sq. ft.	One space per structure
2.	Places of Assembly, Theaters Excluding Drive-Ins	One space for each three permanent seats based on the design capacity of the main assembly hall. Facilities as may be provided in conjunction with such buildings or uses shall be subject to additional requirements which are imposed by this Code.	One space for each structure with over 100,000 sq. ft. of gross floor area

3.	Car Wash, Principal	Four spaces per bay or stall	One space per facility
4.	Car Wash Accessory	One space in addition to that required for the station.	N.A. in addition to that required for the station.
5.	Motor Vehicle Service	Five spaces plus three spaces for each service stall. Those facilities designed for sale of other items than strictly automobile products, parts or service shall be required to provide additional parking in compliance with other applicable sections of this Code.	One space
6.	Personal Services including hair and nail salons, therapeutic massage spa, tanning spa, and similar uses	One space for each 200 sq. ft. of floor area.	N.A.
7.	Motor Vehicle Rental and Sales	One space for each 400 sq. ft. of floor area for the first 25,000 sq. ft., plus one space for each 600 sq. ft. thereafter.	One space, plus one additional space for each 25,000 sq. ft. of gross floor area
8.	Places of Assembly	Ten spaces plus one space for each 150 square feet in excess of 2,000 sq. ft. of floor area in the principal structure.	One space for each structure with over 100,000 sq. ft. of gross floor area.
9.	Professional Services (Inc. Finance and Office Uses)	Three spaces for each 1,000 sq. ft. of floor area.	One space for buildings between 30,000 sq. ft. and 100,000 sq. ft. in gross floor area, plus one space for each additional 100,000 sq. ft.
10.	Furniture Sales	One space for each 400 sq. ft. of floor area for the first 25,000 sq. ft., plus one space for each 600 sq. ft. thereafter.	One space plus one additional space for each 25,000 sq. ft. of gross floor area.

11.	Child Day Care Facility, General.	One space for each employee, plus one space for each four children.	One space
12.	Elderly Care Facility	One space for each 1.5 dwelling units.	One space
13.	Manufacturing	One space for each employee on the major shift or one space for each 300 sq. ft., whichever is greater.	One space for each 50,000 sq. ft. of gross floor area.
14.	Health Clinics	Six spaces for each doctor or dentist	One space per building
15.	Lodging	One space per Lodging unit, plus spaces equal to 25 percent capacity of any club or lodge.	One space per building
16.	Dwellings, Multiple Family	Two fee free spaces for each living unit, of which one is to be enclosed.	One space for each multiple family building over four units.
17.	Office Buildings and Professional Offices, Other than Any Area for Doctors or Dentists; Banks, Public Administration Offices. Professional Services (Inc. Finance and Office Uses)	Three spaces for each 1,000 sq. ft. of floor area.	One space for buildings between over 10,000 sq. ft. and 100,000 sq. ft. in gross floor area, plus one space for each additional 100,000 sq. ft.
18.	Food and Beverage Establishments	Seating Area: One space per 75 sq. ft. Bar Area: One space per 40 sq. ft. Kitchen Area and all other areas: One space per 150 sq. ft.	One space for each 10,000 sq. ft. of gross floor area.
19.	Retail	Three spaces for each 1,000 sq. ft. of floor area	One space for the first over 10,000 sq. ft. of gross floor area, plus one space for each additional 50,000 sq. ft.
20.	Retail With (50 percent or More of Gross Floor Area	Eight spaces or one space for each 200 sq. ft. devoted to public sales or service	One space for the first over 10,000 sq. ft. of gross floor area, plus one space for

	Devoted to Storage, Warehouses and/or Industry)	plus one space for each 500 sq. ft. of storage area.	each additional 50,000 sq. ft.
21.	Educational Facilities that are less than 5,000 square feet. This includes tutoring facilities.	One space for each classroom plus one space for each 50 students of capacity. Adequate space shall be allowed for the dropping off and/or picking up of students as determined by the City Engineer.	One space for each structure with over 100,000 sq. ft. of gross floor area.
22.	School, Public or Private including: elementary schools, junior high/middle schools, high schools and college/trade schools	Elementary and junior high/middle schools: 1 space per staff member on the largest shift, plus 1 space per 2 classrooms. High schools: 1 space per staff member on the largest shift, plus 1 space per 5 students. College/trade schools: 1 space per staff member on the largest shift, plus 1 space per 2 students of the largest class attendance period.	One space for each structure with over and 100,000 sq. ft. of gross floor area.
23.	Shopping Center	One space for each 150 sq. ft. of floor area.	One space or the first 10,000 sq. ft. of gross leasable area plus one space for each additional 50,000 sq. ft. or part thereof.
24.	Dwellings, Single Family or Two-Family Detached	Two spaces per family unit.	N.A.
25.	Micro-production Facility	One space for each 1,000 sq. ft. of floor area.	
26.	Taproom/Tasting Room	One space for each 40 sq. ft. of floor area.	
27.	Brewpub	One space for each 1,000 sq. ft. of Micro-brewing production floor area; one space for each 40 sq. ft. of	

		floor area of dining and bar area; and one space for each 80 sq. ft. of floor area of kitchen area.	
28.	Personal fitness clubs and health clubs	One space for each 300 sq. ft. of floor area	

- C. **Non-Specified Uses.** For uses not specifically listed above, off-street parking and loading requirements shall be computed by the Zoning Administrator on the same basis as required for the most similar listed uses, building occupancy, projected demand, or parking study. (N.A. = Not Applicable).

CHAPTER 916 GENERAL BUILDING AND PERFORMANCE REQUIREMENTS

916.01 Purpose.

The purpose of this Section of the Zoning Ordinance is to establish general development performance standards. These standards are intended and designed to ensure compatibility of uses; to prevent urban blight, deterioration and decay; and to enhance the health, safety and general welfare of the residents of the community.

916.02 Dwelling Unit Restrictions.

- A. No garage, tent, accessory building (with the exception of accessory dwelling units), travel trailer or motor home shall at any time be used as living quarters, temporarily or permanently.
- B. Tents, play houses or similar structures may be used for play or recreational purposes: only and may not be used as a dwelling unit.
- C. Basements and cellars may be used as living quarters or rooms as a portion of the principal residential dwelling. ~~Energy conserving designs in housing are not prohibited by this provision of the Ordinance, provided that a conditional use permit is approved by the City Council and the structure complies with standards imposed by the State Building Code. as per Section 937.03A.~~

916.03 Platted and Unplatted Property.

- A. Any person desiring to improve property shall submit to the Building Official a survey of said premises and information on the location and dimension of existing and proposed buildings, location of easements crossing the property, encroachments, and any other information which may be necessary to ensure conformance to City Ordinances.
- B. All buildings shall be so placed so that they will not obstruct future streets which may be constructed by the City in conformity with existing streets, adopted plans, and according to the system and standards employed by the City.
- C. Substandard lots of record shall be governed by Chapter 915 of this Ordinance.
- D. Except in the case of planned unit development as provided for in Chapter 933 of this Ordinance, not more than one principal building shall be located on a lot. The words "principal building" shall be given their common, ordinary meaning as defined in Chapter 902 of this Ordinance, ~~in.~~ In the case of doubt or on any questions or interpretation, the decision of the Zoning ~~A~~ administrator shall be final, subject to the right to appeal to the Planning Commission and City Council. Except in the C-2 District, shopping centers shall be interpreted as having more than one principal building.
- E. On a through lot (a lot fronting on two parallel streets), both street lines shall be front lot lines for applying the yard and parking setback regulations of this Ordinance. In addition, no home on a through lot or corner lot in any residential zone shall maintain direct access to any arterial street designated as such by the Comprehensive Plan.
- F. When a development is proposed which is to be located on two or more lots, and such lots are required to meet the minimum district area and frontage requirement and/or are required to accommodate the use, the lots shall be combined in accordance with the City's Subdivision Ordinance, prior to the issuing of a building permit.
- G. When two or more lots are located in the same residential district, one or more of which lack adequate area or dimensions to qualify for residential use under the current Ordinance requirements and are contiguous and held in one ownership, they shall be combined for use in order to meet the lot requirements by subdividing the property in accordance with the Subdivision Ordinance.

916.04 Grading and Drainage.

- A. No land shall be developed and no use shall be permitted that results in water runoff causing flooding, erosion, or deposit of minerals on adjacent properties. Such runoff shall be properly channeled into a storm drain, water course, ponding area, or other public facilities subject to ~~the review and approval of a permit issued through~~ the City ~~Engineer-Engineer's office.~~
- B. In the case of all residential subdivisions, multiple family, and business developments, the grading and drainage plans shall be submitted to the City Engineer for review and the final drainage plan shall be subject to ~~the Engineer's written approval, a permit issued through the City Engineer's office.~~ In the case of such uses, no modification in grade and drainage flow through fill, erection of retaining walls or other such actions shall be allowed until such plans have been reviewed and received written approval from the City Engineer.
- C. ~~Except for written authorization of the City Engineer, t~~The top of the foundation and garage floor of all structures shall be one foot above the grade of the crown of the abutting street upon which the property fronts, ~~except when allowed under a permit issued through the City Engineer's office.~~
- D. Modifications which serve to alter the average and typical natural grade of an individual lot more than two feet shall require the approval of the City Council.

916.05 Traffic Sight Visibility Triangle.

~~Except for a governmental agency for the purpose of screening, no wall, fence, structure, tree, shrub, vegetation or other obstruction shall be placed on or extend into any yard or right-of-way area so as to pose a danger to traffic by obscuring the view of approaching vehicular traffic or pedestrians from any street or driveway. Visibility from any street or driveway shall be unobstructed between the height of three feet and six feet, measured from where both street, driveway or railway center lines intersect within the triangle described as beginning at the intersection of the projected curb line of two intersecting streets or drives, thence 30 feet along one curb line, thence diagonally to a point 30 feet from the point of beginning along the other curb line (see attached drawing). The exception to this requirement shall be where there is a tree, planting or landscape arrangement within such area that will not create a total obstruction wider than two feet. No fences, structures, or plantings shall be permitted to exceed 30 inches in height within any front or side yard areas on a corner lot which may interfere with the visibility across the corner. A minimum sight triangle shall be established on each corner lot at every street intersection through which motorists shall have an unobstructed view. The minimum sight triangle is a triangle located at the corner of intersecting streets. The adjacent sides shall be located along the curb line or along the gutter line of streets without curb and gutter and shall be 60 feet in length. The third side shall be a straight line joining the end points of the adjacent sides. The City may order removal of vision obstructions located within the minimum sight triangle. These requirements shall not apply to conditions that legally exist prior to the effective date of this Ordinance unless such conditions are determined to constitute a safety hazard by the Zoning Administrator. a safety hazard by the Zoning Administrator.~~

916.06 Glare.

Any lighting used to illuminate an off-street parking area, sign or other structure, shall be arranged as to deflect light away from any adjoining residential property, over public water or from the public streets, ~~and it shall comply with Section 909.24 of this Ordinance.~~ Direct or sky-reflected glare, where from floodlights or from high temperature processes such as combustion or welding shall not be directed into any adjoining property or over public water. The source of lights shall be hooded or controlled in some manner so as not to ~~direct light to the sky,~~ adjacent property or over public water. Bare incandescent light bulbs shall not be permitted in view of adjacent property, over public water, or public right-of-way. Any light or combination of lights which cast light on a public street shall not exceed one-foot candle (meter reading) as measured from the center line of said street. Any light or combination of lights which case light on residential property or over public water shall not exceed four-foot candles (meter reading) as measured from said property.

Where used LED (Light Emitting Diode) luminaires shall have a minimum Color Rendering Index (CRI) of 80 and a Correlated Color Temperature (CCT) between 2700-3500K.

916.07 Smoke.

The emission of smoke by any use shall be in compliance with and regulated by the State of Minnesota Pollution Control Standards, Minnesota Regulation APC 7005, as amended.

916.08 Dust and Other Particulated Matter.

The emission of dust, fly ash or other particulated matter by any use shall be in compliance with and regulated by the State of Minnesota Pollution Control Standards, Minnesota Regulation APC 7005, as amended.

916.09 Odors.

The emission of odor by any use shall be in compliance with and regulated by the State of Minnesota Pollution Control Standards, Minnesota Regulation APC 7005, as amended.

916.10 Noise.

Noises emanating from any use shall be in compliance with and regulated by the State of Minnesota Pollution Control Standards, Minnesota Regulations NCP 7010, and Chapter 708 of City Code as amended.

916.11 Refuse.

- A. Passenger automobiles and trucks not currently licensed by the State, or which are because of mechanical deficiency incapable of movement under their own power, parked or stored outside for a period in excess of 72 hours, and all materials stored outside in violation of the City Ordinances are considered refuse or junk and shall be disposed of.
- B. Any accumulation of refuse on any premises not stored in containers which comply with City Code, or any accumulation of refuse including car parts on any premises which has remained thereon for more than one week is hereby declared to be a nuisance and may be abated by order of the City Health Officer, as provided by Minnesota Statutes and the cost of abatement may be assessed on the property where the nuisance was found, as provided by law.

916.12 Exterior Storage/Display.

- A. **Exterior Storage.** In all zoning districts, all materials and equipment except as specifically noted and as provided for in Chapters ~~951 through 990~~937 of this Ordinance shall be stored within a building or fully screened so as not to be visible from adjoining properties and the public right-of-way, except for the following:
 - 1. ~~Clothes line~~Clothesline pole and wires.
 - 2. Not more than two recreational vehicles and equipment ~~(not including race cars)~~. Refer to Section 920.08.A of the Zoning Ordinance regarding Off-Street-Parking.
 - 3. Construction and landscaping material currently being used on the premises.
 - 4. Off-street parking of passenger vehicles and non-commercial trucks not exceeding a gross weight of 12,000 pounds in residential areas (both on and off-street).

-
- B. **Outdoor Display.** In C-2 and C-3 Zoning Districts, merchandise which is offered for sale may be displayed beyond the confines of a building, but the area occupied by such outdoor display shall not constitute a greater number of square feet than ten percent of the ground floor area of the building housing the principal use, ~~unless such merchandise is of a type customarily displayed outdoors.~~ No storage of any type shall be permitted within the one-half of the required setback nearest a street nor within any required interior side yard or rear yard setback. Additional parking spaces shall be provided pursuant to Chapter 920 of this Ordinance for any such permanent display space based upon the square footage of the area involved.

916.13 Sewage Disposal.

Once available, all on-site sewage disposal systems shall be connected to the public sanitary system within two years.

916.14 Waste Material.

~~Waste material resulting from or used in industrial or commercial manufacturing, fabricating, servicing, processing or trimming shall not be washed into the public storm sewer system nor the sanitary sewer system or any public water body, but shall be disposed of in a manner approved by the Minnesota State Fire Marshall, the Pollution Control Agency, and the Department of Natural Resources.~~

~~Waste material is regulated under Chapter 410 of the City Code.~~

916.15 Bulk Storage (Liquid).

All uses associated with the bulk storage of all gasoline, liquid fertilizer, chemical, flammable and similar liquids shall comply with requirements of the Minnesota State Fire Marshall's and Minnesota Department of Agriculture Offices and have documents from those offices stating the use is in compliance.

916.16 Radiation Emission.

All activities that emit radioactivity shall comply with the minimum requirements of the Minnesota Pollution Control Agency.

916.17 Electrical Emission.

All activities which create electrical emissions shall comply with the minimum requirements of the Federal Communications Commission.

916.18 Building Security.

All multiple family buildings shall be provided with security systems subject to comment of the Chief of Police and the Building Official.

916.19 Sales in Residential Areas.

A. Personal Vehicles.

1. Vehicles sold in residential areas shall be the personal property of the property owner or occupant.
2. Sales of personal vehicles shall be limited to no more than one vehicle per calendar year, unless approved by the Zoning Administrator.
3. Vehicles for sale shall not be parked in any portion of the public right-of-way, public boulevard, or required front yard except a designated, improved driveway.

4. For sale signs on or in such vehicles shall be limited to two square feet.

B. Garage or Rummage Sales.

1. Merchandise offered for sale shall be the personal property of the property owner or occupant.
2. Sales shall be limited to a maximum of four consecutive days and occurring no more than two times within one calendar year per property.
3. All goods shall be confined within a building and improved driveway with no display occurring within other portions of the front yard.
4. Signs shall be governed by Chapter 927 of this Ordinance.

CHAPTER 917 ACCESSORY BUILDINGS, STRUCTURES, USES AND EQUIPMENT

917.01 Single Family Detached StructureUses.

- A. ~~Except as may be specifically provided, no accessory use, building, structure or equipment shall be allowed within a required front yard.~~ With the exception of an attached garage servicing a residential use, or a guest or caretaker's house in the R-1A Zoning District, no accessory building or equipment may be placed within a front yard.
- B. Within the R-1A, R-1, R-2A and R-2 Zoning Districts, the total of all accessory buildings shall not exceed 50 percent of the gross floor area of the principal building.~~a garage not exceeding 1,000 square feet shall be considered an integral part of the principal building if it is attached to the principal building or is connected to it by a covered passageway and such garages are exempt from the provisions of this Subsection.~~
- C. ~~In those residential zoning districts which are not specified in subsection B above~~Within the R-3 and R-3A Zoning Districts, the total floor area of either an attached garage or a detached garage for a single family detached dwelling shall not exceed 750 square feet of floor area and not exceed the ground coverage of the dwelling,~~except by conditional use.~~
- D. No accessory building, structure, and/or detached garage or combination thereof for a single-family dwelling shall occupy more than 25 percent of the area of the rear yard.
- E. Except in the R-1A and R-1 Zoning Districts, no building permit shall be issued for more than one detached or attached private garage for each single-family dwelling,~~except by conditional use permit.~~
- ~~F. With the exception of the R-1A and R-1 Zoning Districts, no building permit shall be issued for the construction of an accessory building for a single family dwelling when an existing detached garage is located on the same lot, except by conditional use permit.~~
- F. _____
- ~~G. With the exception of the R-1A and R-1 Zoning Districts, no building permit shall be issued for the construction of more than one accessory building and/or structure, except by conditional use permit.~~
- ~~H. Accessory buildings may encroach into the required rear yard setbacks within the rear yard of a lot, except, however, that no such encroachment may occur on required easement, or in a required side yard setback abutting a street in the case of a corner lot.~~

917.02 Garages with Alley Access.

Private garages having direct access onto an alley shall be setback 20 feet from the alley lot line. ~~In cases where reasonable difficulty is encountered in meeting this requirement, deviations to the setback standard may be approved by conditional use permit.~~

917.03 Accessory Building Size.

~~With the exception of the R-1A, R-1, R-2A and R-2 Zoning Districts, except in the case of single family detached dwellings, the total of all~~ accessory buildings shall not exceed 30 percent of the gross floor area of the principal buildings.~~In those cases where the standards are exceeded, a planned unit development conditional use permit shall be required.~~

917.04 Setbacks.

Accessory buildings shall be setback from adjoining lots as prescribed in the applicable district and shall not be located within a utility easement.

917.05 Time of Construction.

No accessory building or structure shall be constructed on any lot prior to the time of construction of the principal building to which it is accessory.

917.06 Building Materials.

The same or similar quality exterior material shall be used in the accessory building and in the principal building. All accessory buildings shall also be compatible with the principal building on the lot. "Compatible" means that the exterior appearance of the accessory building is not at variance with the principal building from an aesthetic and architectural standpoint as to cause:

- A. A difference to a degree to cause incongruity.
- B. A depreciation of neighborhood values or adjacent property values.
- C. A nuisance. Types of nuisance characteristics include unsightly building exterior.

917.07 Trash Receptacles.

All buildings, with the exception of single-family homes, having exterior trash receptacles shall provide an enclosed area in conformance with the following:

- A. Exterior wall treatment shall be similar and/or complement the principal building.
- B. The enclosed trash receptacle area shall be located in the rear or side yard.
- C. The trash enclosure must be in an accessible location for pick-up hauling vehicles.
- D. The trash receptacles must be fully screened from view of adjacent properties and the public right-of-way.
- E. The design and construction of the trash enclosure shall be subject to the approval of the Building Official.
- F. Recycling space must be provided as required by the State Building Code.

917.08 Conditional Use Permits.

~~Application for a conditional use permit under this Subsection shall be regulated by Chapter 904 of this Ordinance. Such a conditional use permit may be granted, provided that:~~

- ~~A. There is a demonstrated need and potential for continued use of the structure for the purpose stated.~~
- ~~B. In the case of residential uses, no commercial or home occupation activities are conducted on the property.~~
- ~~C. The building has an evident re-use or function related to the principal use.~~

~~D. Accessory building shall be maintained in a manner that is compatible with the adjacent residential uses and does not present a hazard to public health, safety and general welfare.~~

~~E. The provisions of Section 904.02.F of this Ordinance shall be considered and a determination made that the proposed activity is in compliance with such criteria.~~

917.09 Opt-Out of Minn. Stats. § 462.3593.

Pursuant to authority granted by Minn. Stats. § 462.3593, Subd. 9, the City of Wayzata opts-out of the requirements of Minn. Stats. § 462.3593, which defines and regulates Temporary Family Health Care Dwellings.

~~2.~~

CHAPTER 919 GENERAL YARD, LOT AREA AND BUILDING REGULATIONS

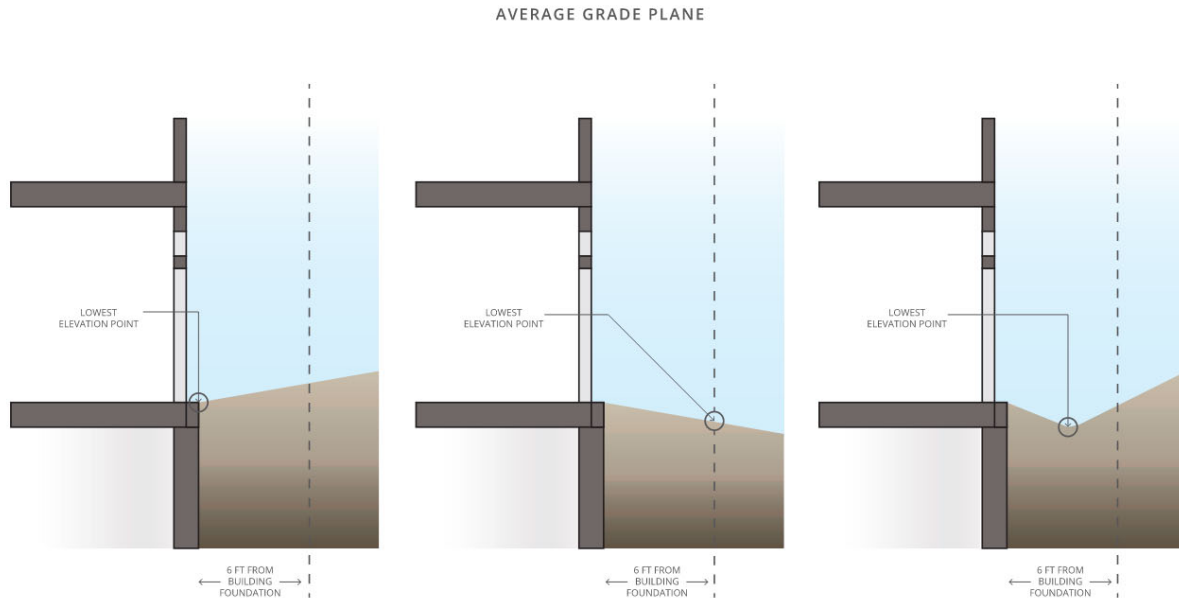
919.01 Purpose.

This Section identifies yard, lot area, building size, and building type and height requirements in each zoning district.

919.02 Height Requirements.

- A. A building which actual height from the foundation to the top peak of any portion of the roof exceeds the allowable building height in the applicable zoning district by more than five feet or roof pitches of more than a 45-degree angle for those structures at the building height limitation may be allowed as a conditional use permit, provided that:
1. The architectural appearance of the building shall not be so dissimilar to the existing neighboring buildings as to cause ~~impairments in property values~~ or constitute a blighting influence within a reasonable distance of the lot.
 - ~~2. For each additional five feet in allowable, actual, roof height as calculated by the Building Code, which is above the maximum building height allowed by the respective zoning district; front and side yard setback requirements shall be increased by one foot.~~
 23. The construction does not limit solar access to abutting and/or neighboring properties.
 34. The provisions of Section 904.02.F, Conditional Uses, are considered and satisfactorily met.
- B. The building height limits established in each zoning district shall not apply to the following list of uninhabitable items, except that no such structural element may exceed 40 feet in total height or exceed the maximum height of the building by more than five feet, whichever is greater, except by conditional use permit:
1. Belfries.
 2. Chimneys or flues.
 3. ~~Church~~Minarets or spires.
 4. Cooling towers.
 5. Communication reception/transmission devices.
 6. Cupolas and domes which do not contain usable space.
 7. Elevator penthouses.
 8. Flag poles.
 9. Monuments.
 10. Parapet walls.
 11. Necessary mechanical and electrical appurtenances.
- C. Modifications to the site grading of a lot may not be undertaken as a means of achieving increased building height, unless approved by the City ~~Council~~Engineer through the permit process as outlined in Section 916.04.D.
- D. As may be appropriate, applicants ~~shall~~may be required to submit a detailed survey for all proposed new residential and non-residential structures ~~including topographical information at two-foot contours signed by~~

a licensed surveyor depicting elevations (existing and proposed) at the corners of the building footprint and within a radius of five feet to verify the calculation of the datum point for determination of the building height to determine the Average Grade Plane. The Average Grade Plane shall be established by the lowest points within the area between the building and the lot line or, where the lot line is more than six feet from the building, between the building and a point six feet from the building. The lowest elevation points for this calculation should be no more than 20 feet apart horizontally.



919.03 Building Type and Construction.

- A.A. The requirements of the Design Standards shall be applied to properties located in the Lake Street District, Bluff District, and Wayzata Boulevard District, and Wayzata Boulevard as defined provided in Chapter 909 of this Ordinance.
- B. No galvanized or unfinished steel, galvalume or unfinished aluminum buildings (walls or roofs), except those specifically intended to have a corrosive designed finish such as corten steel shall be permitted in any zoning district.
- B. Buildings in all zoning districts shall maintain a high standard of architectural and aesthetic compatibility with surrounding properties to ensure that they will not adversely impact the property values of the abutting properties or adversely impact the community's public health, safety and general welfare.
- C. Exterior building finishes shall consist of materials comparable in grade and quality to the following:

1. Brick.
2. Natural stone.
3. Decorative concrete block.
4. Cast in place concrete or precast concrete panels.
5. Wood, provided the surfaces are finished for exterior use and wood of proven exterior durability is used, such as cedar, redwood, cypress.
6. Curtain wall panels of steel, fiberglass and aluminum (non-structural, non-load bearing), provided such panels are factory fabricated and finished with a durable non-fade surface and their fasteners are of a corrosion resistant design.
7. Glass curtain wall panels.
8. Stucco.
9. Vinyl.
10. Other materials as determined by the Zoning Administrator, but not including galvanized or unfinished metal.

~~D. The additional requirements of the Design Guidelines shall be applied to properties located in the Lake District, Bluff Neighborhood District, and Wayzata Boulevard District, and Wayzata Boulevard as defined in Chapter 909 of this Ordinance.~~

919.04 Yards.

Except as provided below, no lot, yard or other open space shall be reduced in area or dimension so as to make such lot, yard or open space less than the minimum required by this Ordinance. No required open space provided ~~about for~~ any building or structure shall be included as part of any open space required for another structure.

A. The following shall not be considered as encroachments on yard setback requirements:

1. Cantilevers up to ~~10~~ten feet in width, chimneys, flues, leaders, sills, pilasters, lintels, ornamental features, cornices, eaves, gutters, and the like, provided they do not project more than 2½ feet into a required yard. Each cantilever must be separated by at least 10 feet.
2. ~~Terraces~~Features without roofs including terraces, steps, decks, ~~uncovered~~ porches, stoops or similar features provided they do not extend above the height of the ground floor level of the principal structure or to a distance less than five feet from a side yard and rear lot lines, or more than five feet into a required front yard. No encroachment shall be permitted in existing or required drainage and utility easements.
3. In rear yards, recreational and laundry drying equipment, arbors and trellises, detached outdoor living rooms, and air conditioning or heating equipment not exceeding established State noise levels, provided they are at a distance of ten feet from any lot line. No encroachment shall be permitted in existing or required drainage and utility easements.
4. A one story entrance for a detached single family or duplex dwelling constructed prior to January 1, 1975, may extend into the front yard setback not exceeding five feet subject to the approval of a conditional use permit.

B. Required Front Yard Setback Exceptions. In the case of lots platted prior to the date of this Ordinance, the required front yard setback as established by the respective zoning districts may be reduced, upon the approval of the Zoning Administrator, to a distance equaling the average setback of principal buildings within the block frontage in which the lot is located. In no case shall this distance be less than 15 feet, nor shall a principal structure be placed more than five feet beyond the setback of any principal structure on a directly

abutting lot. The Zoning Administrator's approval shall be given as a matter of right if there is compliance with this Ordinance and any other applicable Ordinance.

- C. **Corner Lots.** Front yard requirements shall be observed on each street frontage of a corner lot. Where the rear boundary line of a corner lot is part of the side boundary of a residential lot no part of any structure or building on the corner lot shall ~~be nearer its street side lot line than the minimum depth of any front yard required along such side street. In the case of a narrow corner lot where compliance with this requirement should give an impractical depth to a structure or building, the City Council may allow the construction of such structure as near to the street side lot line as will give a practicable depth by approval of a conditional use permit.~~ exceed the front yard building setback required in the applicable residential zoning district.
- ~~D. In the case of a residential lot in an R-2A, R-2, R-3A, R-3, R-4A, R-4 and R-5 District siding or backing onto a dedicated limited access highway, a flood plain, a public park or trail, or other such similar publicly reserved and development restricted areas (excluding shorelands or wetlands), the required side and/or rear yard setback may be reduced one foot for each foot of public space, but in no case shall the rear yard requirement be reduced more than ten feet nor the side yard less than five feet.~~
- ~~E. Required Side or Rear Yard Reduction. A required yard on a lot may be reduced by a conditional use permit if the following conditions are met:~~
- ~~1. The reduction of setback requirements is based upon a specific need or circumstance which is unique to the property in question and which, if appropriate, will not set a precedent which is contrary to the intent of this Ordinance.~~
 - ~~2. Property line drainage and utility easements as required by the City's Subdivision Ordinance are provided and no building will occur upon this reserved space.~~
 - ~~3. The reduction will work towards the preservation of trees or unique physical features of the lot or area.~~
 - ~~4. If affecting a north lot line, the reduction will not restrict sun access from the abutting lots.~~
 - ~~5. The reduction will not obstruct traffic visibility, cause a public safety problem and complies with Section 916.05 of this Ordinance.~~
 - ~~6. The conditions of Section 916.05.F of this Ordinance are considered and satisfactorily met.~~

919.05 Residential Standards in Non-Residential Districts.

~~Whenever any single family or two family residential dwelling is proposed to be constructed within an R-4A, R-4, R-5, INS or C-1 District it shall conform with R-3 District standards.~~ Existing single family or two-family residential uses within R-4, R-5, INS, C-1, C-2, C-3 and C-4 Districts ~~also~~ shall conform with R-3 District standards.

919.06 Minimum Floor Area Per Dwelling Unit.

- A. **Single Family Dwelling Units.** Except as otherwise specified in the zoning district provisions ~~or as allowed by conditional use permit~~, single family homes as classified below shall have the following minimum floor areas per unit:
- One Bedroom: 880 square feet above grade.
- Two Bedroom. 960 square feet above grade.
- Three Bedroom. 1040 square feet above grade.
- B. **Multiple Dwelling Units.** Except for elderly housing units ~~or as allowed by conditional use permit~~, living units classified as multiple dwelling shall have the following minimum floor areas per unit:
- Efficiency Units. 500 square feet.
- One Bedroom Units. 700 square feet.

Two Bedroom Units. 900 square feet.

More than two ~~bedroom~~ units. An additional 150 square feet for each additional bedroom.

- C. **Elderly (Senior Citizen) Housing.** Living units classified as elderly (senior citizen) housing units shall have the following minimum floor areas per unit:

Efficiency Units. 440 square feet.

One Bedroom Units. 520 square feet.

More than one ~~bedroom~~ units. An additional 80 square feet for each additional bedroom.

- D. **Two Family, ~~Quadraminiums and Townhouses Dwelling Units and Manor Homes~~.** Except as otherwise specified in the zoning district provisions ~~or as allowed by conditional use permit~~, two family, ~~quadraminiums, and townhouses dwelling units and manor homes~~, as classified below, shall have the following minimum floor area per one bedroom unit:

Two Family. 650 square feet first floor above grade, plus 100 additional square feet for each additional bedroom.

~~Quadraminiums, Townhouses and Manor Homes.~~ 600 square feet first floor above grade, plus 100 additional square feet for each additional bedroom.

- ~~E. **Efficient Apartments.** Except for elderly (senior citizen) housing, the number of efficiency apartments in a multiple dwelling shall not exceed ten percent of the total number of apartments. In the case of elderly (senior citizen) housing, efficiency apartments shall not exceed 30 percent of the total number of apartments.~~

- ~~E. Assisted Living or Memory Care Dwelling Units. Except as otherwise specified in the zoning district provisions, assisted living and memory care units as classified below shall have the following minimum floor areas per unit:~~

~~Units without Kitchen Facilities: 330 square feet~~

~~Units with Kitchen Facilities: 370 square feet~~

919.07 Minimum Lot Area Per Unit.

The lot area per unit requirement for two family, townhouses, ~~quadraminiums, manor homes, apartment multiple family dwelling units~~ and planned unit developments shall be calculated on the basis of the total area in the project and as controlled by an individual and joint ownership as per the specific zoning district regulation. ~~Unless approved by conditional use permit a variance, Areas~~ qualifying as wetlands pursuant to this Ordinance, shall not be included in the calculation of total area.

919.08 Usable Open Space.

Except in the case of elderly (senior citizen) housing, ~~memory care, or assisted living~~, each multiple family dwelling site shall contain at least ~~500~~250 square feet of usable open space as defined in Section 902.02 of this Ordinance for each dwelling unit contained thereof.

919.09 Two Family, Townhouse, ~~Quadraminium, Manor Home~~, Multiple Family Uses.

- A. No single townhouse structure shall contain more than five dwelling units.
- B. Minimum unit lot frontage for townhouses shall be not less than 20 feet.

- C. Subdivision of Two Family ~~Double Bungalows, or~~ Townhouse ~~or Quadraminium~~ Lots. The subdivision of base lots containing two family dwellings, ~~or townhouses, or quadraminiums~~ to permit individual private ownership of a single dwelling within such a structure is acceptable upon the approval by the City. Approval of a subdivision request is contingent on the following requirements:
1. Two ~~family, townhouses, and quadraminiums~~ family and townhouse lots, intended for owner occupancy shall be subdivided on an individual lot basis ~~according to the provisions of Chapter 933 (Planned Unit Development) of this Ordinance.~~
 2. Prior to a two family ~~double bungalow~~ dwelling, ~~or~~ townhouse ~~or quadraminium~~ subdivision, the base lot must meet all the requirements of the zoning district.
 3. Except for planned unit developments, there shall be no more than one principal structure on a base lot in all residential districts. The principal structure on the base lot created in a two family, ~~or~~ townhouse ~~or quadraminium~~ subdivision will be the portion of the attached dwelling existing or constructed on the platted unit lot.
 4. Permitted accessory uses as defined by the zoning districts are acceptable, provided they meet all the zoning requirements.
 5. A property maintenance agreement must be arranged by the applicant and submitted to the City Attorney for review and approval. The agreement shall ensure the maintenance and upkeep of the structure and lots to meet minimum City standards. The agreement is to be filed with the Hennepin County ~~Recorder's~~ Recorder's Office as a deed restriction against the title of each unit lot.
 6. Separate public utility service shall be provided to each subdivided unit and shall be subject to the review and approval of the City Engineer.
 7. The subdivision is to be platted and recorded in conformance to the requirements of the Subdivision Regulations of the City.
 8. Structural requirements of the Uniform Building Code at the time of subdivision are complied with.
- D. Subdivision of multiple family, two family duplex, ~~manor homes~~ and other such units.
1. The subdivision is to be platted and recorded in conformance with the requirements of the Subdivision Regulations of the City as applicable.
 2. The subdivision shall comply with applicable cooperative or condominium laws of the State of Minnesota.

919.10 Minimum Lot Area, Unsewered Lots.

Lot sizes where public sewer is not available shall conform to the minimum requirements set forth below:

- A. The minimum single family lot size is five acres. This minimum lot size shall not apply to smaller separate parcels of record in separate ownership lawfully existing prior to July 1, 1990, provided that it can be demonstrated by means satisfactory to the City that the small parcels will not result in groundwater, soil or other contamination which may endanger the public health.
- B. Commercial developments and multiple family dwellings are not allowable uses.
- C. Subject to the other provisions of the Zoning Ordinance other uses may be allowed by conditional use permit. The minimum lot size for each principal use is five acres. A conditional use permit shall not be granted unless it can be demonstrated by means satisfactory to the City that the use:
 1. Will not result in groundwater, soil or other contamination which may endanger the public health.
 2. Will not increase future City utility service demands and expense.
 3. Will not jeopardize public safety and general welfare.

919.11 Single Family Dwellings.

All single family detached homes shall comply with all of the following standards:-

- A. They must be constructed upon a continuous perimeter foundation that meets the requirements of this Ordinance and Uniform Building Code.
- B. They may~~shall~~ not be less than 30 feet in length and not less than 22 feet in width over that entire minimum length. Width measurements shall not take account of overhang and other projections beyond the principal walls. Dwelling shall also meet the minimum floor area requirements as set out in this Ordinance.
- C. They must have an earth covered, composition, shingled or tiled roof.
- D. They must receive a building permit. The application for a building permit in addition to other information required shall indicate the height, size, design and the appearance of all elevations of the proposed building and a description of the construction materials proposed to be used. The exterior architectural design of a proposed dwelling may not be so at variance with, nor so similar to, the exterior architectural design of any structure or structures already constructed or in the course of construction in the immediate neighborhood, nor so at variance with the character of the surrounding neighborhood as to ~~cause a significant depreciation in the property values of the neighborhood or~~ adversely affect the public health, safety or general welfare.
- E. They must meet the requirements of the State Uniform Building Code or the applicable manufactured housing code.

919.12 Elevator Service.

Any multiple family dwelling over two stories in height shall be provided with elevator service.

920.11 Off-Street Parking and Loading Requirements.

A. Calculating Space.

1. Floor Area. The term ~~““floor area”~~ for the purpose of calculating the number of off-street parking spaces required shall be determined based on the Gross Floor Area minus ten percent, except as may be hereinafter modified.
2. Computation. When in the process of determining the required number of off-street parking spaces, there occurs a fraction of a space, such fraction shall be deemed as the requirement for an additional parking space. Parking spaces shall not be counted toward meeting a parking requirement when they are sufficiently inconvenient to be of questionable use.
3. Places of Public Assembly. In stadiums, sports arenas, churches and other places of public assembly in which patrons or spectators occupy benches, pews or other similar seating facilities, each 18 inches of such seating facilities shall be counted as one seat for the purpose of determining requirements.
- ~~4. Floor Area. The term “floor area” for the purpose of calculating the number of off-street parking spaces required shall be determined based on the Gross Floor Area minus ten percent, except as may be hereinafter modified.~~
4. More than One Use. Except for a shopping center, should a structure contain two or more types of uses, the Gross Floor Area of each use shall be calculated and a ten percent reduction shall be made for non-productive space. For mixed-use buildings, the reduction may be increased to up to 20% subject to review of a floor plan that demonstrates no additional impact on parking demand, as determined by the Zoning Administrator. The resulting net usable floor space figure shall be utilized to determine the off-street parking requirement.

- B. **Minimum Number of Spaces.** The minimum number of off-street parking and loading spaces for each use shall be as follows:

	Use	Number of Parking Spaces Required	Off-St. Loading Spaces Required
1.	Animal Clinics , Hospitals or Kennels	Six spaces plus one for each 200 sq. ft. of floor area over 10,000 sq. ft.	One space per structure
2.	Auditoriums <u>Places of Assembly</u> , Theaters, Religious Institutions <u>Excluding Drive-Ins</u>	One space for each three permanent seats based on the design capacity of the main assembly hall. Facilities as may be provided in conjunction with such buildings or uses shall be subject to additional requirements	One space for each structure with over 100,000 sq. ft. of gross floor area

		which are imposed by this Code.	
3.	Automobile Car Washes Wash, Principal	Shall Four spaces per bay or stall be determined by the type of car wash plus recommended stacking spaces as determined under 920.11.B.4 of this Section	One space per facility
4.	Automatic Drive Through Service	Two spaces for each bay plus stacking equivalent to five spaces for each bay.	One space per facility
5.	Self-Service Car Wash	Four spaces per bay.	One space per facility
46.	Motor Fuel Station Car Wash Accessory	One space in addition to that required for the station.	N.A. in addition to that required for the station.
57.	Automobile Motor Vehicle Service Stations	Five spaces plus three spaces for each service stall. Those facilities designed for sale of other items than strictly automobile products, parts or service shall be required to provide additional parking in compliance with other applicable sections of this Code.	One space
68.	Beauty of Barber Shops Personal Services including hair and nail salons, therapeutic massage spa, tanning spa, and similar uses	One space for each 200 sq. ft. Two spaces for each working station, plus two spaces for each three employees. of floor area.	N.A.
79.	Boat Motor Vehicle Rental and Marine Sales	One space for each 400 sq. ft. of floor area for the first 25,000 sq. ft., plus one space for each 600 sq. ft. thereafter.	One space, plus one additional space for each 25,000 sq. ft. of gross floor area
10.	Boating Marinas and Yacht Clubs	Seven spaces for each ten boat or mooring spaces.	One space for each 20,000 square feet.
11.	Bowling Alleys	Five spaces for each lane or alley, plus additional spaces as may be required herein for related uses contained	One space for each structure with over 20,000 sq. ft. of gross floor area

		within the principal structure.	
812.	Community Center, Physical Culture Studio, Libraries, Museums-Places of Assembly	Ten spaces plus one space for each 150 square feet in excess of 2,000 sq. ft. of floor area in the principal structure.	One space for each structure with over 100,000 sq. ft. of gross floor area.
913.	Drive-in Convenience Food Establishment	One space for each 15 sq. ft. of service floor area, one space for each 80 sq. ft. of kitchen floor area and one space for each 40 sq. ft. of seating floor area, but not less than 15 spaces, plus two spaces per drive-thru window.	One space
14.9.	Drive-in Banks-Professional Services (Inc. Finance and Office Uses)	One space Three spaces for every 350each 1,000 sq. ft. of floor area plus stacking requirements determined under 715.31 of this section.	One space for buildings between 30,000 sq. ft. and 100,000 sq. ft. in gross floor area, plus one space for each additional 100,000 sq. ft.
1510.	Furniture Sales	One space for each 400 sq. ft. of floor area for the first 25,000 sq. ft., plus one space for each 600 sq. ft. thereafter.	One space plus one additional space for each 25,000 sq. ft. of gross floor area.
1611.	Group Child Day Care Centers Facility, General.	One space for each employee, plus one space for each four children.	One space
1712.	Housing for the Elderly Care Facility	One space for each 1.5 dwelling units.	One space
1813.	Manufacturing	One space for each employee on the major shift or one space for each 300 sq. ft., whichever is greater.	One space for each 50,000 sq. ft. of gross floor area.
1914.	Medical or Dental Offices or Health Clinics	Six spaces for each doctor or dentist	One space per building
1215.	Motels, Hotels, Lodging or Boarding Houses	One space per Lodging unit, plus spaces equal to 25	One space per building

		percent capacity of any club or lodge.	
1216.	Dwellings, Multiple Family Dwellings, Townhouses	Two fee free spaces for each living unit, of which one is to be enclosed.	One space for each multiple family building over four units.
22.	Nursing Homes, Rest Homes	One space for each four beds.	One space plus one additional space each 100,000 sq. ft. of gross floor area.
2317.	Office Buildings and Professional Offices, Other than Any Area for Doctors or Dentists; Banks, Public Administration Offices. <u>Professional Services (Inc. Finance and Office Uses)</u>	Three spaces for each 1,000 sq. ft. of floor area.	One space for buildings between over 10,000 sq. ft. and 100,000 sq. ft. in gross floor area, plus one space for each additional 100,000 sq. ft.
24.	Private or Private Non-Profit Baseball Fields, Stadiums	One space for each eight seats of design capacity.	One space for each structure with over 100,000 sq. ft. of gross floor area.
25.18.	Restaurants, Private Clubs, Lodges, Food Dispensing and Beverage Establishments (Except Drive-In Restaurants)	15.2 spaces for each 1,000 sq. ft. of floor area Seating Area: One space per 75 sq. ft. Bar Area: One space per 40 sq. ft. Kitchen Area and all other areas: One space per 150 sq. ft.	One space for each 10,000 sq. ft. of gross floor area.
2619.	Retail Commercial Uses, Except as Prescribed Herein. Retail	Three spaces for each 1,000 sq. ft. of floor area	One space for the first over 10,000 sq. ft. of gross floor area, plus one space for each additional 50,000 sq. ft.
2720.	Retail Sales and Service Business With (50 percent or More of Gross Floor Area Devoted to Storage, Warehouses and/or Industry)	Eight spaces or one space for each 200 sq. ft. devoted to public sales or service plus one space for each 500 sq. ft. of storage area.	One space for the first over 10,000 sq. ft. of gross floor area, plus one space for each additional 50,000 sq. ft.
2821.	School, Elementary and Junior High, (Public or Private) Educational Facilities that are	One space for each classroom plus one space for each 50 students <u>of</u>	One space for each structure with over 100,000 sq. ft. of gross floor area.

	<u>less than 5,000 square feet. This includes tutoring facilities.</u>	capacity. Adequate space shall be allowed for the dropping off and/or picking up of students as determined by the City Council <u>Engineer</u> .	
29 <u>22</u> .	School, High School (Public or Private) including: elementary schools, junior high/middle schools, high schools and college/trade schools	One <u>Elementary and junior high/middle schools: 1 space for each five students based per staff member on design capacity. Adequate the largest shift, plus 1 space shall be allowed for the dropping off and/or picking up of per 2 classrooms.</u> <u>High schools: 1 space per staff member on the largest shift, plus 1 space per 5 students.</u> <u>College/trade schools: 1 space per staff member on the largest shift, plus 1 space per 2 students as determined by of the City Council. largest class attendance period.</u>	One space for each structure with over and 100,000 sq. ft. of gross floor area.
23 <u>23</u> .	Shopping Center	One space for each 150 sq. ft. of floor area.	One space or the first 10,000 sq. ft. of gross leasable area plus one space for each additional 50,000 sq. ft. or part thereof.
23 <u>24</u> .	<u>Dwellings</u> , Single Family, or Two-Family Dwellings Detached	Two spaces per family unit.	N.A.
32 .	Warehousing	One space for each 1,000 sq. ft. of floor area. That space which is solely used as office shall comply with the office use.	Determined by the Zoning Administrator

33 <u>25.</u>	Micro-production Facility	One space for each 1,000 sq. ft. of floor area.	
34 <u>26.</u>	Taproom/Tasting Room	One space for each 40 sq. ft. of floor area.	
35 <u>27.</u>	Brewpub	One space for each 1,000 sq. ft. of Micro-brewing production floor area; one space for each 40 sq. ft. of floor area of dining and bar area; and one space for each 80 sq. ft. of floor area of kitchen area.	
<u>28.</u>	<u>Personal fitness clubs and health clubs</u>	<u>One space for each 300 sq. ft. of floor area</u>	

- C. **Non-Specified Uses.** For uses not specifically listed above, off-street parking and loading requirements shall be computed by the Zoning Administrator on the same basis as required for the most similar listed uses: building occupancy, projected demand, or parking study. (N.A. = Not Applicable).

902.02 Definitions.

The following words and terms, wherever they occur in this Ordinance, shall be interpreted as herein defined:

"Abutting" means making direct contact with or immediately bordering.

"Accessory Structure" means a subordinate building, item, or structure which is located on the same lot on which the main building is situated and which is reasonably necessary, appropriate and incidental to the conduct of the primary use of such building. Accessory structures include pools, pergolas, play structures, gazebos and similar structures.

"Accessory Use" A use on the same lot with, and of a nature customarily incidental and subordinate to, the principal use or structure. Accessory uses are listed in corresponding zoning district standards.

"Addition" means a physical enlargement of an existing structure.

"Adjacent" means in close proximity to or neighboring, not necessarily abutting.

"Adult Day Care" means a program operating less than twenty-four (24) hours per day that provides functionally impaired adults with an individualized and coordinated set of services including health services, social services, and nutritional services that are directed at maintain or improving the participants capabilities for self-care.

"Adult Uses" include adult bookstores, adult motion picture theatres, adult motion picture sales/rentals, adult mini-motion picture theatres, adult massage parlors, adult steam room/bathhouse/sauna facilities, adult companionship establishments, adult rap/conversation parlors, adult health/sport clubs, adult cabarets, adult novelty businesses, adult motion picture arcades, adult modeling studios, adult hotels/motels, adult body painting studios, and other premises, enterprises, establishments, businesses or places open to some or all members of the public, at or in which there is an emphasis on the presentation, display, depiction or description of "specified sexual activities" or "specified anatomical areas" which are capable of being seen by members of the public. Activities classified as obscene as defined by Minn. Stats. § 617.241, as may be amended, are not included.

A. **"Specified Anatomical Areas"** means:

1. Less than completely and opaquely covered human genitals, pubic region, buttock, anus, or female breast(s) below a point immediately above the top of the areola; and
2. Human male genitals in a discernibly turgid state, even if completely and opaquely covered.

B. **"Specified Sexual Activities"** means:

1. Actual or simulated sexual intercourse, oral copulation, anal intercourse, oral-anal copulation, bestiality, direct physical stimulation of unclothed genitals, flagellation or torture in the context of a sexual relationship, or the use of excretory functions in the context of a sexual relationship, and any of the following sexually-oriented acts or conduct: anilingus, buggery, coprophagy, coprophilia, cunnilingus, fellatio, necrophilia, pederasty, pedophilia, piquerism, sapphism, zooerasty; or
2. Clearly depicted human genitals in the state of sexual stimulation, arousal or tumescence; or
3. Use of human or animal ejaculation, sodomy, oral copulation, coitus, or masturbation; or
4. Fondling or touching of nude human genitals, pubic region, buttocks, or female breast; or
5. Situations involving a person or persons, any of whom are nude, clad in undergarments or in sexually revealing costumes, and who are engaged in activities involving the flagellation, torture, fettering, binding or other physical restraint of any such persons; or
6. Erotic or lewd touching, fondling or other sexually-oriented contact with an animal by a human being; or

-
7. Human excretion, urination, menstruation, vaginal or anal irrigation.
- C. **"Adult Uses—Accessory"** means the offering of retail goods for sale which are classified as adult uses on a limited scale and which are incidental to the primary activity and goods and/or services offered by the establishment. Examples of such items include the sale of adult magazines, the sale and/or rental of adult motion pictures, the sale of adult novelties, and the like.
- D. **"Adult Uses—Principal."** means the offering of goods and/or services which are classified as adult uses as a primary or sole activity of a business or establishment and include, but are not limited to, the following:
1. **"Adult Use—Body Painting Studio."** An establishment or business which provides the service of applying paint or other substance, whether transparent or non-transparent, to or on the body of a patron when such body is wholly or partially nude in terms of "specified anatomical areas."
 2. **"Adult Use—Bookstore."** A building or portion of a building used for the barter, rental or sale of items consisting of printed matter, pictures, slides, records, audio tape, videotape, or motion picture film if such building or portion of a building is not open to the public generally but only to one or more classes of the public extending any minor by reason of age or if a substantial or significant portion of such items are distinguished or characterized by an emphasis on the depiction or description of "specified sexual activities" or "specified anatomical areas."
 3. **"Adult Use—Cabaret."** A building or portion of a building used for providing dancing or other live entertainment, if such building or portion of a building excludes minors by virtue of age or if such dancing or other live entertainment is distinguished or characterized by an emphasis on the presentation, display, depiction of "specified sexual activities" or "specified anatomical areas."
 4. **"Adult Use—Companionship Establishment."** A companionship establishment which excludes minors by reason of age, or which provides the service of engaging in or listening to conversation, talk or discussion between an employee of the establishment and a customer, if such service is distinguished or characterized by an emphasis on "specified sexual activities" or "specified anatomical areas."
 5. **"Adult Use—Conversation/Rap Parlor."** A conversation/rap parlor which excludes minors by reason of age, or which provides the service of engaging in or listening to conversation, talk, or discussion, if such service is distinguished or characterized by an emphasis on "specified sexual activities" or "specified anatomical areas."
 6. **"Adult Use—Health/Sport Club."** A health/sport club which excludes minors by reason of age, or if such club is distinguished or characterized by an emphasis on "specified sexual activities" or "specified anatomical areas."
 7. **"Adult Use—Hotel or Motel."** Adult hotel or motel means a hotel or motel from which minors are specifically excluded from patronage and wherein material is presented which is distinguished or characterized by an emphasis on matter depicting, describing or relating to "specified sexually activities" or "specified anatomical areas."
 8. **"Adult Use—Massage Parlor, Health Club."** A massage parlor or health club which restricts minors by reason of age, and which provides the services of massage, if such service is distinguished or characterized by an emphasis on "specified sexual activities" or "specified anatomical areas."
 9. **"Adult Use—Mini-Motion Picture Theatre."** A building or portion of a building with a capacity for less than 50 persons used for presenting material if such building or portion of a building as a prevailing practice excludes minors by virtue of age, or if such material is distinguished or characterized by an emphasis on "specified sexual activities" or "specified anatomical areas" for observation by patrons therein.

-
10. **"Adult Use—Modeling Studio."** An establishment whose major business is the provision, to customers, of figure models who are so provided with the intent of providing sexual stimulation or sexual gratification to such customers and who engage in "specified sexual activities" or display "specified anatomical areas" while being observed, painted, painted upon, sketched, drawn, sculptured, photographed, or otherwise depicted by such customers.
 11. **"Adult Use—Motion Picture Arcade."** Any place to which the public is permitted or invited wherein coin or slug-operated or electronically, electrically or mechanically controlled or operated still or motor picture machines, projectors or other image-producing devices are maintained to show images to five or fewer persons per machine at any one time, and where the images so displayed are distinguished or characterized by an emphasis on depicting or describing "specified sexual activities" or "specified anatomical areas."
 12. **"Adult Use—Motion Picture Theatre."** A building or portion of a building with a capacity of 50 or more persons used for presenting material if such building or portion of a building as a prevailing practice excludes minors by virtue of age or if such material is distinguished or characterized by an emphasis on "specified sexual activities" or "specified anatomical areas" for observation by patrons therein.
 13. **"Adult Use—Novelty Business."** A business which has as a principal activity the sale of devices which stimulate human genitals or devices which are designed for sexual stimulation.
 14. **"Adult Use—Sauna."** A sauna which excludes minors by reason of age, or which provides a steam bath or heat bathing room used for the purpose of bathing, relaxation, or reducing, utilizing steam or hot air as a cleaning, relaxing or reducing agent, if the service provided by the sauna is distinguished or characterized by an emphasis on "specified sexual activities" or "specified anatomical areas."
 15. **"Adult Use—Steam Room/Bathhouse Facility."** A building or portion of a building used for providing a steam bath or heat bathing room used for the purpose of pleasure, bathing, relaxation, or reducing, utilizing steam or hot air as a cleaning, relaxing or reducing agent if such building or portion of a building restricts minors by reason of age or if the service provided by the steam room/bathhouse facility is distinguished or characterized by an emphasis on "specified sexual activities" or "specified anatomical areas."

"Alley." A public or private right-of-way primarily designed to serve as secondary access to the side or rear of those properties whose principal frontage is on a street.

"Amusement, Indoor" An establishment with recreational or entertainment activities housed within a structure. The activities may include commercial bowling alleys, billiard halls, game centers, and swimming pools.

"Animal Clinic." A medical veterinary facility licensed by the State of Minnesota for the treatment, but not grooming or day care, of household pets, and operated only during daytime and evening business hours (not overnight) by a licensed veterinarian for diagnosis, treatment, correction, relief, or prevention of animal disease, deformity, defect, injury, or other physical or mental conditions; the performance of obstetrical procedures for animals, including determination of pregnancy and correction of sterility or infertility; and the rendering of advice or recommendations with regard to any of the above.

"Animal Clinics, Hospitals and Kennels" A medical veterinary facility or hospital licensed by the State of Minnesota for the treatment, of household pets, and operated by a licensed veterinarian for diagnosis, treatment, correction, relief, or prevention of animal disease, deformity, defect, injury, or other physical or mental conditions; the performance of obstetrical procedures for animals, including determination of pregnancy and correction of sterility or infertility; and the rendering of advice or recommendations with regard to any of the above. Accessory activities such as boarding, grooming or daycare are permitted.

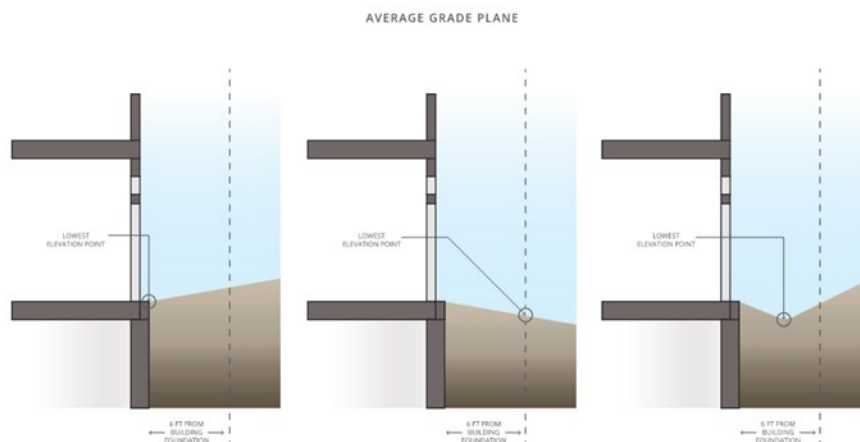
"Animals, Domestic." For purposes of this Ordinance, domestic animal shall be defined as house pets such as dogs, cats, and birds which can be contained within a principal structure throughout the entire year,

provided that the containment can be accomplished without special modification to the structure requiring a building permit from the City.

"Applicant." The owner, their agent or person having legal control, ownership and/or interest in land which the provisions of this Ordinance are being considered for or reviewed.

"Attic." Space of a building located directly under a roof which is not directly free and open to the public and is unfinished or finished only to a limited degree to provide for inactive storage and/or mechanical equipment. Said space shall not be occupied or actively utilized. Under the provision of this Ordinance, said space shall not constitute a story, and shall not be included in space calculations for parking.

"Average Grade Plane." A reference plane representing the average of finished ground level adjoining the building at exterior walls. Where the finished ground level slopes away from the exterior walls, the reference plane shall be established by the lowest points within the area between the building and the lot line or, where the lot line is more than six feet from the building, between the building and a point six feet from the building, whichever is closer.



"Basement." Any floor level below the first story in a building, except that a floor level in a building having only one floor level shall be classified as a basement unless such floor level qualifies as a first story as defined herein.

"Bay." Cantilevered area of a room.

"Block." A tract of land bounded by streets, or a combination of streets and public parks, railroad rights-of-way, shorelines, waterways or boundary lines of the corporate limits of the City.

"Boarder." One who receives regular meals and/or regular meals and lodging for pay.

"Boundary Lines." Any line indicating the bounds or limits of any tract or parcel of land; also a line separating the various use districts as shown on the City's Zoning Map.

"Brewery." A facility that produces for sale beer, ale, malt liquor, or other beverages made from malt by fermentation and containing not less than one-half of one percent alcohol by volume. A brewery may include a taproom.

"Brewpub." A Brewery that operates a restaurant on the same premises as the Brewery, whose malt liquor production per calendar year may be limited by Minnesota State Statute.

"Buffer." The use of land, topography (difference in elevation), space, fences or landscape plantings to screen or partially screen a use or property from the vision of another use or property.

"Buildable Area." The space remaining on a lot after the minimum setback and open space requirements of this Ordinance have been met.

"Building." Any structure having a roof which may provide shelter or enclosure of persons, animals or chattels. When such structure is divided by party walls without opening, each portion of such building so separated shall be deemed a separate building.

"Building Height." The vertical distance above a Grade Plane measured to the highest point of the coping of a flat roof, to the deck line of a mansard roof, to the uppermost point on a shed, round or arch type roof, or to the average height of the highest gable of a pitched, hipped or gambrel roof. Modifications to the site grading that would affect the grade plane of a lot shall not be undertaken as a means of achieving increased building height, unless approved by the City Council. The height of a stepped or terrace building is the maximum height of any segment of the building.

"Building Line." A line parallel to the street right-of-way or ordinary high water level at any story level of a building and representing the minimum distance which all or any part of the building is set back from said right-of-way or ordinary high water level.

"Building Setback." The minimum horizontal distance between the building and the lot line.

"Car Wash, Accessory". A structure or portion of a structure where customers can wash vehicles indoors and the use is subordinate to the principal use on the property.

"Car Wash, Principal". A structure where customers can wash vehicles indoors and the use is the only land use, or principal use, on the property.

"Cellar." That portion of a building between the floor and ceiling which is wholly or partly below grade and is so located that the vertical distance from grade to the floor below is equal to or greater than the vertical distance from grade to ceiling.

"Cemeteries and Memorial Gardens." A site or property set apart for the burial or interment of the human dead.

"Channel." A natural or artificial depression of perceptible extent, with definite bed and banks to confine and conduct water either continuously or periodically.

"Child Day Care Facility, General." Any facility licensed by the State of Minnesota, public or private, which provides the care of a child in a building outside the child's own home for gain or otherwise on a regular basis, for any part of a 24 hour day. Day care facilities include, but are not limited to, family day care homes, group family day care homes, day care centers, day nurseries, nursery schools, daytime activity centers, day treatment programs and day services as defined by Minn. Stats 245A.

"Child Day Care Facility, 12 or Fewer Children". Any private facility licensed by the State of Minnesota, which provides the care of a child in a residence outside the child's own home located within a private residence, for gain or otherwise on a regular basis, for any part of a 24 hour day.

"City Council." The governing body for the City of Wayzata.

"Clubs or Lodges." A non-profit association of persons who are bona fide members paying annual dues, with the use of the premises being restricted to members and their guests.

"Cluster Development." The development pattern and technique whereby structures are arranged in closely related groups to make the most efficient use of the natural amenities of the land as accomplished through a planned unit development.

"Common Open Space." Any privately owned open space including private parks, nature areas, playgrounds, trails, and recreational buildings and structures which is an integral part of a development and is not owned on an individual basis by each owner of the dwelling unit.

"Colleges, Seminaries and other Institutions of Higher Education." A public or private accredited school that provides an educational program or specialized instruction for persons who have graduated from 12th grade.

"Community Center." A building or a room or group of rooms within a building designed specifically as a gathering place for the general public or for a specific segment of the general public and operated on a non-profit basis.

"Comprehensive Plan." A comprehensive long-range plan prepared and approved by the City, including a compilation of policy statements, goals, standards, fiscal guidelines, and maps indicating the general locations recommended for the various functional classes of land use, places and structures, and for the general physical development of the City, including any unit or part of such plan separately adopted and any amendment to such plan or parts thereof.

"Concept Plan." A report in map and text form submitted as the first stage of a Planned Unit Development (PUD) proposal, depicting the location, general purpose, general type of land use and circulation patterns, primary relationships between site elements and between the proposed development and surrounding development, proposed general schedule of development, and information on the applicant.

"Conditional Use." Those occupations, vocations, skills, arts, businesses, professions, or uses specifically designated in each zoning district, which for the respective conduct or performance in such designated districts may require reasonable, but special, unusual or extraordinary limitations peculiar to the use for the protection, promotion and preservation of the general public welfare, health, and safety, and the integrity of the City Comprehensive Plan.

"Conditional Use Permit." A permit issued by the City Council in accordance with procedures specified in this Ordinance, as a flexibility device to enable the City Council to assign dimensions to a proposed use or conditions surrounding it after consideration of adjacent uses and their functions and the special problems which the proposed use presents.

"Curb Level." The elevation of the established curb in front of a building measured at the center of such front. Where no curb level has been established, the engineering staff shall determine a curb level or its equivalent for the purpose of this Ordinance.

"Density, Residential." A number expressing the relationship of the number of dwelling units to an acre of land as established in the Comprehensive Plan.

"Deposition." Any rock, soil, gravel, sand or other material deposited naturally or by man into a waterbody, watercourse, floodplains or wetlands.

"Design Guidelines." The Wayzata Design Guidelines as amended.

"Distillery." A facility that produces Ethyl Alcohol, hydrated oxide of ethyl, spirits of wine, rum, brandy, gin, or other distilled spirits, including all dilutions and mixtures thereof, for non-industrial use. A distillery may include a tasting room.

"Diversion." A channel that intercepts surface water runoff and that changes the accustomed course of all or part of a stream.

"Draining." The removal of surface water or groundwater from land.

"Dredging." To enlarge or clean-out a waterbody, watercourse, or wetland.

"Drive-Thru Sales and Service". A facility which accommodates automobiles and from which the occupants of the automobiles may make purchases or transact business, including the stacking spaces in which automobiles wait.

"Dry Cleaning or Laundry." A use involving the cleaning or dyeing of fabrics with the use of mechanical appliances.

"Dwellings, Accessory Units." A living unit that can be located within the walls of an existing or newly constructed home, or that can be an addition to an existing home. It can also be contained within a freestanding structure on the same lot as the principal residence or structure.

"Dwellings, Detached." Three or more separate units located on one parcel.

"Dwelling, Housing for the Elderly". A public agency owned or controlled multiple dwelling building with open occupancy limited to persons over 62 years of age.

"Dwellings, Multiple Family." A building designed with three or more dwelling units exclusively for occupancy by three or more families living independently of each other, either wholly attached or partially detached with separate housekeeping and kitchen facilities for each unit.

Dwellings, Multiple Family, Upper Stories. A building designed with three or more dwelling units exclusively for occupancy by three or more families living independently of each other, either wholly attached or partially detached with separate housekeeping and kitchen facilities for each unit on the upper level of a mixed-use structure.

"Dwelling, Single-Family Detached." A dwelling unit designed exclusively for occupancy by one family and is not attached to another dwelling or structure.

"Dwellings, Townhomes." A residential structure housing three or more dwelling units contiguous to each other only by the sharing a common wall(s), each such unit having a separate primary entrance to the exterior of the building at or near grade level, such structures to be of the townhome type as contrasted to multiple apartment structures. The term townhome is synonymous with the term townhouse.

"Dwelling, Two Family Detached." A residence designed for or occupied by two families only, with separate housekeeping and cooking facilities for each.

"Dwelling Unit." A residential building or portion thereof intended for occupancy by one or more persons with facilities for living, sleeping, cooking and eating, but not including hotels, motels, nursing homes, seasonal cabins, boarding or rooming houses, motor homes or travel trailers.

"Earth Berm." (House Construction) An earth covering on the above grade portions of the building walls.

"Earth Sheltered Building." A building so constructed that 50 percent or more of the completed structure is covered with earth. Earth covering is measured from the lowest level of the livable space in residential units and of usable space in non-residential buildings. An earth sheltered building is a complete structure that does not serve just as a foundation or sub-structure for above grade construction. A partially covered building shall not be considered earth sheltered.

"Easement." A grant by an owner of land for a specific use by persons other than the owner.

"Educational Facilities". A public or private establishment for educational instruction not providing residential accommodation.

"Elevator Penthouse." An enclosure located on the top of a building which houses the working mechanisms of an elevator.

"Engineer." The registered engineer employed or retained by the City, unless otherwise stated.

"Erosion." The wearing away of land surface by the action of natural elements.

"Essential Services." The erection, construction, alteration or maintenance by public utilities or Municipal departments of underground or overhead telephone, gas, electrical, steam, hot water, communication or water transmission, distribution, collection, supply or disposal systems, including poles, wires, mains, drains, sewers, pipes, conduits, cables, fire alarm boxes, police call boxes, traffic signals, hydrants and other similar equipment and accessories in connection therewith for the furnishing of adequate service by such private or public utilities or Municipal departments.

"Family." An individual or two or more persons related by blood, marriage, adoption or a group of not more than six persons who need not be related by blood or marriage living together in a dwelling unit.

"Fence Related."

- A. **"Fence"** shall mean a partition, wall, hedge, row(s) of continuous plantings, or gate erected as a dividing marker, visual or physical barrier, or enclosure.
 - 1. **"Man Made Fence"** shall mean a partition or wall constructed of wood, metal, masonry, brick, stone, concrete, and the like.
 - 2. **"Natural Hedge or Planting"** shall mean a divider or barrier comprised of vegetation materials.
- B. **"Fence Height"** shall mean the distance from the adjacent finished grade to the highest projection of a fence structure, not including support posts, provided that the support posts are no more than four inches above the fence structure.

"Filling." The act of depositing any rock, soil, gravel, sand or other material so as to fill a waterbody, watercourse, or wetland.

"Floodplain Overlay District Related."

- A. **"Base Flood Elevation."** The elevation of the regional flood. The term base flood elevation is used in the flood insurance survey.
- B. **"Basement."** Any area of a structure, including crawl spaces, having its floor or base subgrade (below ground level) on all four sides, regardless of the depth of excavation below ground level.
- C. **"Development."** Any manmade change to improved or unimproved real estate, including buildings or other structures, mining, dredging, filling, grading, paving, excavating or drilling operations, or storage of equipment or materials.
- D. **"Equal Degree of Encroachment."** 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.
- E. **"Flood."** A temporary increase in the flow or stage of a stream or in the stage of a wetland or lake that results in the inundation of normally dry areas.
- F. **"Flood Frequency."** The frequency for which it is expected that a specific flood stage or discharge may be equaled or exceeded.
- G. **"Flood Fringe."** That portion of the Special Flood Hazard Area (one percent annual chance flood) located outside of the floodway. Flood fringe is synonymous with the term "floodway fringe" used in the Flood Insurance Study for the City.
- H. **"Flood Insurance Rate Map (FIRM)."** An official map on which the Federal Insurance Administrator has delineated both the special hazard areas and the risk premium zones applicable to the community. A FIRM that has been made available digitally is called a Digital Flood Insurance Rate Map (DFIRM).
- I. **"Floodplain."** The beds proper and the areas adjoining a wetland, lake, or watercourse which have been or hereafter may be covered by the regional flood.
- J. **"Flood-Proofing."** A combination of structural provisions, changes, or adjustments to properties and structures subject to flooding, primarily for the reduction or elimination of flood damages.
- K. **"Floodway."** The bed of a wetland or lake and the channel of a watercourse, and those portions of the adjoining floodplains which are reasonably required to carry or store the regional flood discharge.
- L. **"Lowest Floor."** The lowest floor of the lowest enclosed area (including basement). An unfinished or flood resistant enclosure, used solely for parking of vehicles, building access, or storage in an area other than a basement area, is not considered a building's lowest floor, provided that such enclosure is

not built so as to render the structure in violation of the applicable non-elevation design requirements of 44 CFR Part 60.3.

- M. **"Manufactured Home."** A structure, transportable in one or more sections, which is built on a permanent chassis and is designed for use with or without a permanent foundation when attached to the required utilities. The term "manufactured home" does not include the term "recreational vehicle."
- N. **"New Construction."** Structures, including additions and improvements, and placement of manufactured homes, for which the start of construction commenced on or after the effective date of this Ordinance.
- O. **"Obstruction."** Any dam, wall, wharf, embankment, levee, dike, pile, abutment, projection, excavation, channel modification, culvert, building, wire, fence, stockpile, refuse, fill, structure or matter in, along across, or projecting into any channel, watercourse, or regulatory floodplain which may impede, retard or change the direction of the flow of water, either in itself or by catching or collecting debris carried by such water.
- P. **"One Hundred Year Floodplain."** Lands inundated by the regional flood.
- Q. **"Reach."** A hydraulic engineering term to describe a longitudinal segment of a stream or river influenced by a natural or manmade obstruction. In an urban area, the segment of a stream or river between two consecutive bridge crossings would most typically constitute a reach.
- R. **"Recreational Vehicle."** A vehicle that is built on a single chassis, is 40 square feet or less when measured at the largest horizontal projection, is designed to be self-propelled or permanently towable by a light duty truck, and is designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use. For the purposes of this Ordinance, the term recreational vehicle is synonymous with the term "travel trailer/travel vehicle."
- S. **"Regional Flood."** A flood which is representative of large floods known to have occurred generally in Minnesota and reasonably characteristic of what can be expected to occur on an average frequency in the magnitude of the one percent chance or 100-year recurrence interval. Regional flood is synonymous with the term "base flood" used in a Flood Insurance Study.
- T. **"Regulatory Flood Protection Elevation."** An elevation not less than one foot above the elevation of the regional flood plus any increase in flood elevation caused by encroachments on the floodplain that result from designation of a floodway.
- U. **"Repetitive Loss."** Flood related damages sustained by a structure on two separate occasions during a ten-year period for which the cost of repairs at the time of each such flood event on the average equals or exceeds 25 percent of the market value of the structure before the damage occurred.
- V. **"Special Flood Hazard Area."** A term used for flood insurance purposes synonymous with "One Hundred Year Floodplain."
- W. **"Start of Construction."** Substantial improvement, and means the actual start of construction, repair, reconstruction, rehabilitation, addition, placement or other improvement that occurred before the permit's expiration date. The actual start is either the first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers, foundations, or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. For a substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building.

-
- X. **"Structure."** Anything constructed or erected on the ground or attached to the ground or on-site utilities, including, but not limited to, buildings, factories, sheds, detached garages, cabins, manufactured homes, recreational vehicles not meeting the exemption criteria specified in Chapter 993 of this Ordinance, and other similar items.
- Y. **"Substantial Damage."** Damage of any origin sustained by a structure where the cost of restoring the structure to its before damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred.
- Z. **"Substantial Improvement."** Within any consecutive 365-day period, any reconstruction, rehabilitation (including normal maintenance and repair), repair after damage, addition, or other improvement of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure before the "start of construction" of the improvement. This term includes structures that have incurred "substantial damage," regardless of the actual repair work performed. The term does not, however, include either:
1. Any project for improvement of a structure to correct existing violations of state or local health, sanitary, or safety code specifications which have been identified by the local code enforcement official and which are the minimum necessary to ensure safe living conditions.
 2. Any alteration of a "historic structure," provided that the alteration will not preclude the structure's continued designation as a "historic structure." For the purpose of this Ordinance, "historic structure" is as defined in 44 CFR part 59.1.

"Floor Area, Gross." The sum of the gross horizontal areas of all floors of the building or portion thereof devoted to a particular use, including accessory storage areas located within selling or working space such as, activities to the production or processing of goods, or to business or professional offices. However, the floor area shall not include basement or cellar floor area other than area devoted to retailing activities, the production or processing of goods, or to business or professional offices. The floor area of a residence shall not include the cellar area.

"Floor Area Ratio (F.A.R.)." The floor area of a building or buildings on any lot divided by the area of such lot, or in the case of planned developments by the net site area. The floor area ratio requirements as set forth under each zoning district shall determine the maximum floor area allowable for a building or buildings (total floor area of both principal and accessory buildings) in direct ratio to the gross area of the zoning lot.

"Food and Beverage Establishment". A building, structure, enclosure or any part of a building, structure or enclosure used as, maintained as, advertised as, or held out to be an operation that prepares, services or otherwise provides food, beverages, or both for human consumption.

"Footprint." The outline of the foundation of a building, including that portion of an upper story that is occupied and/or actively utilized.

"Frontage." That boundary of a lot which abuts an existing or dedicated public street, watercourse or similar barrier.

"Garage, Private (Residential)." An accessory building or accessory portion of the principal building which is intended for and used for storage for the family or families resident upon the premises, and in which no business service or industry is carried on.

"Grading." Changing the natural or existing topography of land.

"Greenhouse, Residential" A structure that is constructed primarily of glass, glass-like or translucent material which is devoted to the protection of cultivation of food or ornamental crops to be located on residential properties.

"Growler." A specially designed 64-ounce beer container for exclusive off-sale of micro-production facility beer. A growler shall have the following packaging requirements:

- A. Growlers shall bear a twist-type closure, cork, stopper or plug.

-
- B. At the time of sale, paper or plastic adhesive band, strip, or sleeve shall be applied to the container and extended over the top of the closure, forming a seal.
- C. The growler and/or band, strip or sleeve shall bear the name and address of the brewer, and the container shall be identified as malt liquor, contain the name of the malt liquor, and shall be considered intoxicating liquor unless labeled otherwise.

"Health Club." A facility of over 3,000 square feet which provides athletic activities which may include tennis, handball, racquetball, track, basketball, exercise devices, etc. and such incidental amenities and services such as a whirlpool, sauna or massage service for members and guests.

"Halfway House." A facility licensed by the State Department of Health or Department of Public Welfare, public or private, which for gain or otherwise regularly provides one or more persons with 24 hour per day substitute for care, food, lodging, training, education, supervision, habilitation, rehabilitation and treatment they need, but which for any reason cannot be furnished in the person's own home.

"Hardship." A situation where property in question cannot be put to a reasonable use under the conditions allowed by the official controls; the plight of the landowner is due to circumstances unique to his property, not created by the landowner; and the variance, if granted, will not alter the essential character of the locality. Economic considerations alone shall not constitute a hardship if a reasonable use for the property exists under terms of the official controls.

"Health Clinics". A structure for providing medical, dental and other health services for examination and services available to the public. The service is provided without overnight care available.

"Home Occupation." Any occupation or profession engaged in by the occupant of a residential dwelling unit, which is clearly incidental and secondary to the residential use of the premises and does not change the character of said premises.

"Horses, Keeping of". Maintenance of horses on the property as an accessory use to the principal use.

"Hospitals, Residential Care Facilities, Extended Care Facilities, Rest Homes and other Elderly Care Facilities". Licensed establishments where patients are admitted for medical, surgical, or psychiatric treatment for outpatient and/or inpatient, overnight accommodation. A licensed facility that provides medical, nutritional, or housekeeping services for the elderly on a periodic or permanent basis. A facility licensed by the State Department of Health or Department of Public Welfare, public or private, which for gain or otherwise regularly provides one or more persons with 24 hour per day substitute for care, food, lodging, training, education, supervision, habilitation, rehabilitation, and treatment they need, but which for any reason cannot be furnished in the person's own home.

"Impervious Surface." A constructed hard surface that either prevents or retards the entry of water into the soil and causes water to run off the surface in greater quantities and at an increase rate of flow than prior to development. Examples include rooftops, sidewalks, patios, driveways, parking lots, storage areas, and concrete, asphalt, or gravel roads.

"Landscaping." Plantings such as trees, flowers, grass and shrubs and improvements directly related thereto.

"Land Reclamation." The process of the re-establishment of acceptable topography (i.e. slopes), vegetative cover, soil stability and the establishment of safe conditions appropriate to the subsequent use of the land.

"Liquor Store". An off- or on-sale retail establishment that sells alcoholic beverages.

"Loading Space (Off-Street)." A space or berth on the same lot with a building, or contiguous to a group of buildings, for the temporary parking of a vehicle or truck while loading or unloading merchandise or materials and which abuts upon a street, alley or other appropriate means of access.

"Lodging." Any building or portion thereof occupied as a temporary abiding place of individuals used, designated or intended to be used, let or hired out to be occupied, whether the compensation be paid directly or indirectly.

"Lot." A parcel or portion of land of at least sufficient size to meet minimum zoning requirements for use, coverage and area, and to provide such yards and other open spaces as are herein required. Such lot shall have frontage on an improved public street.

"Lot (of Record)." Any lot which is one unit of a plat heretofore duly approved and filed, or one unit of an auditor's outlot or a registered land survey, or a parcel of land not so platted, subdivided or registered but for which a deed, auditor's subdivision or registered land survey has been recorded in the Office of the Register of Deeds or Registrar of Titles for Hennepin County, Minnesota, prior to the effective date of this Ordinance.

"Lot Area." The total land area of a horizontal plane within the lot lines.

"Lot, Base." Lots meeting all specifications in the zoning district prior to being subdivided into a two-family dwelling subdivision.

"Lot, Corner." A lot situated at the intersection of two streets, the interior angle of such intersection not exceeding 135 degrees.

"Lot Coverage." The area of a lot occupied by the principal building or buildings and all accessory buildings.

"Lot Depth." The shortest horizontal distance between the front lot line and the rear lot line measured from a 90 degree angle from the street right-of-way within the lot boundaries.

"Lot, Double Frontage." An interior lot having frontage on two streets.

"Lot, Front." The front of a lot shall be considered to be that boundary abutting a public right-of-way having the least width.

"Lot Improvement." Any building, structure, place, work of art, or other object, or improvement of the land on which they are situated constituting a physical betterment of real property, or any part of such betterment.

"Lot, Interior." A lot, other than a corner lot, including through or double frontage lots.

"Lot Line." A property boundary line of any lot held in single or separate ownership; except that where any portion of the lot extends into the abutting street or alley, the lot line shall be deemed to be the street or alley right-of-way.

"Lot Line, Rear." That boundary of a lot which is opposite the front lot line. If the rear lot line is less than ten feet in length, or if the lot forms a point at the rear, the rear lot line shall be a line ten (10') feet in length within the lot, parallel to and at the maximum distance from the front lot line.

"Lot, Reversed Frontage." A lot in which the frontage is at right angles, or approximately right angles, to the general pattern in the area involved. A reversed frontage lot may be a corner lot or an interior lot.

"Lot, Substandard." A lot or parcel of land for which a deed has been recorded in the Office of the Hennepin County Recorder upon or prior to the effective date of this Ordinance which does not meet the minimum lot area, structure setbacks or other dimensional standards of this Ordinance.

"Lot, Through." A lot fronting on two parallel streets.

"Lot, Unit." Lots created from the subdivisions of a two-family dwelling having different minimum lot size requirements than the conventional base lots within the zoning district.

"Lot Width." The minimum required horizontal distance between the side lot lines measured at right angles to the lot depth, at the minimum building setback line. If no setback line is established, the distance between the side lot lines measured along the public right-of-way.

"Malt Liquor." Any beverage made from malt by fermentation and containing not less than one-half of one percent alcohol by volume.

"Manufacturing". A building where compounding, assembly, packaging, treatment or storage of products and materials occurs.

"Medical and Dental Clinic." A structure intended for providing medical and dental examinations and service available to the public. This service is provided without overnight care available.

"Metes and Bounds Description." A description of real property which is not described by reference to a lot or block shown on a map but is described by starting at a known point and describing the bearings and distances of the lines forming the boundaries of the property or delineating a fractional portion of a section, lot or area by described lines or portions thereof.

"Micro-Production Facilities." A facility in which beer, wine, or other alcoholic beverages are brewed, fermented, or distilled for distribution and consumption. Micro-production facilities include breweries, brewpubs, wineries, and distilleries.

"Minerals." Soil, clay, stone, sand and gravel and other similar solid material or substance to be mined from natural deposits.

"Mixed-Use Buildings." A building with multiple principal uses.

"Model Home." A home which is similar to others in a development and which is open to public inspection for the purpose of selling said other homes.

"Monument Sales, excluding Processing". An establishment that sells and displays a statue or structure that is installed in memory of the dead, excluding processing and manufacturing of the statue or structure.

"Mortuaries or Funeral Homes". An establishment that provides a variety of uses for funeral services as defined in state statutes.

"Motel/Motor Hotel." A building or group of detached, semi-detached or attached buildings containing guest rooms or units, each of which has a separate entrance directly from the outside of the building, or corridor, with garage or parking space conveniently located to each unit, and which is designed, used or intended to be used primarily for the accommodation of transient guests traveling by automobile.

"Motor Fuel Station." A place where gasoline is stored only in underground tanks, kerosene or motor oil and lubricants or grease, for operation of automobiles, are retailed directly to the public on premises, and including minor accessories and services for automobiles, but not including automobile major repairs and rebuilding.

"Motor Vehicle Rental and Sales". An establishment where motor vehicles that are licensed by the Minnesota Department of Natural Resources or the Minnesota Department of Motor Vehicles and are stored and displayed for rent or sale.

"Motor Vehicle Service." An establishment where general repair, including rebuilding or reconditioning engines, motor vehicles or trailers; collision service, including body, frame or fender straightening or repair; overall painting or paint job; vehicle steam cleaning, installation of audio system, painting and upholstering, replacement of parts, tires, and glass, and other associated repair to passenger automobiles and trucks not exceeding 12,000 pounds gross weight.

"Non-Conforming Structure, Use, or Lot, Illegal." A lot, building, structure, premises, or use illegally established when it was initiated, created, or constructed, which did not conform with the applicable conditions or provisions of the City Code for the district in which the structure or use is located.

"Non-Conforming Structure, Use, or Lot, Legal." A lot, building, structure, premises, or use lawfully established when it was initiated, created, or constructed, which does not now conform with the applicable conditions or provisions of this Ordinance for the district in which the structure or use is located.

"Noxious Matter or Material." Material capable of causing injury to living organisms by chemical reaction, or capable of causing detrimental effects on the physical or economic well-being of individuals.

"Obstruction." Any dam, wall, wharf, embankment, levee, dike, pile, abutment, projection, excavation, channel modification, culvert, building, wire, fence, stockpile, refuse, fill, structure or matter in, along, across or projecting into any channel, watercourse or regulatory floodplain which may impede, retard or change the direction of the flow of water, either in itself or by catching or collecting debris carried by such water.

"Occupancy." The purpose for which a building is used or intended to be used. The term shall also include the building or room housing such use. Change of occupancy is not intended to include change of tenants or proprietors.

"Open Space." Any open area not covered by structures, including, but not limited to, the following uses, required or established yard areas, parking areas, sidewalks, school walks, trails, recreation areas, water bodies, shorelands, watercourses, wetlands, groundwater recharge areas, floodplain, floodway, flood fringe, erodible slopes, woodland, and soils with severe limitation for development.

"Overburden." The earth, rock and other materials that lie above a natural deposit of mineral.

"Outlot." A lot remnant or parcel of land left over after platting, which is intended as open space or other future use, and upon which no structure is to be located and for which no building permit shall be issued.

"Owner." An individual, association, syndicate, partnership, corporation, trust or any other legal entity holding an equitable or legal ownership interest in land, buildings, structures, dwelling unit(s) or other property.

"Parcel." An individual lot or tract of land.

"Parking Garages/Lots." Any off-street area that is artificially surfaced or any structure that is designed for the temporary location and parking of vehicles.

"Parking and Loading Areas and Structures." A space or berth on the same lot with a building or contiguous to a group of buildings for the temporary parking of a vehicles or truck while loading or unloading merchandise or materials.

"Parking Space (Off-Street)." An area of such shape and dimensions as provided by this Ordinance, enclosed in the principal building, in an accessory building, or unenclosed, sufficient in size to store one motor vehicle, which has adequate access to a public street or alley and permitting satisfactory ingress and egress of an automobile.

"Performance Standard." Criterion established for setbacks, fencing, landscaping, screening, drainage, accessory buildings, outside storage and to control noise, odor, toxic or noxious matter, vibration, fire and explosive hazards, or glare or heat or other nuisance elements generated by or inherent in uses of land or buildings.

"Permitted Use." A use which may be lawfully established in a particular district or districts, provided it conforms with all requirements, regulations, and performance standards (if any) of such districts.

"Person." Any individual or legal entity.

"Personal Fitness Club." A facility that provides personal fitness classes with a floor area of under 3,000 square feet. These facilities include yoga and pilates studios, small gym facilities and similar boutique classes.

"Personal Services." Commercial services that result in the physical delivery of a process to a person or group of less than ten (10) people to whom it is directed rather than a salable product. Personal services include hair and nail salons, therapeutic massage spas, tanning spas and similar uses.

"Places of Assembly." A building or portion of a building used or designed for the gathering together of 50 or more persons for such purposes as meetings, conferences, celebration, worship, entertainment, and/or amusement.

"Planned Unit Development."

-
- A. As a conditional use permit, a development procedure whereby internal site design standard deviations from this Ordinance may be allowed in order to accommodate two or more principal structures, and/or facilitates improved site design and operation as specified in Chapter 933 of this Ordinance.
 - B. As a zoning district, a development procedure whereby a mixing of buildings and uses can occur which cannot be otherwise addressed under this Ordinance, and/or whereby internal site design standard deviations from this Ordinance may be allowed to improve site design and operation, as specified in Chapter 933 of this Ordinance.

"Planning Commission." The Wayzata Planning Commission.

"Post Offices." A structure that houses the establishment that is a public department responsible for the mail services

"Principal Use." The main use of land or buildings as distinguished from subordinate or accessory uses. A "principal use" may be either permitted or conditional.

"Professional Services (inc. Finance and Office Uses)". An establishment for the purposes of providing services in which the practitioner must have special training, a professional degree, or license in a particular profession such as accountant or engineer.

"Protective Covenants." Contracts entered into between all owners and holders of mortgage constituting a restriction on the use of property within a subdivision for the benefit of the property owners and providing mutual protection against undesirable aspects of property value and economic integrity of any given area.

"Public Uses." Uses owned or operated by municipal, school districts, county, state, or other governmental units.

"Public Services and Utilities." Government and public utility buildings and structures necessary for the health, safety, and general welfare of the city. This includes all public infrastructure and private services for small utilities services and does not include equipment, infrastructure or structures for distribution lines.

"Publication." Notice placed in the official City newspaper stating time, location and date of meeting and description of the topic.

"Publicly Owned Civic or Cultural Building." Buildings such as Libraries, City Offices, Auditoriums, Public Administration Buildings, Public Parking Structures as a Principal and Sole Use, and Historical Developments.

"Railroad Right-of-Way." A strip of land with railway tracks and auxiliary facilities for track operation.

"Recreation, Outdoor Private". An area of land, water, or development where amusement, recreation or outdoor athletic sports are provided, whether temporary or permanent, except a theater, whether provision is made for the accommodation of an assembly or not, including golf courses, arenas, stadiums, gymnasiums, soccer fields, multi-purpose athletic fields, and similar uses.

"Recreation, Outdoor Public." An area of land, water, or any building in which amusement, recreation or athletic sports are provided for public or semi-public use, whether temporary or permanent, except a theatre, whether provision is made for the accommodation of an assembly or not. The definition may include a golf courses, arenas, stadiums, gymnasiums, soccer fields, multi-purpose athletic fields, and similar uses.

"Recreation, Outdoor Residential, Accessory." Private recreational facilities accessory to an existing principal permitted use on the same lot which is operated for the enjoyment and convenience of the residents of the principal use and their occasional guests.

"Recreation, Outdoor Residential, Principal." Private recreational facilities that are the primary or principal use on a property and located off-site from the residents it serves.

"Recreational Vehicle." Includes manufactured homes less than 30 feet in overall length, including those with telescope or fold down, chassis, mounted campers, house cars, motor homes, tent trailers, slip-in-

campers (those mounted in a pickup truck or similar vehicle), converted buses, and converted vans used primarily for recreational purposes. Cars utilized for racing shall not be included in this definition.

“Repair of Home, Garden or Personal Appliances” An establishment that provides restoration of equipment to proper functioning for equipment associated with a person’s residence, lawn and garden, or personal use.

“Research”. An establishment or facility that studies, experiments, and investigates material and sources aimed at discovery and interpretation of facts, typically for new methods, materials or products.

"Residential Care Facility, 6 or Fewer Residents." Any facility having 6 or fewer residents licensed by the State of Minnesota, public or private, which for gain or otherwise regularly provides one or more persons with 24 hour per day substitute for care, food, lodging, training, education, supervision, habilitation, rehabilitation and treatment they need, but which for any reason cannot be furnished in the person's own home. Residential facilities include, but are not limited to, foster homes, halfway houses, residential treatment centers, maternity shelters, group homes, residential programs or schools for handicapped children.

“Residential Care Facility, 16 or Fewer Residents”. Any facility having 16 or fewer residents, licensed by the State of Minnesota, public or private, which for gain or otherwise regularly provides one or more persons with 24 hour per day substitute for care, food, lodging, training, education, supervision, habilitation, rehabilitation and treatment they need, but which for any reason cannot be furnished in the person's own home. Residential facilities include but are not limited to foster homes, halfway houses, residential treatment centers, maternity shelters, group homes, residential programs or schools for handicapped children.

"Retail Sales, Limited." The sale of items in small quantities directly to the consumer.

“Retail Sales, General”. Any establishment, occupation, employment or enterprise where merchandise is exhibited or sold, or where incidental and related small-scale manufacturing or services are offered for compensation.

"Roof Line." Is defined as the top of the coping; or, when the building has a pitched roof, at the intersection of the outside wall with the roof.

"Roomer." One who rents a room and eats meals elsewhere.

“Sailing School”. A private establishment for teaching sailing.

“Sales; Garden, Greenhouses or Nursery”. An establishment that sells goods associated with lawn and garden care which can include maintaining live landscape material in an enclosed structure or greenhouse, or outdoors.

Sales, Service, or Rental; Outdoors”. Land devoted to the display of goods for purchase, sale, rent, lease or trade where such goods are not enclosed within a building, and for the storage of same prior to sale.

Sales, Service, or Rental; Accessory”. An establishment that sells, repairs or rents products accessory or subordinate to the principal use on the property

"Satellite Dish." Shall mean a combination of:

- A. Antenna or dish antenna whose purpose is to receive communication or other signals from orbiting satellites and other extraterrestrial sources;
- B. A low-noise amplifier (LNA) which is situated at the focal point of the receiving component and whose purpose is to magnify and transfer signals;
- C. A coaxial cable whose purpose is to carry the signals into the interior of the building.

"Satellite Dish Height." Shall mean the height of the antenna or dish measured vertically from the highest point of the antenna or dish when positioned for operation, to the top of the foundation which supports the antenna.

"Semi-Public Use." Uses owned by private or private non-profit organizations which are open to some, but not all, of the public, such as denominational cemeteries, private schools, clubs, lodges, recreation facilities, churches, etc.

"Septic Sewer System." A septic sewer disposal system consists of. septic tank, absorption field of standard trenches or a dry well, house sewer and outlet sewer. In the septic tank, bacterial action breaks down sewage. Standard trenches or a dry well handles final disposal of liquid from the septic tank. The house sewer brings wastes to the tank and the outlet sewer carries sewage liquids (effluent) from the absorption field.

"Service Commercial." The sale of services, which may include the limited sale of related goods, on the premises to the general public by appointment or by walk-in.

"Setback." The minimum horizontal distance between a structure and the property line nearest thereto; within Shoreland Districts it shall also mean the minimum horizontal distance between a structure or a sewage treatment system and the ordinary high water level. For purposes of earth shelter buildings only, above grade portions shall be used in determining setback requirements. Distances are to be measured from the most outwardly extended portion of the structure at ground level, except as provided herein after.

"Shopping Center." An integrated grouping of commercial stores, under single ownership or control.

"Shoreland Related."

- A. **"Bluff."** A topographic feature such as a hill, cliff, or embankment having the following characteristics (an area with an average slope of less than 18 percent over a distance for 50 feet or more shall not be considered part of the bluff):
 - 1. Part of all of the feature is located in a shoreland area.
 - 2. The slope rises at least 25 feet above the ordinary high-water level of the waterbody.
 - 3. The grade of the slope from the toe of the bluff to a point 25 feet or more above the ordinary high water level averages 30 percent or greater.
 - 4. The slope must drain toward the waterbody.
- B. **"Bluff Impact Zone."** A bluff and land located within 20 feet from the top of a bluff.
- C. **"Boathouse."** A structure designed and used primarily for the storage of boats or boating equipment.
- D. **"Commercial Planned Unit Development."** Uses that provide transient, short-term loading spaces, rooms, or parcels and their operations are essentially service-oriented. For example, hotel/motel accommodations, resorts, recreational vehicle and camping parks, and other primarily service-oriented activities are commercial planned unit developments.
- E. **"Commissioner."** The Commissioner of the Department of Natural Resources.
- F. **"Deck."** A horizontal, unenclosed platform with or without attached railings, seats, trellises, or other features, attached or functionally related to a principal use or site and at any point extending more than three feet above ground.
- G. **"Guest Cottage."** A structure used as a dwelling unit that may contain sleeping spaces and kitchen and bathroom facilities in addition to those provided in the primary dwelling unit on a lot.
- H. **"Intensive Vegetation Clearing."** The complete removal of trees or shrubs in a contiguous patch, strip, row or block.
- I. **"Ordinary High-Water Level."** The boundary of public waters and wetlands and shall be an elevation delineating the highest water level which has been maintained for a sufficient period of time to leave evidence upon the landscape, commonly that point where the natural vegetation changes from predominantly aquatic to predominantly terrestrial. For watercourses, the ordinary high-water level is

the elevation of the top of the bank of the channel. For reservoirs and flowage, the ordinary high-water level is the operating elevation of the normal summer pool.

- J. **"Public Waters."** Any waters as defined in Minn. Stats. § 103G.005, Subdivisions 14 and 15. However, no lake, pond, or flowage of less than ten acres in size in municipalities and 25 acres in size in unincorporated areas need be regulated for the purposes of Minn. R., parts 6120.2500 to 6120.3900. A body of water created by a private user where there was no previous shoreland may, at the discretion of the local government, be exempted from Minn. R., parts 6120.2500 to 6120.2900.
- K. **"Public Waters—General Development (GD)."** Large, deep lakes or lakes of varying sizes and depths with high levels and mixes of existing development. These lakes often are extensively used for recreation and, except for the very large lakes, are heavily developed around the shore. Second and third tiers of development are fairly common. The larger examples in this class can accommodate additional development and use.
- L. **"Public Waters—Recreational Development (RD)."** Medium sized lakes of varying depths and shapes with a variety of landform, soil, and ground water situations on the lands around them. They often are characterized by moderate levels of recreational use and existing development. Development consists mainly of seasonal and year-round residences and recreationally-oriented commercial uses. Many of these lakes have capacities for accommodating additional development and use.
- M. **"Sensitive Resource Management."** The preservation and management of areas unsuitable for development in their natural state due to constraints such as shallow soils over ground water or bedrock, highly erosive or expansive soils, steep slopes, susceptibility to flooding, or occurrence of flora or fauna in need of special protection.
- N. **"Sewer System."** Pipelines or conduits, pumping stations, and force main, and all other constructions, devices, appliances, or appurtenances used for conducting sewage or industrial waste or other wastes to a point of ultimate disposal.
- O. **"Shore Impact Zone."** Land located between the ordinary high water level of a public water and a line parallel to it at a setback of 50 percent of the structure setback.
- P. **"Shoreland."** Land located within the following distances from public waters. One thousand feet from the ordinary high water level of a lake, pond, or flowage; and 300 feet from a river or stream, or the landward extent of a floodplain designated by Ordinance on a river or stream, whichever is greater. The limits of shorelands may be reduced whenever the waters involved are bounded by topographic divides which extend landward from the waters for lesser distances and when approved by the commissioner.
- Q. **"Significant Historic Site."** Any archaeological site, standing structure, or other property that meets the criteria for eligibility to the National Register of Historic Places or is listed in the State Register of Historic Sites, or is determined to be an unplatted cemetery that falls under the provisions of Minn. Stats. § 307.08. A historic site meets these criteria if it is presently listed on either register or if it is determined to meet the qualifications for listing after review by the Minnesota State Archaeologist or the Director of the Minnesota Historical Society. All unplatted cemeteries are automatically considered to be significant historic sites.
- R. **"Steep Slope."** Land where agricultural activity or development is either not recommended or described as poorly suited due to slope steepness and the site's soil characteristics, as mapped and described in available county soil surveys or other technical reports, unless appropriate design and construction techniques and farming practices are used in accordance with the provisions of this Ordinance. Where specific information is not available, steep slopes are lands having slopes over 12 percent, as measured over horizontal distances of 50 feet or more, that are not bluffs.
- S. **"Surface Water-Oriented Commercial Use."** The use of land for commercial purposes, where access to and use of a surface water feature is an integral part of the normal conductance of business. Marinas, resorts, and restaurants with transient docking facilities are examples of such use.

-
- T. **"Toe of the Bluff."** The point on a bluff that is the lower end of a 50-foot segment, measured on the ground, with an average slope exceeding 18 percent or the ordinary high water level, whichever is higher.
 - U. **"Top of the Bluff."** The point on a bluff that is the upper end of a 50-foot segment, measured on the ground, with an average slope exceeding 18 percent.
 - V. **"Water-Oriented Accessory Structure or Facility."** A small, above ground building or other improvement, except stairways, fences, docks, and retaining walls, which, because of the relationship of its use to a surface water feature, reasonably needs to be located closer to public waters than the normal structure setback. Examples of such structures and facilities include boathouses, gazebos, screen houses, fish houses, pump houses, and detached decks.

"Sidewalk Café, Outdoors." A food and beverage establishment that provides outdoor seating or dining area within the public right of way with City license.

"Sign Related."

- A. **"Artificial light."** Illumination resulting from internal or external artificial light sources, including glare and reflected light byproducts of artificial light sources.
- B. **"Address Sign."** A sign communicating only a street address.
- C. **"Advertising Sign."** Any permanent non-governmental sign advertising products, services, commodities, entertainment or other activity not offered at the location of the sign or not exclusively related to the premises on which the sign is located.
- D. **"Alteration."** Any change to a sign excluding routine maintenance, repair, painting or change of copy of any existing sign.
- E. **"Awning, Canopy or Marquee Sign."** A sign that is permanently or semi-permanently affixed to an awning, canopy, marquee or other similar device.
- F. **"Banners."** Attention getting devices which resemble flags and are of a paper, cloth or plastic-like consistency.
- G. **"Building Facade."** That portion of any exterior elevation of a building extending from grade to the top of the parapet wall or eaves and the entire width of the building elevation.
- H. **"Copy."** The wording on a sign surface either permanent or removable letter form.
- I. **"Directional Sign."** An on-site sign for the purpose of making specific locations known and to assist in finding these locations (e.g. "Parking," "Shipping Receiving Area").
- J. **"Directory Sign, Private."** An exterior information wall sign, or a free-standing sign identifying the names of residences, businesses or professional offices served by a common public entrance such as an apartment complex, shopping center, or office building.
- K. **"Directory Sign, Public."** A sign, group of signs on a sign panel or any identifiable object intended to communicate a public message or direction when located on public property as may be approved by the Wayzata City Council.
- L. **"District."** A specific zoning district as defined in the City Zoning Ordinance.
- M. **"Flashing Sign."** Any sign which contains an intermittent or flashing light source or which includes the illusion of intermittent or flashing light by means of animation, or an externally-mounted intermittent light source.
- N. **"Freestanding Sign."** A self-supporting sign affixed to a freestanding frame structure not attached to a building.

-
- O. **"Gross Surface Area."** The entire area in square feet within a single continuous perimeter enclosing the extreme limits of the complete message of any sign, which limits shall include the surface on which the message is affixed, except that if individual letters of the message are affixed directly to the surface of a wall the maximum height and width of the message shall apply. Such perimeter shall not include any structural elements lying outside the limits of the sign surface which do not form an integral part of the sign message, except where the sign structure is held by the City Manager to be larger than is required for structural strength.
- P. **"Ground or Low Profile Sing."** A sign not supported by exposed posts or poles which is architecturally designed and located directly at grade, and where the base width dimension is 50 percent more of the greatest width of the sign. Also called monument sign. Also called a Low Profile Sign.
- Q. **"Holiday or Seasonal Sign."** Signs such as religious decorations, etc. or those used for a historic holiday or special event and displayed for a limited period of time.
- R. **"Identification Sign."** A sign which identifies the business, owner, manager, resident or address of the premises where the sign is located and which contains no other material.
- S. **"Illuminated Sign."** A sign illuminated by an artificial light source either directed upon it or illuminated from an interior source.
- T. **"Integral Sign."** A sign carrying the name of a building, its date of erection, monumental citations, commemorative tablets and the like when carved into stone, concrete or similar material or made of bronze, aluminum or other permanent type of construction and made an integral part of the structure.
- U. **"Monument Sign."** A sign not supported by exposed posts or poles which is architecturally designed and located directly at grade, and where the base width dimension is 50 percent more of the greatest width of the sign. Also called a ground sign or low profile sign.
- V. **"Parapet."** A low wall which is located on a roof of a building.
- W. **"Political Sign."** A sign used exclusively to call attention to the candidacy of any individual or party for elective office which appears on the official ballot to be voted upon by the citizens of the City.
- X. **"Portable Sign."** A sign advertising a product or service so designed as to be movable from one location to another and not permanently attached to the ground or a structure.
- Y. **"Principal Frontage."** The wall of the principal building on a lot which fronts toward the principal public streets.
- Z. **"Projecting Sign."** Any sign which projects over 12 inches from the front edge of a roof structure and/or building facade.
- AA. **"Pylon Sign."** A sign supported by a column-type structure that is set firmly in or below ground surface and finished in a material consistent with the sign.
- BB. **"Real Estate Sign."** A business sign placed only upon a property advertising that particular property for sale, for rent or for lease.
- CC. **"Roof Sign."** A sign erected upon or against a sloping roof but no extending above or beyond the roof line.
- DD. **"Setback Line."** The minimum horizontal distance between a property line and the nearest edge of the sign, base or support structure.
- EE. **"Sign."** A name, identification, description, display or illustration which is affixed to or represented directly or indirectly upon an awning, canopy, marquee, building, structure or piece of land which directs attention to an object, product, place, activity, person, institution, organization or business, a "sign" shall not include any official court or other public notices, nor shall it include the flag, emblem or insignia of a nation, political unit, school or religious, service or fraternal group.

-
- FF. **"Sign Height."** Sign height shall be determined from the base of the sign structure to the peak of the sign.
- GG. **"Sign Structure."** The supports, uprights, bracing, foundations and framework of any structure which supports or is capable of supporting any sign as defined herein.
- HH. **"Swinging Sign."** A sign installed on an arm or spar, that is not, in addition, permanently fastened to an adjacent wall or upright pole.
- II. **"Temporary Sign."** A sign erected or displayed for a specific period of time.
- JJ. **"Time and/or Temperature Sign."** A sign that displays the current time and/or temperature without advertising material, company name, logo or other identifying marks.
- KK. **"Total Allowable Sign Area."** The maximum allowable gross surface area in square feet of a sign or signs. The maximum number of signs cannot be arranged and integrated so as to create a surface area in excess of this requirement.
- LL. **"Traffic Sign."** A sign which is erected by a governmental unit for the purpose of directing or guiding traffic.
- MM. **"UL Approved."** A device which has been approved by the "Underwriters' Laboratories (48)," a U.S. non-profit organization which establishes standards for electrical equipment.
- NN. **"Wall Sign."** A single-faced sign attached to or painted on an exterior wall of a building, parallel to the building wall and which does not project more than 12 inches from the plane of the building.
- OO. **"Window Sign."** A sign that is placed inside a window or upon the window or upon the windowpanes or glass and is visible from the exterior of the window. This does not include merchandise on display.
- "Site Plan."** A map drawn to scale depicting the development of a tract of land, including, but not limited to, the location and relationship of structures, streets, driveways, recreation areas, parking areas, easements, utilities, landscaping, and walkways, as related to a proposed development.
- "Slope."** Means the degree of deviation of a surface from the horizontal, usually, expressed in percent of degrees.
- "Solar Energy System."** Any solar collector or other solar device or any structural design of a building whose primary purpose is to collect, convert and store solar energy for useful purposes including heating and cooling of buildings, domestic water heating, electric power generation and other energy using processes.
- "Spot Zoning."** A zoning situation where a property or group of properties is unjustifiably zoned differently from adjacent properties and is not sufficiently unique from such adjacent properties to justify a different zoning classification, nor is such action in compliance with the Comprehensive Plan.
- "Stacking Area."** That area which allows for a line of automobiles in such instances as drive-up tellers and other vehicle service areas.
- "Storage, Indoor."** An establishment that has enclosed storage of merchandise in either a principal or accessory structure.
- "Storage, Outdoor."** The storage of goods, materials, equipment, manufactured products and similar items not fully enclosed by a building and accessory or subordinate to the principal use.
- "Story."** That portion of a building included between the upper surface of any floor and the upper surface of the floor next above, including below ground portions of earth sheltered buildings, except that the topmost story shall be that portion of a building included between the upper surface of the topmost floor and the ceiling or roof above. If the finished floor level directly above a basement, or unused under floor space is more than six feet above grade as defined herein for more than 50 percent of the total perimeter or is more than 20 feet above grade as defined herein at any point, such basement or unused under floor space shall be considered as a story.

"Story, First." The lowest story in a building which qualifies as a story, as defined herein, except that a floor level in a building having only one floor level shall be classified as a first story, provided such floor level is not more than four feet below grade, as defined herein, for more than 50 percent of the total perimeter or not more than eight feet below grade, as defined herein, at any point.

"Story, Half." The portion of a building immediately under a sloping roof which has the point of intersection of the top line of the rafters and the face of the walls not to exceed three (3) feet above the floor of such story.

"Street." A public right-of-way for vehicular traffic, whether designated as a highway, thoroughfare, arterial, parkway, collector, through-way, road, avenue, boulevard, lane, place, drive, court or otherwise designated, which has been dedicated or deeded to the public for public use and which affords principal means of access to abutting property.

"Street—Collector." Collector roadways provide a balance between land access and mobility. Their primary function is to move traffic from the local street system to the arterial system. When collectors intersect with arterials, traffic signals generally control traffic. Intersections with local streets are usually under stop sign control with collector streets having their right-of-way.

"Street—Local." Local streets provide local land access with limited emphasis on mobility. Local streets account for 65 percent to 80 percent of the total road system mileage but carry only ten percent to 30 percent of the total traffic. In a residential setting, driveways are freely permitted and intersections of local streets are often uncontrolled. Stop signs are usually installed where traffic control is required such as at intersections with collector streets.

"Street—Minor Arterial." Minor arterials make up the class of roadways including other state highways, certain county roads and major city streets. These roads primarily provide mobility, carrying short to medium length trips (two to six miles), and have controlled land access. Minor arterials as a group account for about 15 percent to 25 percent of the total mileage and carry roughly one-fourth of all traffic for the metropolitan roadway system. Minor arterials generally are given the traffic right-of-way over local streets and they usually have traffic signals at intersections with other minor arterials and some collector streets.

"Street—Intermediate Arterial." The intermediate arterial category was developed by the City of Wayzata and is not included in the Metropolitan Council's Development Guide. Intermediate arterials function at a level between the minor arterial and major arterial categories. Intermediate arterials are not limited access facilities but serve primarily trips between rather than within subregions.

"Street—Principal (Major) Arterial." Major arterials provide a high level of mobility between subregions, serving medium to long distance trips. Principal arterials are grade separated or have high capacity controlled at-grade intersections. No parking is permitted, the posted speed limit is typically 40—55 mph and traffic volumes range from 10,000 to 50,000 ADT. The Metropolitan Council recommends that major arterials be spaced one to three miles apart.

"Street Pavement." The wearing or exposed surface of a street or roadway used by vehicular traffic.

"Street Width." The shortest distance between the lines delineating the right-of-way of a street.

"Structure." Anything manufactured, constructed or erected which is normally attached to or positioned on land, including portable structures.

"Structural Alteration." Any change, other than incidental repairs, which would prolong, or modify the life of the supporting members of a building, such as bearing walls, columns, beams, girders, or foundations.

"Surveyor." A land surveyor registered under Minnesota State laws.

"Swimming Pool." A structure designed to be used for swimming which has a capacity of 3,000 gallons or more or which has a depth of over 36 inches.

"Taproom (Brewery)." An area for the on-sale consumption of malt liquor produced by the brewer for consumption on the premises of a brewery. A taproom may also include sale for off-premises consumption

of malt liquor produced at the brewery location or adjacent taproom and owned by the brewery for off-premises consumption, packaged subject to Minn. Stats. § 240A.301, Subd. 7(b), or its successor.

"Tasting Room (Winery/Distillery)." An area for the on-sale consumption of distilled spirits or wine produced on the premises of one winery or one distillery and in common ownership to the producer of the wine or distilled spirits.

"Theaters, excluding Drive-Ins". An establishment in which plays or movies are shown to an audience while inside an enclosed building. A theater where movies are watched while sitting in a vehicle is prohibited.

"Travel Trailer." Any vehicle or structure designed and used for human living quarters which meets all of the following qualifications.

- A. Is not used as the permanent residence of the owner or occupant.
- B. Is used for temporary living quarters by the owner or occupant while engaged in recreational or vacation activities.
- C. Is towed or otherwise transported by its own or by other motive power, on the public streets or highways incidental to such recreational or vacation activity.

The term "travel trailer" shall not include manufactured home. The term "travel trailer" shall include, but not be limited to, campers, camper tents, house trailers, camping trailers, travel trailers, tent trailers and any other self-propelled vehicle constructed to provide living accommodations. (See also the definition of "Recreation Vehicle.")

"Tree Preservation Related."

- A. **"City Forester"** A person appointed as City Forester in City Code Section 710.02(b).
- B. **"Clear Cutting."** The removal of an entire stand of trees and/or vegetation.
- C. **"Coniferous Tree"** A woody plant bearing seeds and cones oftentimes, but not always, retaining foliage throughout the year.
- D. **"Construction Area"** Any area in which movement of earth, alteration in topography, soil compaction, disruption of vegetation, change in soil chemistry, or any other change in the natural character of the land occurs as a result of site preparation, grading, building construction or any other construction activity.
- E. **"Critical Root Zone"** The area around a tree measured from the trunk of the tree with a radius that is equal to 1.5 feet for each one inch of DBH of the tree. For example, if a tree's DBH is ten inches, then its critical root zone radius is 15 feet (10 x 1.5 = 15).
- F. **"Deciduous Tree"** A woody plant which has a defined crown, and which loses leaves annually.
- G. **"Diameter of Tree at Breast Height" or "DBH"** The diameter of a tree as measured 4½ feet 54 inches above the ground. Trees that branch near or below 4½ feet from the ground will be measured at the narrowest point below 4½ feet. Trunks that originate from the ground shall be considered separate trees.
- H. **"Healthy Tree"** A tree that is in the average or better condition and vitality for the area, as determined by the City Forester.
- I. **"Heritage Tree"** A Rapid-Growth Tree that is 30 inches or greater in DBH, a Standard-Growth Tree that is 25 inches or greater in DBH, or a Healthy Coniferous Tree that is 25 inches or greater in DBH.
- J. **"Landscape Architect"** A person licensed by the State of Minnesota as a landscape architect.
- K. **"Nursery Stock Dealer" or "Nursery Stock Grower"** A person licensed by the State of Minnesota as a nursery stock dealer or a nursery stock grower.
- L. **"Public Infrastructure"** The construction or maintenance of:

-
1. Collector or arterial roads as defined by the City Transportation Plan;
 2. Public recreational trails;
 3. Stormwater infrastructure;
 4. Installation or maintenance of trunk utility infrastructure as described in the Comprehensive Sewer or Water Plans; or
 5. Any essential service or public improvement.
- M. **"Rapid-Growth Tree Species"** A species of tree recognized as rapid-growth trees by the City Forester, including cottonwood, poplar/aspen, box elder, willow, silver maple, elm, mulberry, and ash.
- N. **"Removal" or "Tree Removal":**
1. Manual, mechanical, chemical, or abiotic or biotic (fire, water, insects or inoculation) methods which results in the physical removal of a tree;
 2. Grading impact, compaction, or other damage up to 40 percent of a tree's Critical Root Zone;
 3. Excessive pruning that severely impacts the long term survivability of the tree; or
 4. Any other impact to a tree that comprises the long term health or structural stability of a tree.
- O. **"Significant Tree"** A Healthy Standard-Growth Tree that is six inches or greater in DBH, a Healthy Rapid-Growth Tree that is 12 inches or greater in DBH, or a Healthy Coniferous Tree that is 12 feet or greater in height or 12 inches or greater in DBH.
- P. **"Site Plan"** The site plan established and described in this Ordinance.
- Q. **"Standard-Growth Tree Species"** A species of tree recognized as standard-growth trees by the City Forester.
- R. **"Tree Inch(es)"** The DBH of a tree or trees on a site.
- S. **"Tree Preservation Plan"** The tree preservation plan established and described in this Ordinance.
- T. **"Tree Preservation Zone"** The tree preservation zone established and described in this Ordinance.
- U. **"Tree Removal Permit"** A permit that is required under this Ordinance for tree removal.
- "Use."** The purpose or activity for which the land or building thereon is designated, arranged, or intended or for which it is occupied, utilized or maintained, and shall include the performance of such activity as defined by the performance standards of this Ordinance. Uses are classified as principal or accessory, and as permitted, conditional, or prohibited.
- "Usable Open Space."** A required ground area or terrace area on a lot which is graded, developed, landscaped and equipped and intended and maintained for either active or passive recreation or both, available and accessible to and usable by all persons occupying a dwelling unit or rooming unit on the lot and their guests. Such areas shall be grassed and landscaped or covered only for a recreational purpose. Roofs, driveways and parking areas shall not constitute usable open space.
- "Variance."** A variance is permission to depart from a provision of this Ordinance that may be requested and granted under Chapter 905 of this Ordinance.
- "Waterbody."** Means a body of water (lake, pond) or a depression of land or expanded part of a river, or an enclosed basin that holds water and is surrounded by land.
- "Watercourse."** A channel or depression through which water flows, such as rivers, streams, creeks, and may flow year-round or intermittently.
- "Watershed."** The area drained by the natural and artificial drainage system, bounded peripherally by a bridge or stretch of high land dividing drainage areas.

"Wetlands Related."

- A. **"Wetland."** Those areas that are inundated or saturated by surface or ground water at a frequency and duration sufficient to support and that in normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs and similar areas. Wetlands have the following general diagnostic environmental conditions:
1. **"Vegetation."** The prevalent vegetation consists of macrophytes that are typically adapted to areas having hydrologic and soil conditions described above. Hydrophytic species, due to morphological, physiological, and/or reproductive adaptation(s), have the ability to grow, effectively compete, reproduce, and/or persist in anaerobic soil conditions. The period of inundation or soil saturation varies according to the hydrologic/soil moisture regime.
 2. **"Soil."** Soils are present and have been classified as hydric, or they possess characteristics that are associated with reducing soil conditions.
 3. **"Hydrology."** The area is inundated either permanently or periodically at mean water depths less than two meters (6.6 feet), or the soil is saturated to the surface at some time during the growing season of the prevalent vegetation. The period of inundation or soil saturation varies according to the hydrologic/soil moisture regime.

Indicators of vegetation associated with wetlands, of developed under reducing conditions, and of hydrologic conditions that occur in wetlands are listed in the "Corps of Engineers Wetlands Delineation Manual" (U.S.-ACOE, Environmental Laboratory, 1987. Technical Report Y-87-1, U.S. Army Engineer Waterways Experiment Station, Vicksburg, Miss.). As defined here, wetlands also include any watercourse, natural drainage system, water body, stormwater detention basin or wetland that may be subject to periodic flooding, overflow, and/or seasonal high water table.

- B. **"Wetlands Overlay District."** The area containing the wetlands within the City of Wayzata, such wetlands being defined as any watercourse, natural drainage system, water body, stormwater detention basin or wetland that may be subject to periodic flooding, overflow, or seasonal high water table.
- C. **"Accessory Structure."** A structure not intended for human habitation, the structure on the same lot with, and of a nature customarily incidental and subordinate to, the principal use or structure.
- D. **"Wetland District Boundary."** That area located between the calculated 100-year frequency flood elevation and 2½ feet above the 100-year frequency flood elevation.
- E. **"Essential Services."** Those services deemed by the City Council to be necessary for the health, safety and general welfare of residents of the community and surrounding area.
- F. **"Flood Envelope."** Represents the boundary of the Wayzata Overlay District, such boundary being defined as that area located between the calculated 100-year frequency flood elevation and 2½ feet above the 100-year frequency flood elevation.
- G. **"Flood Envelope of a Wetland/Detention Basin."** Represents the boundary of the detention basin, such boundary being defined as that area located between the calculated 100-year frequency flood elevation and 2½ feet above the 100-year frequency flood elevation.
- H. **"Stormwater Detention Basin."** A basin, depression or holding area which is intended or used for the detention or storage of stormwater runoff.
- I. **"Wetland System District Map."** That map showing the wetland districts within the City of Wayzata. The wetlands are classified pursuant to the "Corps of Engineer Wetlands Delineation Manual" (U.S.-ACOE, Environmental Laboratory, 1987. Technical Report Y-87-1, U.S. Army Engineer Waterways Experiment Station, Vicksburg, Miss.), and the "Stormwater Management Plan for the City of Wayzata."
- J. **"Wetland Systems Impact Plan."** Plan for development of any area within the Wayzata Wetlands Overlay District.

"Winery." A facility operated by the owner of a Minnesota farm and producing table, sparkling, or fortified wines from grapes, grape juice, other fruit bases, or honey with a majority of the ingredients grown or produced in Minnesota. A winery may include a tasting room.

"Yard." An open space on the same lot with a building, unoccupied and unobstructed by any portion of a structure from the ground upward, except as otherwise provided herein.

"Yard, Depth of." The mean horizontal distance between the line of a building and the lot line.

"Yard, Front." The front yard of a lot shall be considered to be the area extending along the full length of a front lot line between side lot lines and to the depth required in the yard regulations for the district in which it is located.

"Yard, Rear." A space extending between the rear line of the principal building and the rear line of the lot and extending the full width of the lot.

"Yard, Required." That distance specified in the yard requirements pertaining to setbacks. Setbacks and required yards are used interchangeably.

"Yard, Side." A yard between the principal building and the side line of the lot extending from the front to the rear building lines.

"Zero Lot Line." The reduction of side yard setback requirements to zero, permitting the placement of a structure near or adjacent to the side yard lot line. With zero lot line, no portion of the structure or accessory appurtenance shall project over the lot line.

"Zoning Administrator." The duly appointed officer charged with the administration and enforcement of this Ordinance.

"Zoning Amendment." A change authorized by the City Council either in the allowed use within a district or in the boundaries of the district.

"Zoning District." An area or areas of the City (as delineated on the Zoning Map) set aside for specific uses with specific regulations and provisions for use and development as defined by this Ordinance.

"Zoning District Overlay." A zoning district containing regulations superimposed upon other zoning district regulations and superseding the underlying zoning district use regulations.

"Zoning District Underlying (Base)." All zoning districts except overlay zoning districts.

"Zoning Map." The map or maps incorporated into this Ordinance as part thereof, designating the zoning districts.

902.02 Definitions.

The following words and terms, wherever they occur in this Ordinance, shall be interpreted as herein defined:

"Abutting" means making direct contact with or immediately bordering.

"Accessory ~~Building or Use~~Structure" means a subordinate building, item, or use which structure which is located on the same lot on which the main building ~~or use~~ is situated and which is reasonably necessary, appropriate and incidental to the conduct of the primary use of such building ~~or main use~~. Accessory structures include pools, pergolas, play structures, gazebos and similar structures.

"Accessory Use" A use on the same lot with, and of a nature customarily incidental and subordinate to, the principal use or structure. Accessory uses are listed in corresponding zoning district standards.

"Addition" means a physical enlargement of an existing structure.

"Adjacent" means in close proximity to or neighboring, not necessarily abutting.

"Adult Day Care" means a program operating less than twenty-four (24) hours per day that provides functionally impaired adults with an individualized and coordinated set of services including health services, social services, and nutritional services that are directed at maintain or improving the participants capabilities for self-care.

"Adult Uses" include adult bookstores, adult motion picture theatres, adult motion picture sales/rentals, adult mini-motion picture theatres, adult massage parlors, adult steam room/bathhouse/sauna facilities, adult companionship establishments, adult rap/conversation parlors, adult health/sport clubs, adult cabarets, adult novelty businesses, adult motion picture arcades, adult modeling studios, adult hotels/motels, adult body painting studios, and other premises, enterprises, establishments, businesses or places open to some or all members of the public, at or in which there is an emphasis on the presentation, display, depiction or description of "specified sexual activities" or "specified anatomical areas" which are capable of being seen by members of the public. Activities classified as obscene as defined by Minn. Stats. § 617.241, as may be amended, are not included.

A. **"Specified Anatomical Areas"** means:

1. Less than completely and opaquely covered human genitals, pubic region, buttock, anus, or female breast(s) below a point immediately above the top of the areola; and
2. Human male genitals in a discernibly turgid state, even if completely and opaquely covered.

B. **"Specified Sexual Activities"** means:

1. Actual or simulated sexual intercourse, oral copulation, anal intercourse, oral-anal copulation, bestiality, direct physical stimulation of unclothed genitals, flagellation or torture in the context of a sexual relationship, or the use of excretory functions in the context of a sexual relationship, and any of the following sexually-oriented acts or conduct: anilingus, buggery, coprophagy, coprophilia, cunnilingus, fellatio, necrophilia, pederasty, pedophilia, piquerism, sapphism, zoerasty; or
2. Clearly depicted human genitals in the state of sexual stimulation, arousal or tumescence; or
3. Use of human or animal ejaculation, sodomy, oral copulation, coitus, or masturbation; or
4. Fondling or touching of nude human genitals, pubic region, buttocks, or female breast; or
5. Situations involving a person or persons, any of whom are nude, clad in undergarments or in sexually revealing costumes, and who are engaged in activities involving the flagellation, torture, fettering, binding or other physical restraint of any such persons; or
6. Erotic or lewd touching, fondling or other sexually-oriented contact with an animal by a human being; or

-
7. Human excretion, urination, menstruation, vaginal or anal irrigation.
- C. **"Adult Uses—Accessory"** means the offering of retail goods for sale which are classified as adult uses on a limited scale and which are incidental to the primary activity and goods and/or services offered by the establishment. Examples of such items include the sale of adult magazines, the sale and/or rental of adult motion pictures, the sale of adult novelties, and the like.
- D. **"Adult Uses—Principal."** means the offering of goods and/or services which are classified as adult uses as a primary or sole activity of a business or establishment and include, but are not limited to, the following:
1. **"Adult Use—Body Painting Studio."** An establishment or business which provides the service of applying paint or other substance, whether transparent or non-transparent, to or on the body of a patron when such body is wholly or partially nude in terms of "specified anatomical areas."
 2. **"Adult Use—Bookstore."** A building or portion of a building used for the barter, rental or sale of items consisting of printed matter, pictures, slides, records, audio tape, videotape, or motion picture film if such building or portion of a building is not open to the public generally but only to one or more classes of the public extending any minor by reason of age or if a substantial or significant portion of such items are distinguished or characterized by an emphasis on the depiction or description of "specified sexual activities" or "specified anatomical areas."
 3. **"Adult Use—Cabaret."** A building or portion of a building used for providing dancing or other live entertainment, if such building or portion of a building excludes minors by virtue of age or if such dancing or other live entertainment is distinguished or characterized by an emphasis on the presentation, display, depiction of "specified sexual activities" or "specified anatomical areas."
 4. **"Adult Use—Companionship Establishment."** A companionship establishment which excludes minors by reason of age, or which provides the service of engaging in or listening to conversation, talk or discussion between an employee of the establishment and a customer, if such service is distinguished or characterized by an emphasis on "specified sexual activities" or "specified anatomical areas."
 5. **"Adult Use—Conversation/Rap Parlor."** A conversation/rap parlor which excludes minors by reason of age, or which provides the service of engaging in or listening to conversation, talk, or discussion, if such service is distinguished or characterized by an emphasis on "specified sexual activities" or "specified anatomical areas."
 6. **"Adult Use—Health/Sport Club."** A health/sport club which excludes minors by reason of age, or if such club is distinguished or characterized by an emphasis on "specified sexual activities" or "specified anatomical areas."
 7. **"Adult Use—Hotel or Motel."** Adult hotel or motel means a hotel or motel from which minors are specifically excluded from patronage and wherein material is presented which is distinguished or characterized by an emphasis on matter depicting, describing or relating to "specified sexually activities" or "specified anatomical areas."
 8. **"Adult Use—Massage Parlor, Health Club."** A massage parlor or health club which restricts minors by reason of age, and which provides the services of massage, if such service is distinguished or characterized by an emphasis on "specified sexual activities" or "specified anatomical areas."
 9. **"Adult Use—Mini-Motion Picture Theatre."** A building or portion of a building with a capacity for less than 50 persons used for presenting material if such building or portion of a building as a prevailing practice excludes minors by virtue of age, or if such material is distinguished or characterized by an emphasis on "specified sexual activities" or "specified anatomical areas" for observation by patrons therein.

-
10. **"Adult Use—Modeling Studio."** An establishment whose major business is the provision, to customers, of figure models who are so provided with the intent of providing sexual stimulation or sexual gratification to such customers and who engage in "specified sexual activities" or display "specified anatomical areas" while being observed, painted, painted upon, sketched, drawn, sculptured, photographed, or otherwise depicted by such customers.
 11. **"Adult Use—Motion Picture Arcade."** Any place to which the public is permitted or invited wherein coin or slug-operated or electronically, electrically or mechanically controlled or operated still or motor picture machines, projectors or other image-producing devices are maintained to show images to five or fewer persons per machine at any one time, and where the images so displayed are distinguished or characterized by an emphasis on depicting or describing "specified sexual activities" or "specified anatomical areas."
 12. **"Adult Use—Motion Picture Theatre."** A building or portion of a building with a capacity of 50 or more persons used for presenting material if such building or portion of a building as a prevailing practice excludes minors by virtue of age or if such material is distinguished or characterized by an emphasis on "specified sexual activities" or "specified anatomical areas" for observation by patrons therein.
 13. **"Adult Use—Novelty Business."** A business which has as a principal activity the sale of devices which stimulate human genitals or devices which are designed for sexual stimulation.
 14. **"Adult Use—Sauna."** A sauna which excludes minors by reason of age, or which provides a steam bath or heat bathing room used for the purpose of bathing, relaxation, or reducing, utilizing steam or hot air as a cleaning, relaxing or reducing agent, if the service provided by the sauna is distinguished or characterized by an emphasis on "specified sexual activities" or "specified anatomical areas."
 15. **"Adult Use—Steam Room/Bathhouse Facility."** A building or portion of a building used for providing a steam bath or heat bathing room used for the purpose of pleasure, bathing, relaxation, or reducing, utilizing steam or hot air as a cleaning, relaxing or reducing agent if such building or portion of a building restricts minors by reason of age or if the service provided by the steam room/bathhouse facility is distinguished or characterized by an emphasis on "specified sexual activities" or "specified anatomical areas."

"Alley." A public or private right-of-way primarily designed to serve as secondary access to the side or rear of those properties whose principal frontage is on a street.

"Amusement, Indoor" An establishment with recreational or entertainment activities housed within a structure. The activities may include commercial bowling alleys, billiard halls, game centers, and swimming pools.

"Animal Clinic." A medical veterinary facility licensed by the State of Minnesota for the treatment, but not grooming or day care, of household pets, and operated only during daytime and evening business hours (not overnight) by a licensed veterinarian for surgery, diagnosis, and treatment of diseases and injuries of household animals; diagnosis, treatment, correction, relief, or prevention of animal disease, deformity, defect, injury, or other physical or mental conditions; the performance of obstetrical procedures for animals, including determination of pregnancy and correction of sterility or infertility; and the rendering of advice or recommendations with regard to any of the above.

"Animal Hospital—Clinics, Hospitals and Kennels." A medical veterinary facility or hospital licensed by the State of Minnesota for the treatment, but not grooming or day care, of household pets, and operated up to 24 hours a day by a licensed veterinarian for emergency procedures, surgery, diagnosis, and treatment, correction, relief, or prevention of diseases and injuries animal disease, deformity, defect, injury, or other physical or mental conditions; the performance of household obstetrical procedures for animals, including determination of pregnancy and correction of sterility or infertility; and the rendering of advice or

recommendations with regard to any of the above. Accessory activities such as boarding, grooming or daycare are permitted.

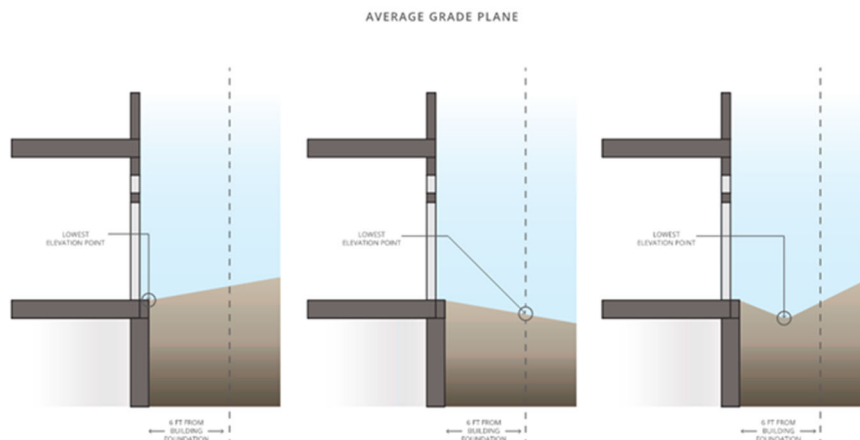
"Animals, Domestic." For purposes of this Ordinance, domestic animal shall be defined as house pets such as dogs, cats, and birds which can be contained within a principal structure throughout the entire year, provided that the containment can be accomplished without special modification to the structure requiring a building permit from the City.

"Apartment." ~~A portion of a building consisting of a room or suite of rooms which is designed for, intended for, or used as a residence by a single family or an individual, and is equipped with cooking facilities. Includes dwelling unit and efficiency unit.~~

"Applicant." The owner, their agent or person having legal control, ownership and/or interest in land which the provisions of this Ordinance are being considered for or reviewed.

"Attic." Space of a building located directly under a roof which is not directly free and open to the public and is unfinished or finished only to a limited degree to provide for inactive storage and/or mechanical equipment. Said space shall not be occupied or actively utilized. Under the provision of this Ordinance, said space shall not constitute a story, and shall not be included in space calculations for parking.

"Average Grade Plane." A reference plane representing the average of finished ground level adjoining the building at exterior walls. Where the finished ground level slopes away from the exterior walls, the reference plane shall be established by the lowest points within the area between the building and the lot line or, where the lot line is more than six feet from the building, between the building and a point six feet from the building, whichever is closer.



"Automobile Repair—Major." General repair, rebuilding or reconditioning engines, motor vehicles or trailers; collision service, including body, frame or fender straightening or repair; overall painting or paint job; vehicle steam cleaning.

"Automobile Repair—Minor." Installation, including cellular telephones, audio systems, and minor repairs, incidental body and fender work, painting and upholstering, replacement of parts (tires, glass, etc.) and minor motor services to passenger automobiles and trucks not exceeding 12,000 pounds gross weight, but not including any operation specified under "Automobile Repair—Major."

"Automobile Service Station." See "Motor Fuel Station."

"Automobile Wrecking or Junk Yard." Any place where two or more vehicles not in running condition and/or not licensed, or parts thereof, are stored in the open and are not being restored to operation or any land,

~~building or structure used for wrecking or storing of such motor vehicles or parts thereof; and including any commercial salvaging and scavenging of any other goods, articles or merchandise.~~

"Basement." Any floor level below the first story in a building, except that a floor level in a building having only one floor level shall be classified as a basement unless such floor level qualifies as a first story as defined herein.

"Bay." Cantilevered area of a room.

~~"Bed and Breakfast." A building designed as a single family dwelling, where for compensation, meals and lodging are provided to transient guests but not including a building providing these services to more than ten persons or operating more than five guestrooms.~~

~~"~~

"Block." A tract of land bounded by streets, or a combination of streets and public parks, railroad rights-of-way, shorelines, waterways or boundary lines of the corporate limits of the City.

"Boarder." One who receives regular meals and/or regular meals and lodging for pay.

~~"Boarding (House) Home—Foster Children." A family dwelling where children out of their own homes are cared for.~~

~~"Boarding/Lodging House." A building other than a hotel where, for compensation and by prearrangement for definite periods, meals or boarding/lodging and meals are provided to three or more persons, not of the principal family therein, pursuant to previous arrangements and not including a building providing these services for more than five persons.~~

~~"Boarding/Lodging Room." A room rented as sleeping and living quarters, but without cooking facilities and with or without an individual bathroom. In a suite of rooms without cooking facilities, each room which provides sleeping accommodations shall be counted as one boarding/lodging room.~~

"Boundary Lines." Any line indicating the bounds or limits of any tract or parcel of land; also a line separating the various use districts as shown on the City's Zoning Map.

"Brewery." A facility that produces for sale beer, ale, malt liquor, or other beverages made from malt by fermentation and containing not less than one-half of one percent alcohol by volume. A brewery may include a taproom.

"Brewpub." A Brewery that operates a restaurant on the same premises as the Brewery, whose malt liquor production per calendar year may be limited by Minnesota State Statute.

"Buffer." The use of land, topography (difference in elevation), space, fences or landscape plantings to screen or partially screen a use or property from the vision of another use or property.

"Buildable Area." The space remaining on a lot after the minimum setback and open space requirements of this Ordinance have been met.

~~"Building." Any structure built for the support, having a roof which may provide shelter or enclosure of persons, animals, chattel or movable property of any kindchattels., and includes anywWhen saidsuch structure is divided by party walls without opening, each portion of such building so separated shall be deemed a separate building.~~

"Building Height." The vertical distance above a Grade Plane measured to the highest point of the coping of a flat roof, to the deck line of a mansard roof, to the uppermost point on a shed, round or arch type roof, or to the average height of the highest gable of a pitched, hipped or gambrel roof. Modifications to the site grading that would affect the grade plane of a lot shall not be undertaken as a means of achieving increased building height, unless approved by the City Council. The height of a stepped or terrace building is the maximum height of any segment of the building.

"Building Line." A line parallel to the street right-of-way or ordinary high water level at any story level of a building and representing the minimum distance which all or any part of the building is set back from said right-of-way or ordinary high water level.

"Building Setback." The minimum horizontal distance between the building and the lot line.

~~**"Business."** Any establishment, occupation, employment or enterprise where merchandise is manufactured, exhibited or sold, or where services are offered for compensation.~~

"Car Wash, Accessory". A structure or portion of a structure where customers can wash vehicles indoors and the use is subordinate to the principal use on the property.

"Car Wash, Principal". A structure where customers can wash vehicles indoors and the use is the only land use, or principal use, on the property.

"Cellar." That portion of a building between the floor and ceiling which is wholly or partly below grade and is so located that the vertical distance from grade to the floor below is equal to or greater than the vertical distance from grade to ceiling.

"Cemetery" Cemeteries and Memorial Gardens." A site or property set apart for the burial or interment of the human dead.

"Channel." A natural or artificial depression of perceptible extent, with definite bed and banks to confine and conduct water either continuously or periodically.

~~**"Child Care."** A specialized limited day care facility which is an accessory use that provides temporary babysitting service while parents are engaged in short term social, recreational or business activities. (See also Day Care)~~

~~**"Church."** A building, together with its accessory buildings and use; where persons regularly assemble for religious purposes and which building, together with its accessory buildings and uses, is maintained and controlled by a religious body organized to sustain religious ceremonies and purposes.~~

"Child Day Care Facility, General." Any facility licensed by the State of Minnesota, public or private, which provides the care of a child in a building outside the child's own home for gain or otherwise on a regular basis, for any part of a 24 hour day. Day care facilities include, but are not limited to, family day care homes, group family day care homes, day care centers, day nurseries, nursery schools, daytime activity centers, day treatment programs and day services as defined by Minn. Stats 245A.

"Child Day Care Facility, 12 or Fewer Children". Any private facility licensed by the State of Minnesota, which provides the care of a child in a residence outside the child's own home located within a private residence, for gain or otherwise on a regular basis, for any part of a 24 hour day.

"City Council." The governing body for the City of Wayzata.

~~**"Clear Cutting."** The removal of an entire stand of trees and/or vegetation.~~

~~**"Club Clubs or Lodge Lodges."** A non-profit association of persons who are bona fide members paying annual dues, with the use of the premises being restricted to members and their guests.~~

"Cluster Development." The development pattern and technique whereby structures are arranged in closely related groups to make the most efficient use of the natural amenities of the land as accomplished through a planned unit development.

~~**"Coffee Shop."** A business establishment providing services limited to the sale and production of coffee products and foods associated with the drinking of coffee, as distinguished from a full service restaurant or convenience (fast) food establishment.~~

"Commercial Recreation." Electronic games, bowling alley, jump center, golf, billiards (pool) hall, dance hall, skating, trampoline, boat rental, park, and similar uses.

"Common Open Space." Any privately owned open space including private parks, nature areas, playgrounds, trails, and recreational buildings and structures which is an integral part of a development and is not owned on an individual basis by each owner of the dwelling unit.

~~**"Colleges, Seminaries and other Institutions of Higher Education."** A public or private accredited school that provides an educational program or specialized instruction for persons who have graduated from 12th grade. services and/or goodson the premises~~

"Community Center." A building or a room or group of rooms within a building designed specifically as a gathering place for the general public or for a specific segment of the general public and operated on a non-profit basis.

"Comprehensive Plan." A comprehensive long-range plan prepared and approved by the City, including a compilation of policy statements, goals, standards, fiscal guidelines, and maps indicating the general locations recommended for the various functional classes of land use, places and structures, and for the general physical development of the City, including any unit or part of such plan separately adopted and any amendment to such plan or parts thereof.

"Concept Plan." A report in map and text form submitted as the first stage of a Planned Unit Development (PUD) proposal, depicting the location, general purpose, general type of land use and circulation patterns, primary relationships between site elements and between the proposed development and surrounding development, proposed general schedule of development, and information on the applicant.

"Conditional Use." Those occupations, vocations, skills, arts, businesses, professions, or uses specifically designated in each zoning district, which for the respective conduct or performance in such designated districts may require reasonable, but special, unusual or extraordinary limitations peculiar to the use for the protection, promotion and preservation of the general public welfare, health, and safety, and the integrity of the City Comprehensive Plan.

"Conditional Use Permit." A permit issued by the City Council in accordance with procedures specified in this Ordinance, as a flexibility device to enable the City Council to assign dimensions to a proposed use or conditions surrounding it after consideration of adjacent uses and their functions and the special problems which the proposed use presents.

~~**"Condominium."** A multiple dwelling or development containing individually owned dwelling units and jointly owned and shared areas and facilities, which dwelling or development is subject to the provisions of the Minnesota Condominium Law, Minn. Stats. §§ 515.A.1-101 to 515.A.4-118.~~

~~**"Convenience (Fast) Food Establishment."** An establishment which serves food in or on disposable or edible containers in individual servings for consumption on or off the premises. (See also drive-in restaurant).~~

~~**"Cooperative (Housing)."** A multiple family dwelling owned and maintained by the residents and subject to the provisions of MS 290.09 and 290.13. The entire structure and real property is under common ownership as contrasted to a condominium dwelling where individual units are under separate individual occupant ownership.~~

"Curb Level." The elevation of the established curb in front of a building measured at the center of such front. Where no curb level has been established, the engineering staff shall determine a curb level or its equivalent for the purpose of this Ordinance.

~~**"Day Care Facility."** Any facility licensed by the State Department of Public Welfare, public or private, which for gain or otherwise regularly provides one or more persons with care, training, supervision, habilitation, rehabilitation or developmental guidance on a regular basis, for periods of less than 24 hours per day, in a place other than the person's own home. Day care facilities include, but are not limited to, family day care homes, group family day care homes, day care centers, day nurseries, nursery schools, daytime activity centers, day treatment programs and day services as defined by Minn. Stats. § 245.782, Subd. 5. (See also Child Care).~~

"Density, Residential." A number expressing the relationship of the number of dwelling units to an acre of land as established in the Comprehensive Plan.

"Deposition." Any rock, soil, gravel, sand or other material deposited naturally or by man into a waterbody, watercourse, floodplains or wetlands.

"Design Guidelines." The Wayzata Design Guidelines as amended.

"Distillery." A facility that produces Ethyl Alcohol, hydrated oxide of ethyl, spirits of wine, rum, brandy, gin, or other distilled spirits, including all dilutions and mixtures thereof, for non-industrial use. A distillery may include a tasting room.

"Diversion." A channel that intercepts surface water runoff and that changes the accustomed course of all or part of a stream.

~~**"Dog Kennel."** Any place where three dogs or more over three months of age are kept for the use of the owner, or are boarded, bred and/or offered for sale, except a veterinary clinic.~~

"Draining." The removal of surface water or groundwater from land.

"Dredging." To enlarge or clean-out a waterbody, watercourse, or wetland.

~~**"Drive-In Restaurant."** Any place or premises used for sale, dispensing or serving of food, refreshments or beverages on the premises, typically eaten in the customers vehicle on the site. (See also convenience food establishment)~~

"Drive-Thru Sales and Service". A facility which accommodates automobiles and from which the occupants of the automobiles may make purchases or transact business, including the stacking spaces in which automobiles wait.

"Dry Cleaning or Laundry." A use involving the cleaning or dyeing of fabrics with the use of mechanical appliances.

"Dwellings, Accessory Units." A living unit that can be located within the walls of an existing or newly constructed home-, or that can be an addition to an existing home. It can also be contained within a freestanding structure on the same lot as the principal residence or structure.

"Dwellings, Detached." Three or more separate units located on one parcel.

~~**"Dwelling—A, Housing for the Elderly"**. A public agency owned or controlled multiple dwelling building or portion thereof, designated with open occupancy limited to persons over 62 years of age.~~

"Dwellings, Multiple Family." A building designed with three or more dwelling units exclusively for residential occupancy, including one family, two family, and multiple family dwellings, but not including hotels, motels, boarding houses, or manufactured housing occupancy by three or more families living independently of each other, either wholly attached or partially detached with separate housekeeping and kitchen facilities for each unit.

~~**"DwellingDwellings, Multiple (Apartment Building).Family, Upper Stories."** A building designed with three or more dwelling units exclusively for occupancy by three or more families living independently of each other, but sharing hallways and main entrances and exits, either wholly attached or partially detached with separate housekeeping and kitchen facilities for each unit on the upper level of a mixed-use structure.~~

"Dwelling, Single-Family Detached." A dwelling unit designed exclusively for occupancy by one family.

A. ~~**"Attached."** A dwelling which is joined to another at one or more sides by a party wall.~~

B. ~~**"Detached."** A dwelling unit and is not attached to another dwelling or structure or is entirely surrounded by open space.~~

"Dwellings, Townhomes." A residential structure housing three or more dwelling units contiguous to each other only by the sharing a common wall(s), each such unit having a separate primary entrance to the

exterior of the building at or near grade level, such structures to be of the townhome type as contrasted to multiple apartment structures. The term townhome is synonymous with the term townhouse.

"Dwelling, Two Family ~~Detached~~." A residence designed for or occupied by two families only, with separate housekeeping and cooking facilities for each. ~~A two-family dwelling with a separate rooming unit(s) shall be considered and classified as a multi-family dwelling, unless specifically noted.~~

~~A. — "Double Bungalow." A two-family dwelling with two units side-by-side.~~

~~B. — "Duplex." A two-family dwelling unit with one unit above the other.~~

"Dwelling Unit." A residential building or portion thereof intended for occupancy by one or more persons with facilities for living, sleeping, cooking and eating, but not including hotels, motels, nursing homes, seasonal cabins, boarding or rooming houses, motor homes or travel trailers.

~~**"Dwelling Unit Occupancy."** Occupancy of a dwelling unit for the purpose of enforcing provisions of this Ordinance shall be limited by restrictions as included in the definition of family in this Section.~~

"Earth Berm." (House Construction) An earth covering on the above grade portions of the building walls.

"Earth Sheltered Building." A building so constructed that 50 percent or more of the completed structure is covered with earth. Earth covering is measured from the lowest level of the livable space in residential units and of usable space in non-residential buildings. An earth sheltered building is a complete structure that does not serve just as a foundation or sub-structure for above grade construction. A partially covered building shall not be considered earth sheltered.

"Easement." A grant by an owner of land for a specific use by persons other than the owner.

~~**"Efficiency Apartment (Dwelling Unit)."** A one-room dwelling unit, exclusive of bathroom, consisting of one principal room having cooking facilities and used for combined living, dining and sleeping purposes.~~

~~**"Elderly (Senior Citizen) Housing." "Educational Facilities".** A public agency-owned or controlled multiple dwelling building with open occupancy limited to persons over 62 years of age, private establishment for educational instruction not providing residential accommodation.~~

"Elevator Penthouse." An enclosure located on the top of a building which houses the working mechanisms of an elevator.

"Engineer." The registered engineer employed or retained by the City, unless otherwise stated.

"Erosion." The wearing away of land surface by the action of natural elements.

"Essential Services." The erection, construction, alteration or maintenance by public utilities or Municipal departments of underground or overhead telephone, gas, electrical, steam, hot water, communication or water transmission, distribution, collection, supply or disposal systems, including poles, wires, mains, drains, sewers, pipes, conduits, cables, fire alarm boxes, police call boxes, traffic signals, hydrants and other similar equipment and accessories in connection therewith for the furnishing of adequate service by such private or public utilities or Municipal departments.

~~**"Essential Service Structures."** Structures and buildings necessary for the operation of essential services, including, but not limited to, telephone buildings, telephone booths, gas regulator stations, substations, electrical stations, water tanks, lift stations.~~

~~**"Exterior Storage."** The storage of goods, materials, equipment, manufactured products and similar items not fully enclosed by a building.~~

"Family." An individual or two or more persons related by blood, marriage, adoption or a group of not more than six persons who need not be related by blood or marriage living together in a dwelling unit.

"Fence Related."

-
- A. **"Fence"** shall mean a partition, wall, hedge, row(s) of continuous plantings, or gate erected as a dividing marker, visual or physical barrier, or enclosure.
 - 1. **"Man Made Fence"** shall mean a partition or wall constructed of wood, metal, masonry, brick, stone, concrete, and the like.
 - 2. **"Natural Hedge or Planting"** shall mean a divider or barrier comprised of vegetation materials.
 - B. **"Fence Height"** shall mean the distance from the adjacent finished grade to the highest projection of a fence structure, not including support posts, provided that the support posts are no more than four inches above the fence structure.

"Filling." The act of depositing any rock, soil, gravel, sand or other material so as to fill a waterbody, watercourse, or wetland.

"Floodplain Overlay District Related."

- A. **"Base Flood Elevation."** The elevation of the regional flood. The term base flood elevation is used in the flood insurance survey.
- B. **"Basement."** Any area of a structure, including crawl spaces, having its floor or base subgrade (below ground level) on all four sides, regardless of the depth of excavation below ground level.
- C. **"Development."** Any manmade change to improved or unimproved real estate, including buildings or other structures, mining, dredging, filling, grading, paving, excavating or drilling operations, or storage of equipment or materials.
- D. **"Equal Degree of Encroachment."** 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.
- E. **"Flood."** A temporary increase in the flow or stage of a stream or in the stage of a wetland or lake that results in the inundation of normally dry areas.
- F. **"Flood Frequency."** The frequency for which it is expected that a specific flood stage or discharge may be equaled or exceeded.
- G. **"Flood Fringe."** That portion of the Special Flood Hazard Area (one percent annual chance flood) located outside of the floodway. Flood fringe is synonymous with the term "floodway fringe" used in the Flood Insurance Study for the City.
- H. **"Flood Insurance Rate Map (FIRM)."** An official map on which the Federal Insurance Administrator has delineated both the special hazard areas and the risk premium zones applicable to the community. A FIRM that has been made available digitally is called a Digital Flood Insurance Rate Map (DFIRM).
- I. **"Floodplain."** The beds proper and the areas adjoining a wetland, lake, or watercourse which have been or hereafter may be covered by the regional flood.
- J. **"Flood-Proofing."** A combination of structural provisions, changes, or adjustments to properties and structures subject to flooding, primarily for the reduction or elimination of flood damages.
- K. **"Floodway."** The bed of a wetland or lake and the channel of a watercourse, and those portions of the adjoining floodplains which are reasonably required to carry or store the regional flood discharge.
- L. **"Lowest Floor."** The lowest floor of the lowest enclosed area (including basement). An unfinished or flood resistant enclosure, used solely for parking of vehicles, building access, or storage in an area other than a basement area, is not considered a building's lowest floor, provided that such enclosure is not built so as to render the structure in violation of the applicable non-elevation design requirements of 44 CFR Part 60.3.

-
- M. **"Manufactured Home."** A structure, transportable in one or more sections, which is built on a permanent chassis and is designed for use with or without a permanent foundation when attached to the required utilities. The term "manufactured home" does not include the term "recreational vehicle."
- N. **"New Construction."** Structures, including additions and improvements, and placement of manufactured homes, for which the start of construction commenced on or after the effective date of this Ordinance.
- O. **"Obstruction."** Any dam, wall, wharf, embankment, levee, dike, pile, abutment, projection, excavation, channel modification, culvert, building, wire, fence, stockpile, refuse, fill, structure or matter in, along across, or projecting into any channel, watercourse, or regulatory floodplain which may impede, retard or change the direction of the flow of water, either in itself or by catching or collecting debris carried by such water.
- P. **"One Hundred Year Floodplain."** Lands inundated by the regional flood.
- Q. **"Reach."** A hydraulic engineering term to describe a longitudinal segment of a stream or river influenced by a natural or manmade obstruction. In an urban area, the segment of a stream or river between two consecutive bridge crossings would most typically constitute a reach.
- R. **"Recreational Vehicle."** A vehicle that is built on a single chassis, is 40 square feet or less when measured at the largest horizontal projection, is designed to be self-propelled or permanently towable by a light duty truck, and is designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use. For the purposes of this Ordinance, the term recreational vehicle is synonymous with the term "travel trailer/travel vehicle."
- S. **"Regional Flood."** A flood which is representative of large floods known to have occurred generally in Minnesota and reasonably characteristic of what can be expected to occur on an average frequency in the magnitude of the one percent chance or 100-year recurrence interval. Regional flood is synonymous with the term "base flood" used in a Flood Insurance Study.
- T. **"Regulatory Flood Protection Elevation."** An elevation not less than one foot above the elevation of the regional flood plus any increase in flood elevation caused by encroachments on the floodplain that result from designation of a floodway.
- U. **"Repetitive Loss."** Flood related damages sustained by a structure on two separate occasions during a ten-year period for which the cost of repairs at the time of each such flood event on the average equals or exceeds 25 percent of the market value of the structure before the damage occurred.
- V. **"Special Flood Hazard Area."** A term used for flood insurance purposes synonymous with "One Hundred Year Floodplain."
- W. **"Start of Construction."** Substantial improvement, and means the actual start of construction, repair, reconstruction, rehabilitation, addition, placement or other improvement that occurred before the permit's expiration date. The actual start is either the first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers, foundations, or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. For a substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building.
- X. **"Structure."** Anything constructed or erected on the ground or attached to the ground or on-site utilities, including, but not limited to, buildings, factories, sheds, detached garages, cabins,

manufactured homes, recreational vehicles not meeting the exemption criteria specified in Chapter 993 of this Ordinance, and other similar items.

- Y. **"Substantial Damage."** Damage of any origin sustained by a structure where the cost of restoring the structure to its before damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred.
- Z. **"Substantial Improvement."** Within any consecutive 365-day period, any reconstruction, rehabilitation (including normal maintenance and repair), repair after damage, addition, or other improvement of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure before the "start of construction" of the improvement. This term includes structures that have incurred "substantial damage," regardless of the actual repair work performed. The term does not, however, include either:
1. Any project for improvement of a structure to correct existing violations of state or local health, sanitary, or safety code specifications which have been identified by the local code enforcement official and which are the minimum necessary to ensure safe living conditions.
 2. Any alteration of a "historic structure," provided that the alteration will not preclude the structure's continued designation as a "historic structure." For the purpose of this Ordinance, "historic structure" is as defined in 44 CFR part 59.1.

"Floor Area, Gross." The sum of the gross horizontal areas of all floors of the building or portion thereof devoted to a particular use, including accessory storage areas located within selling or working space such as activities to the production or processing of goods, or to business or professional offices. However, the floor area shall not include basement or cellar floor area other than area devoted to retailing activities, the production or processing of goods, or to business or professional offices. The floor area of a residence shall not include the cellar area.

"Floor Area Ratio (F.A.R.)." The floor area of a building or buildings on any lot divided by the area of such lot, or in the case of planned developments by the net site area. The floor area ratio requirements as set forth under each zoning district shall determine the maximum floor area allowable for a building or buildings (total floor area of both principal and accessory buildings) in direct ratio to the gross area of the zoning lot.

"Food and Beverage Establishment". A building, structure, enclosure or any part of a building, structure or enclosure used as, maintained as, advertised as, or held out to be an operation that prepares, services or otherwise provides food, beverages, or both for human consumption.

"Footprint." The outline of the foundation of a building, including that portion of an upper story that is occupied and/or actively utilized.

"Frontage." That boundary of a lot which abuts an existing or dedicated public street, watercourse or similar barrier.

"Garage, Private (Residential)." An accessory building or accessory portion of the principal building which is intended for and used for storage for the family or families resident upon the premises, and in which no business service or industry is carried on.

~~**"Garage, Public."** Any garage other than a private garage. May also mean parking ramp.~~

~~**"Gas Station."** See "Motor Fuel Station."~~

~~**"Grade Plane."** A reference plane representing the average of finished ground level adjoining the building at exterior walls. Where the finished ground level slopes away from the exterior walls, the reference plane shall be established by the lowest points within the area between the building and the lot line or, where the lot line is more than six feet from the building, between the building and a point six feet from the building.~~

"Grading." Changing the natural or existing topography of land.

~~**"Group Day Care Center."** Any location which provides care for six or more unrelated children at one time, for compensation, and which is licensed to provide such services by the Minnesota Department of Public Welfare. This term shall include, but is not limited to, uses such as nursery schools, day nurseries, child care centers and drop-in care centers.~~

"Greenhouse, Residential" A structure that is constructed primarily of glass, glass-like or translucent material which is devoted to the protection of cultivation of food or ornamental crops to be located on residential properties.

"Growler." A specially designed 64-ounce beer container for exclusive off-sale of micro-production facility beer. A growler shall have the following packaging requirements:

- A. Growlers shall bear a twist-type closure, cork, stopper or plug.
- B. At the time of sale, paper or plastic adhesive band, strip, or sleeve shall be applied to the container and extended over the top of the closure, forming a seal.
- C. The growler and/or band, strip or sleeve shall bear the name and address of the brewer, and the container shall be identified as malt liquor, contain the name of the malt liquor, and shall be considered intoxicating liquor unless labeled otherwise.

"Health Club." A facility of over 3,000 square feet which provides athletic activities which may include tennis, handball, racquetball, track, basketball, exercise devices, etc. and such incidental amenities and services such as a whirlpool, sauna or massage service for members and guests.

"Halfway House." See "Residential Care Facility." A facility licensed by the State Department of Health or Department of Public Welfare, public or private, which for gain or otherwise regularly provides one or more persons with 24 hour per day substitute for care, food, lodging, training, education, supervision, habilitation, rehabilitation and treatment they need, but which for any reason cannot be furnished in the person's own home.

"Hardship." A situation where property in question cannot be put to a reasonable use under the conditions allowed by the official controls; the plight of the landowner is due to circumstances unique to his property, not created by the landowner; and the variance, if granted, will not alter the essential character of the locality. Economic considerations alone shall not constitute a hardship if a reasonable use for the property exists under terms of the official controls.

~~**"Health Club."** A facility which provides athletic activities such as tennis, handball, racquetball, track, basketball, exercise devices, etc.~~

"Health Clinics". A structure for providing medical, dental and other health services for examination and services available to the public. The service is provided without overnight care available.

"Home Occupation." Any occupation or profession engaged in by the occupant of a residential dwelling unit, which is clearly incidental and secondary to the residential use of the premises and does not change the character of said premises.

~~**"Hotel."** Any building or portion thereof occupied as the more or less temporary abiding place of individuals and containing more than ten guest rooms, used, designated, or intended to be used, let or hired out to be occupied, or which are occupied by more than ten individuals for compensation, whether the compensation be paid directly or indirectly.~~

"Horses, Keeping of". Maintenance of horses on the property as an accessory use to the principal use.

"Hospitals, Residential Care Facilities, Extended Care Facilities, Rest Homes and other Elderly Care Facilities". Licensed establishments where patients are admitted for medical, surgical, or psychiatric treatment for outpatient and/or inpatient, overnight accommodation. A licensed facility that provides

medical, nutritional, or housekeeping services for the elderly on a periodic or permanent basis. A facility licensed by the State Department of Health or Department of Public Welfare, public or private, which for gain or otherwise regularly provides one or more persons with 24 hour per day substitute for care, food, lodging, training, education, supervision, habilitation, rehabilitation, and treatment they need, but which for any reason cannot be furnished in the person's own home.

"Impervious Surface." A constructed hard surface that either prevents or retards the entry of water into the soil and causes water to run off the surface in greater quantities and at an increase rate of flow than prior to development. Examples include rooftops, sidewalks, patios, driveways, parking lots, storage areas, and concrete, asphalt, or gravel roads.

~~**"Inn Establishment."** A building, other than a hotel, whose use includes the renting of rooms at a transient daily rate (whether or not billed or paid daily), and wherein a dining room and other facilities are operated on the premises. A maximum of ten guestrooms may be operated within the principal structure.~~

~~**"Junk Yard."** An open area where waste, used, or second hand materials are bought, sold, exchanged, stored, baled, packed, disassembled or handled; including, but not limited to, scrap iron and other materials, paper, rags, rubber, tires, lumber, and bottles. A junk yard includes an auto wrecking yard, but does not include uses established entirely within closed buildings.~~

"Landscaping." Plantings such as trees, flowers, grass and shrubs and improvements directly related thereto.

"Land Reclamation." The process of the re-establishment of acceptable topography (i.e. slopes), vegetative cover, soil stability and the establishment of safe conditions appropriate to the subsequent use of the land.

"Liquor Store". An off- or on-sale retail establishment that sells alcoholic beverages.

"Loading Space (Off-Street)." A space or berth on the same lot with a building, or contiguous to a group of buildings, for the temporary parking of a vehicle or truck while loading or unloading merchandise or materials and which abuts upon a street, alley or other appropriate means of access.

"Lodging." Any building or portion thereof occupied as a temporary abiding place of individuals used, designated or intended to be used, let or hired out to be occupied, whether the compensation be paid directly or indirectly.

"Lot." A parcel or portion of land of at least sufficient size to meet minimum zoning requirements for use, coverage and area, and to provide such yards and other open spaces as are herein required. Such lot shall have frontage on an improved public street.

"Lot (of Record)." Any lot which is one unit of a plat heretofore duly approved and filed, or one unit of an auditor's outlot or a registered land survey, or a parcel of land not so platted, subdivided or registered but for which a deed, auditor's subdivision or registered land survey has been recorded in the Office of the Register of Deeds or Registrar of Titles for Hennepin County, Minnesota, prior to the effective date of this Ordinance.

"Lot Area." The total land area of a horizontal plane within the lot lines.

"Lot, Base." Lots meeting all specifications in the zoning district prior to being subdivided into a two-family dwelling ~~or quadraminium~~ subdivision.

"Lot, Corner." A lot situated at the intersection of two streets, the interior angle of such intersection not exceeding 135 degrees.

"Lot Coverage." The area of a lot occupied by the principal building or buildings and all accessory buildings.

"Lot Depth." The shortest horizontal distance between the front lot line and the rear lot line measured from a 90 degree angle from the street right-of-way within the lot boundaries.

"Lot, Double Frontage." An interior lot having frontage on two streets.

"Lot, Front." The front of a lot shall be considered to be that boundary abutting a public right-of-way having the least width.

"Lot Improvement." Any building, structure, place, work of art, or other object, or improvement of the land on which they are situated constituting a physical betterment of real property, or any part of such betterment.

"Lot, Interior." A lot, other than a corner lot, including through or double frontage lots.

"Lot Line." A property boundary line of any lot held in single or separate ownership; except that where any portion of the lot extends into the abutting street or alley, the lot line shall be deemed to be the street or alley right-of-way.

"Lot Line, Rear." That boundary of a lot which is opposite the front lot line. If the rear lot line is less than ten feet in length, or if the lot forms a point at the rear, the rear lot line shall be a line ten (10') feet in length within the lot, parallel to and at the maximum distance from the front lot line.

"Lot, Reversed Frontage." A lot in which the frontage is at right angles, or approximately right angles, to the general pattern in the area involved. A reversed frontage lot may be a corner lot or an interior lot.

"Lot, Substandard." A lot or parcel of land for which a deed has been recorded in the Office of the Hennepin County Recorder upon or prior to the effective date of this Ordinance which does not meet the minimum lot area, structure setbacks or other dimensional standards of this Ordinance.

"Lot, Through." A lot fronting on two parallel streets.

"Lot, Unit." Lots created from the subdivisions of a two-family dwelling ~~or quadraminium~~ having different minimum lot size requirements than the conventional base lots within the zoning district.

"Lot Width." The minimum required horizontal distance between the side lot lines measured at right angles to the lot depth, at the minimum building setback line. If no setback line is established, the distance between the side lot lines measured along the public right-of-way.

"Malt Liquor." Any beverage made from malt by fermentation and containing not less than one-half of one percent alcohol by volume.

~~**"Manor Home."** A residential structure with five to eight units with each unit having a separate entrance/exit. There may be more than one floor and an attached garage space.~~

"Manufacturing". A building where compounding, assembly, packaging, treatment or storage of products and materials occurs.

"Medical and Dental Clinic." A structure intended for providing medical and dental examinations and service available to the public. This service is provided without overnight care available.

"Metes and Bounds Description." A description of real property which is not described by reference to a lot or block shown on a map, but is described by starting at a known point and describing the bearings and distances of the lines forming the boundaries of the property or delineating a fractional portion of a section, lot or area by described lines or portions thereof.

"Micro-Production ~~Facility~~Facilities." A facility in which beer, wine, or other alcoholic beverages are brewed, fermented, or distilled for distribution and consumption. Micro-production facilities include breweries, brewpubs, wineries, and distilleries.

"Minerals." Soil, clay, stone, sand and gravel and other similar solid material or substance to be mined from natural deposits.

"Mixed-Use Buildings." A building with multiple principal uses.

"Model Home." A home which is similar to others in a development and which is open to public inspection for the purpose of selling said other homes.

"Monument Sales, excluding Processing". An establishment that sells and displays a statue or structure that is installed in memory of the dead, excluding processing and manufacturing of the statue or structure.

"Mortuaries or Funeral Homes". An establishment that provides a variety of uses for funeral services as defined in state statutes.

"Motel/Motor Hotel." A building or group of detached, semi-detached or attached buildings containing guest rooms or units, each of which has a separate entrance directly from the outside of the building, or corridor, with garage or parking space conveniently located to each unit, and which is designed, used or intended to be used primarily for the accommodation of transient guests traveling by automobile.

"Motor Fuel Station." A place where gasoline is stored only in underground tanks, kerosene or motor oil and lubricants or grease, for operation of automobiles, are retailed directly to the public on premises, and including minor accessories and services for automobiles, but not including automobile major repairs and rebuilding.

"Motor Vehicle Rental and Sales". An establishment where motor vehicles that are licensed by the Minnesota Department of Natural Resources or the Minnesota Department of Motor Vehicles and are stored and displayed for rent or sale.

"Motor Vehicle Service." An establishment where general repair, including rebuilding or reconditioning engines, motor vehicles or trailers; collision service, including body, frame or fender straightening or repair; overall painting or paint job; vehicle steam cleaning, installation of audio system, painting and upholstering, replacement of parts, tires, and glass, and other associated repair to passenger automobiles and trucks not exceeding 12,000 pounds gross weight.

"Non-Conforming Structure, Use, or Lot, Illegal." A lot, building, structure, premises, or use illegally established when it was initiated, created, or constructed, which did not conform with the applicable conditions or provisions of the City Code for the district in which the structure or use is located.

"Non-Conforming Structure, Use, or Lot, Legal." A lot, building, structure, premises, or use lawfully established when it was initiated, created, or constructed, which does not now conform with the applicable conditions or provisions of this Ordinance for the district in which the structure or use is located.

"Noxious Matter or Material." Material capable of causing injury to living organisms by chemical reaction, or capable of causing detrimental effects on the physical or economic well-being of individuals.

~~**"Nursing Home."** A private building with facilities for the care of children, the aged, or the infirm, or a place of rest for those suffering bodily disorders, but not containing equipment for surgical care or for treatment of disease or injury. The nursing home shall be licensed by the State Board of Health as provided for in Minnesota State Statutes.~~

"Obstruction." Any dam, wall, wharf, embankment, levee, dike, pile, abutment, projection, excavation, channel modification, culvert, building, wire, fence, stockpile, refuse, fill, structure or matter in, along, across or projecting into any channel, watercourse or regulatory floodplain which may impede, retard or change the direction of the flow of water, either in itself or by catching or collecting debris carried by such water.

"Occupancy." The purpose for which a building is used or intended to be used. The term shall also include the building or room housing such use. Change of occupancy is not intended to include change of tenants or proprietors.

~~**"Open Sales Lot."** Land devoted to the display of goods for purchase, sale, rent, lease or trade where such goods are not enclosed within a building, and for the storage of same prior to sale.~~

"Open Space." Any open area not covered by structures, including, but not limited to, the following uses, required or established yard areas, parking areas, sidewalks, school walks, trails, recreation areas, water bodies, shorelands, watercourses, wetlands, groundwater recharge areas, floodplain, floodway, flood fringe, erodible slopes, woodland, and soils with severe limitation for development.

~~**"Open Storage."** Storage of material outside of a building.~~

~~"Out Patient Care." Medical examination or service available to the public in a hospital. This service is provided without overnight care and shall be considered a separate, independent, principal use when combined or operated in conjunction with a hospital.~~

"Overburden." The earth, rock and other materials that lie above a natural deposit of mineral.

"Outlot." A lot remnant or parcel of land left over after platting, which is intended as open space or other future use, and upon which no structure is to be located and for which no building permit shall be issued.

"Owner." An individual, association, syndicate, partnership, corporation, trust or any other legal entity holding an equitable or legal ownership interest in land, buildings, structures, dwelling unit(s) or other property.

"Parcel." An individual lot or tract of land.

"Parking Garages/Lots." Any off-street area that is artificially surfaced or any structure that is designed for the temporary location and parking of vehicles.

"Parking and Loading Areas and Structures." A space or berth on the same lot with a building or contiguous to a group of buildings for the temporary parking of a vehicles or truck while loading or unloading merchandise or materials.

"Parking Space (Off-Street)." An area of such shape and dimensions as provided by this Ordinance, enclosed in the principal building, in an accessory building, or unenclosed, sufficient in size to store one motor vehicle, which has adequate access to a public street or alley and permitting satisfactory ingress and egress of an automobile.

"Performance Standard." Criterion established for setbacks, fencing, landscaping, screening, drainage, accessory buildings, outside storage and to control noise, odor, toxic or noxious matter, vibration, fire and explosive hazards, or glare or heat or other nuisance elements generated by or inherent in uses of land or buildings.

"Permitted Use." A use which may be lawfully established in a particular district or districts, provided it conforms with all requirements, regulations, and performance standards (if any) of such districts.

"Person." Any individual or legal entity.

"Personal Fitness Club." A facility that provides personal fitness classes with a floor area of under 3,000 square feet. These facilities include yoga and pilates studios, small gym facilities and similar boutique classes.

"Personal Services." Commercial services that result in the physical delivery of a process to a person or group of less than ten (10) people to whom it is directed rather than a salable product. Personal services include hair and nail salons, therapeutic massage spas, tanning spas and similar uses.

"Places of Assembly." A building or portion of a building used or designed for the gathering together of 50 or more persons for such purposes as meetings, conferences, celebration, worship, entertainment, and/or amusement.

"Planned Unit Development."

- A. As a conditional use permit, a development procedure whereby internal site design standard deviations from this Ordinance may be allowed in order to accommodate two or more principal structures, and/or facilitates improved site design and operation as specified in Chapter 933 of this Ordinance.
- B. As a zoning district, a development procedure whereby a mixing of buildings and uses can occur which cannot be otherwise addressed under this Ordinance, and/or whereby internal site design standard deviations from this Ordinance may be allowed to improve site design and operation, as specified in Chapter 933 of this Ordinance.

"Planning Commission." The Wayzata Planning Commission.

"Post Offices." A structure that houses the establishment that is a public department responsible for the mail services

"Principal Use." The main use of land or buildings as distinguished from subordinate or accessory uses. A "principal use" may be either permitted or conditional.

"Professional Services (inc. Finance and Office Uses)". An establishment for the purposes of providing services in which the practitioner must have special training, a professional degree, or license in a particular profession such as accountant or engineer.

"Protective Covenants." Contracts entered into between all owners and holders of mortgage constituting a restriction on the use of property within a subdivision for the benefit of the property owners, and providing mutual protection against undesirable aspects of property value and economic integrity of any given area.

"Public Uses." Uses owned or operated by municipal, school districts, county, state, or other governmental units.

"Public Utility." Any person, firm, corporation, municipal department or board fully authorized and furnishing under municipal regulation to the public electricity, gas, steam, communication services, cable television, telegraph services, transportation, water or the like.

"Public Services and Utilities." Government and public utility buildings and structures necessary for the health, safety, and general welfare of the city. This includes all public infrastructure and private services for small utilities services and does not include equipment, infrastructure or structures for distribution lines.

"Publication." Notice placed in the official City newspaper stating time, location and date of meeting and description of the topic.

"Quadraminiums." ~~Single structures which contain four subdivided dwelling units all of which have individually separate entrances from the exterior of the structure.~~

"Publicly Owned Civic or Cultural Building." Buildings such as Libraries, City Offices, Auditoriums, Public Administration Buildings, Public Parking Structures as a Principal and Sole Use, and Historical Developments.

"Railroad Right-of-Way." A strip of land with railway tracks and auxiliary facilities for track operation.

"Recreation, Outdoor Private". An area of land, water, or development where amusement, recreation or outdoor athletic sports are provided, whether temporary or permanent, except a theater, whether provision is made for the accommodation of an assembly or not. ~~The definition may include, including golf courses, arenas, stadiums, gymnasiums, soccer fields, multi-purpose athletic fields, and similar uses.~~

"Recreation, Field or Building-Outdoor Public." An area of land, water, or any building in which amusement, recreation or athletic sports are provided for public or semi-public use, whether temporary or permanent, except a theatre, whether provision is made for the accommodation of an assembly or not. ~~The definition may includeA a golf courses, arenas, baseball park, stadiums, circus or gymnasium, is a recreation field or buildingsoccer fields, multi-purpose athletic fields, and similar uses.~~

"Recreation, Outdoor Residential, Accessory." Private recreational facilities accessory to an existing principal permitted use on the same lot which is operated for the purpose enjoyment and convenience of the residents of the principal use and their occasional guests.

"Recreation, Outdoor Residential, Principal." Private recreational facilities that are the primary or principal use on a property and located off-site from the residents it serves.

"Recreational Vehicle." Includes manufactured homes less than 30 feet in overall length, including those with telescope or fold down, chassis, mounted campers, house cars, motor homes, tent trailers, slip-in-campers (those mounted in a pickup truck or similar vehicle), converted buses, and converted vans used primarily for recreational purposes. Cars utilized for racing shall not be included in this definition.

"Repair of Home, Garden or Personal Appliances" An establishment that provides restoration of equipment to proper functioning for equipment associated with a person's residence, lawn and garden, or personal use.

"Research". An establishment or facility that studies, experiments, and investigates material and sources aimed at discovery and interpretation of facts, typically for new methods, materials or products.

"Residential Care Facility, 6 or Fewer Residents." Any facility having 6 or fewer residents licensed by the State ~~Department of Health or Department of Public Welfare~~ of Minnesota, public or private, which for gain or otherwise regularly provides one or more persons with 24 hour per day substitute for care, food, lodging, training, education, supervision, habilitation, rehabilitation and treatment they need, but which for any reason cannot be furnished in the person's own home. Residential facilities include, but are not limited to: ~~State institutions under the control of the Commissioner of Public Welfare,~~ foster homes, halfway houses, residential treatment centers, maternity shelters, group homes, residential programs or schools for handicapped children.

"Restaurant." An establishment which serves food in or on non-disposable dishes to be consumed primarily while seated at tables or booths within the building.

"Retail Residential Care Facility, 16 or Fewer Residents". Any facility having 16 or fewer residents, licensed by the State of Minnesota, public or private, which for gain or otherwise regularly provides one or more persons with 24 hour per day substitute for care, food, lodging, training, education, supervision, habilitation, rehabilitation and treatment they need, but which for any reason cannot be furnished in the person's own home. Residential facilities include but are not limited to foster homes, halfway houses, residential treatment centers, maternity shelters, group homes, residential programs or schools for handicapped children.

"Retail Sales, Limited." The sale of items in small quantities directly to the consumer.

"Retail Sales, General". Any establishment, occupation, employment or enterprise where merchandise is exhibited or sold, or where incidental and related small-scale manufacturing or services are offered for compensation.

"Roof Line." Is defined as the top of the coping; or, when the building has a pitched roof, at the intersection of the outside wall with the roof.

"Roomer." One who rents a room and eats meals elsewhere.

"Sailing School". A private establishment for teaching sailing.

"Sales; Garden, Greenhouses or Nursery". An establishment that sells goods associated with lawn and garden care which can include maintaining -live landscape material in an enclosed structure or greenhouse, or outdoors.

Sales, Service, or Rental; Outdoors". Land devoted to the display of goods for purchase, sale, rent, lease or trade where such goods are not enclosed within a building, and for the storage of same prior to sale.

Sales, Service, or Rental; Accessory". An establishment that sells, repairs or rents products accessory or subordinate to the principal use on the property

"Satellite Dish." Shall mean a combination of:

- A. Antenna or dish antenna whose purpose is to receive communication or other signals from orbiting satellites and other extraterrestrial sources;
- B. A low-noise amplifier (LNA) which is situated at the focal point of the receiving component and whose purpose is to magnify and transfer signals;
- C. A coaxial cable whose purpose is to carry the signals into the interior of the building.

"Satellite Dish Height." Shall mean the height of the antenna or dish measured vertically from the highest point of the antenna or dish when positioned for operation, to the top of the foundation which supports the antenna.

~~**"School."** A building used for the purpose of elementary or secondary education, which meets all the requirements of compulsory education laws of the State of Minnesota, and not providing residential accommodations.~~

"Semi-Public Use." Uses owned by private or private non-profit organizations which are open to some, but not all, of the public, such as denominational cemeteries, private schools, clubs, lodges, recreation facilities, churches, etc.

"Septic Sewer System." A septic sewer disposal system consists of. septic tank, absorption field of standard trenches or a dry well, house sewer and outlet sewer. In the septic tank, bacterial action breaks down sewage. Standard trenches or a dry well handles final disposal of liquid from the septic tank. The house sewer brings wastes to the tank and the outlet sewer carries sewage liquids (effluent) from the absorption field.

"Service Commercial." The sale of services, which may include the limited sale of related goods, on the premises to the general public by appointment or by walk-in.

"Setback." The minimum horizontal distance between a structure and the property line nearest thereto; within Shoreland Districts it shall also mean the minimum horizontal distance between a structure or a sewage treatment system and the ordinary high water level. For purposes of earth shelter buildings only, above grade portions shall be used in determining setback requirements. Distances are to be measured from the most outwardly extended portion of the structure at ground level, except as provided herein after.

"Shopping Center." An integrated grouping of commercial stores, under single ownership or control.

"Shoreland Related."

- A. **"Bluff."** A topographic feature such as a hill, cliff, or embankment having the following characteristics (an area with an average slope of less than 18 percent over a distance for 50 feet or more shall not be considered part of the bluff):
 - 1. Part of all of the feature is located in a shoreland area.
 - 2. The slope rises at least 25 feet above the ordinary high water level of the waterbody.
 - 3. The grade of the slope from the toe of the bluff to a point 25 feet or more above the ordinary high water level averages 30 percent or greater.
 - 4. The slope must drain toward the waterbody.
- B. **"Bluff Impact Zone."** A bluff and land located within 20 feet from the top of a bluff.
- C. **"Boathouse."** A structure designed and used primarily for the storage of boats or boating equipment.
- D. **"Commercial Planned Unit Development."** Uses that provide transient, short-term lodging spaces, rooms, or parcels and their operations are essentially service-oriented. For example, hotel/motel accommodations, resorts, recreational vehicle and camping parks, and other primarily service-oriented activities are commercial planned unit developments.
- E. **"Commissioner."** The Commissioner of the Department of Natural Resources.
- F. **"Deck."** A horizontal, unenclosed platform with or without attached railings, seats, trellises, or other features, attached or functionally related to a principal use or site and at any point extending more than three feet above ground.
- G. **"Guest Cottage."** A structure used as a dwelling unit that may contain sleeping spaces and kitchen and bathroom facilities in addition to those provided in the primary dwelling unit on a lot.

-
- H. **"Intensive Vegetation Clearing."** The complete removal of trees or shrubs in a contiguous patch, strip, row or block.
- I. **"Ordinary High-Water Level."** The boundary of public waters and wetlands, and shall be an elevation delineating the highest water level which has been maintained for a sufficient period of time to leave evidence upon the landscape, commonly that point where the natural vegetation changes from predominantly aquatic to predominantly terrestrial. For watercourses, the ordinary high-water level is the elevation of the top of the bank of the channel. For reservoirs and flowage, the ordinary high-water level is the operating elevation of the normal summer pool.
- J. **"Public Waters."** Any waters as defined in Minn. Stats. § 103G.005, Subdivisions 14 and 15. However, no lake, pond, or flowage of less than ten acres in size in municipalities and 25 acres in size in unincorporated areas need be regulated for the purposes of Minn. R., parts 6120.2500 to 6120.3900. A body of water created by a private user where there was no previous shoreland may, at the discretion of the local government, be exempted from Minn. R., parts 6120.2500 to 6120.2900.
- K. **"Public Waters—General Development (GD)."** Large, deep lakes or lakes of varying sizes and depths with high levels and mixes of existing development. These lakes often are extensively used for recreation and, except for the very large lakes, are heavily developed around the shore. Second and third tiers of development are fairly common. The larger examples in this class can accommodate additional development and use.
- L. **"Public Waters—Recreational Development (RD)."** Medium sized lakes of varying depths and shapes with a variety of landform, soil, and ground water situations on the lands around them. They often are characterized by moderate levels of recreational use and existing development. Development consists mainly of seasonal and year-round residences and recreationally-oriented commercial uses. Many of these lakes have capacities for accommodating additional development and use.
- M. **"Sensitive Resource Management."** The preservation and management of areas unsuitable for development in their natural state due to constraints such as shallow soils over ground water or bedrock, highly erosive or expansive soils, steep slopes, susceptibility to flooding, or occurrence of flora or fauna in need of special protection.
- N. **"Sewer System."** Pipelines or conduits, pumping stations, and force main, and all other constructions, devices, appliances, or appurtenances used for conducting sewage or industrial waste or other wastes to a point of ultimate disposal.
- O. **"Shore Impact Zone."** Land located between the ordinary high water level of a public water and a line parallel to it at a setback of 50 percent of the structure setback.
- P. **"Shoreland."** Land located within the following distances from public waters. One thousand feet from the ordinary high water level of a lake, pond, or flowage; and 300 feet from a river or stream, or the landward extent of a floodplain designated by Ordinance on a river or stream, whichever is greater. The limits of shorelands may be reduced whenever the waters involved are bounded by topographic divides which extend landward from the waters for lesser distances and when approved by the commissioner.
- Q. **"Significant Historic Site."** Any archaeological site, standing structure, or other property that meets the criteria for eligibility to the National Register of Historic Places or is listed in the State Register of Historic Sites, or is determined to be an unplatted cemetery that falls under the provisions of Minn. Stats. § 307.08. A historic site meets these criteria if it is presently listed on either register or if it is determined to meet the qualifications for listing after review by the Minnesota State Archaeologist or the Director of the Minnesota Historical Society. All unplatted cemeteries are automatically considered to be significant historic sites.
- R. **"Steep Slope."** Land where agricultural activity or development is either not recommended or described as poorly suited due to slope steepness and the site's soil characteristics, as mapped and described in available county soil surveys or other technical reports, unless appropriate design and

construction techniques and farming practices are used in accordance with the provisions of this Ordinance. Where specific information is not available, steep slopes are lands having slopes over 12 percent, as measured over horizontal distances of 50 feet or more, that are not bluffs.

- S. **"Surface Water-Oriented Commercial Use."** The use of land for commercial purposes, where access to and use of a surface water feature is an integral part of the normal conductance of business. Marinas, resorts, and restaurants with transient docking facilities are examples of such use.
- T. **"Toe of the Bluff."** The point on a bluff that is the lower end of a 50-foot segment, measured on the ground, with an average slope exceeding 18 percent or the ordinary high water level, whichever is higher.
- U. **"Top of the Bluff."** The point on a bluff that is the upper end of a 50-foot segment, measured on the ground, with an average slope exceeding 18 percent.
- V. **"Water-Oriented Accessory Structure or Facility."** A small, above ground building or other improvement, except stairways, fences, docks, and retaining walls, which, because of the relationship of its use to a surface water feature, reasonably needs to be located closer to public waters than the normal structure setback. Examples of such structures and facilities include boathouses, gazebos, screen houses, fish houses, pump houses, and detached decks.

"Sidewalk Café, Outdoors." A food and beverage establishment that provides outdoor seating or dining area within the public right of way with City license.

"Sign Related."

- A. **"Artificial light."** Illumination resulting from internal or external artificial light sources, including glare and reflected light byproducts of artificial light sources.
- B. **"Address Sign."** A sign communicating only a street address.
- C. **"Advertising Sign."** Any permanent non-governmental sign advertising products, services, commodities, entertainment or other activity not offered at the location of the sign or not exclusively related to the premises on which the sign is located.
- D. **"Alteration."** Any change to a sign excluding routine maintenance, repair, painting or change of copy of any existing sign.
- E. **"Awning, Canopy or Marquee Sign."** A sign that is permanently or semi-permanently affixed to an awning, canopy, marquee or other similar device.
- F. **"Banners."** Attention getting devices which resemble flags and are of a paper, cloth or plastic-like consistency.
- G. **"Building Facade."** That portion of any exterior elevation of a building extending from grade to the top of the parapet wall or eaves and the entire width of the building elevation.
- H. **"Copy."** The wording on a sign surface either permanent or removable letter form.
- I. **"Directional Sign."** An on-site sign for the purpose of making specific locations known and to assist in finding these locations (e.g. "Parking," "Shipping Receiving Area").
- J. **"Directory Sign, Private."** An exterior information wall sign, or a free-standing sign identifying the names of residences, businesses or professional offices served by a common public entrance such as an apartment complex, shopping center, or office building.
- K. **"Directory Sign, Public."** A sign, group of signs on a sign panel or any identifiable object intended to communicate a public message or direction when located on public property as may be approved by the Wayzata City Council.
- L. **"District."** A specific zoning district as defined in the City Zoning Ordinance.

-
- M. **"Flashing Sign."** Any sign which contains an intermittent or flashing light source or which includes the illusion of intermittent or flashing light by means of animation, or an externally-mounted intermittent light source.
- N. **"Freestanding Sign."** A self-supporting sign affixed to a freestanding frame structure not attached to a building.
- O. **"Gross Surface Area."** The entire area in square feet within a single continuous perimeter enclosing the extreme limits of the complete message of any sign, which limits shall include the surface on which the message is affixed, except that if individual letters of the message are affixed directly to the surface of a wall the maximum height and width of the message shall apply. Such perimeter shall not include any structural elements lying outside the limits of the sign surface which do not form an integral part of the sign message, except where the sign structure is held by the City Manager to be larger than is required for structural strength.
- P. **"Ground or Low Profile Sing."** A sign not supported by exposed posts or poles which is architecturally designed and located directly at grade, and where the base width dimension is 50 percent more of the greatest width of the sign. Also called monument sign. Also called a Low Profile Sign.
- Q. **"Holiday or Seasonal Sign."** Signs such as religious decorations, etc. or those used for a historic holiday or special event and displayed for a limited period of time.
- R. **"Identification Sign."** A sign which identifies the business, owner, manager, resident or address of the premises where the sign is located and which contains no other material.
- S. **"Illuminated Sign."** A sign illuminated by an artificial light source either directed upon it or illuminated from an interior source.
- T. **"Integral Sign."** A sign carrying the name of a building, its date of erection, monumental citations, commemorative tablets and the like when carved into stone, concrete or similar material or made of bronze, aluminum or other permanent type of construction and made an integral part of the structure.
- U. **"Monument Sign."** A sign not supported by exposed posts or poles which is architecturally designed and located directly at grade, and where the base width dimension is 50 percent more of the greatest width of the sign. Also called a ground sign or low profile sign.
- V. **"Parapet."** A low wall which is located on a roof of a building.
- W. **"Political Sign."** A sign used exclusively to call attention to the candidacy of any individual or party for elective office which appears on the official ballot to be voted upon by the citizens of the City.
- X. **"Portable Sign."** A sign advertising a product or service so designed as to be movable from one location to another and not permanently attached to the ground or a structure.
- Y. **"Principal Frontage."** The wall of the principal building on a lot which fronts toward the principal public streets.
- Z. **"Projecting Sign."** Any sign which projects over 12 inches from the front edge of a roof structure and/or building facade.
- AA. **"Pylon Sign."** A sign supported by a column-type structure that is set firmly in or below ground surface and finished in a material consistent with the sign.
- BB. **"Real Estate Sign."** A business sign placed only upon a property advertising that particular property for sale, for rent or for lease.
- CC. **"Roof Sign."** A sign erected upon or against a sloping roof but no extending above or beyond the roof line.
- DD. **"Setback Line."** The minimum horizontal distance between a property line and the nearest edge of the sign, base or support structure.

-
- EE. **"Sign."** A name, identification, description, display or illustration which is affixed to or represented directly or indirectly upon an awning, canopy, marquee, building, structure or piece of land which directs attention to an object, product, place, activity, person, institution, organization or business, a "sign" shall not include any official court or other public notices, nor shall it include the flag, emblem or insignia of a nation, political unit, school or religious, service or fraternal group.
- FF. **"Sign Height."** Sign height shall be determined from the base of the sign structure to the peak of the sign.
- GG. **"Sign Structure."** The supports, uprights, bracing, foundations and framework of any structure which supports or is capable of supporting any sign as defined herein.
- HH. **"Swinging Sign."** A sign installed on an arm or spar, that is not, in addition, permanently fastened to an adjacent wall or upright pole.
- II. **"Temporary Sign."** A sign erected or displayed for a specific period of time.
- JJ. **"Time and/or Temperature Sign."** A sign that displays the current time and/or temperature without advertising material, company name, logo or other identifying marks.
- KK. **"Total Allowable Sign Area."** The maximum allowable gross surface area in square feet of a sign or signs. The maximum number of signs cannot be arranged and integrated so as to create a surface area in excess of this requirement.
- LL. **"Traffic Sign."** A sign which is erected by a governmental unit for the purpose of directing or guiding traffic.
- MM. **"UL Approved."** A device which has been approved by the "Underwriters' Laboratories (48)," a U.S. non-profit organization which establishes standards for electrical equipment.
- NN. **"Wall Sign."** A single-faced sign attached to or painted on an exterior wall of a building, parallel to the building wall and which does not project more than 12 inches from the plane of the building.
- OO. **"Window Sign."** A sign that is placed inside a window or upon the window or upon the windowpanes or glass and is visible from the exterior of the window. This does not include merchandise on display.
- "Site Plan."** A map drawn to scale depicting the development of a tract of land, including, but not limited to, the location and relationship of structures, streets, driveways, recreation areas, parking areas, easements, utilities, landscaping, and walkways, as related to a proposed development.
- "Slope."** Means the degree of deviation of a surface from the horizontal, usually, expressed in percent of degrees.
- "Solar Energy System."** Any solar collector or other solar device or any structural design of a building whose primary purpose is to collect, convert and store solar energy for useful purposes including heating and cooling of buildings, domestic water heating, electric power generation and other energy using processes.
- "Spot Zoning."** A zoning situation where a property or group of properties is unjustifiably zoned differently from adjacent properties, and is not sufficiently unique from such adjacent properties to justify a different zoning classification, nor is such action in compliance with the Comprehensive Plan.
- "Stacking Area."** That area which allows for a line of automobiles in such instances as drive-up tellers and other vehicle service areas.
- "Storage, Indoor."** An establishment that has enclosed storage of merchandise in either a principal or accessory structure.
- "Storage, Outdoor."** The storage of goods, materials, equipment, manufactured products and similar items not fully enclosed by a building and accessory or subordinate to the principal use.
- "Story."** That portion of a building included between the upper surface of any floor and the upper surface of the floor next above, including below ground portions of earth sheltered buildings, except that the topmost

story shall be that portion of a building included between the upper surface of the topmost floor and the ceiling or roof above. If the finished floor level directly above a basement, or unused under floor space is more than six feet above grade as defined herein for more than 50 percent of the total perimeter or is more than 20 feet above grade as defined herein at any point, such basement or unused under floor space shall be considered as a story.

"Story, First." The lowest story in a building which qualifies as a story, as defined herein, except that a floor level in a building having only one floor level shall be classified as a first story, provided such floor level is not more than four feet below grade, as defined herein, for more than 50 percent of the total perimeter or not more than eight feet below grade, as defined herein, at any point.

"Story, Half." The portion of a building immediately under a sloping roof which has the point of intersection of the top line of the rafters and the face of the walls not to exceed three (3) feet above the floor of such story.

"Street." A public right-of-way for vehicular traffic, whether designated as a highway, thoroughfare, arterial, parkway, collector, through-way, road, avenue, boulevard, lane, place, drive, court or otherwise designated, which has been dedicated or deeded to the public for public use and which affords principal means of access to abutting property.

"Street—Collector." Collector roadways provide a balance between land access and mobility. Their primary function is to move traffic from the local street system to the arterial system. When collectors intersect with arterials, traffic signals generally control traffic. Intersections with local streets are usually under stop sign control with collector streets having their right-of-way.

"Street—Local." Local streets provide local land access with limited emphasis on mobility. Local streets account for 65 percent to 80 percent of the total road system mileage but carry only ten percent to 30 percent of the total traffic. In a residential setting, driveways are freely permitted and intersections of local streets are often uncontrolled. Stop signs are usually installed where traffic control is required such as at intersections with collector streets.

"Street—Minor Arterial." Minor arterials make up the class of roadways including other state highways, certain county roads and major city streets. These roads primarily provide mobility, carrying short to medium length trips (two to six miles), and have controlled land access. Minor arterials as a group account for about 15 percent to 25 percent of the total mileage and carry roughly one-fourth of all traffic for the metropolitan roadway system. Minor arterials generally are given the traffic right-of-way over local streets and they usually have traffic signals at intersections with other minor arterials and some collector streets.

"Street—Intermediate Arterial." The intermediate arterial category was developed by the City of Wayzata and is not included in the Metropolitan Council's Development Guide. Intermediate arterials function at a level between the minor arterial and major arterial categories. Intermediate arterials are not limited access facilities but serve primarily trips between rather than within subregions.

"Street—Principal (Major) Arterial." Major arterials provide a high level of mobility between subregions, serving medium to long distance trips. Principal arterials are grade separated or have high capacity controlled at-grade intersections. No parking is permitted, the posted speed limit is typically 40—55 mph and traffic volumes range from 10,000 to 50,000 ADT. The Metropolitan Council recommends that major arterials be spaced one to three miles apart.

"Street Pavement." The wearing or exposed surface of a street or roadway used by vehicular traffic.

"Street Width." The shortest distance between the lines delineating the right-of-way of a street.

"Structure." Anything ~~which is built~~manufactured, constructed or erected; ~~an edifice which is normally attached to~~ or ~~building of any kind; or any piece of work artificially built up and/or composed of parts joined together in some definite manner whether temporary or permanent in character. Among other things, positioned on land, including portable~~ structures ~~including, but not limited to, buildings, decks, walls, fences, and swimming pools.~~

"Structural Alteration." Any change, other than incidental repairs, which would prolong, or modify the life of the supporting members of a building, such as bearing walls, columns, beams, girders, or foundations.

"Surveyor." A land surveyor registered under Minnesota State laws.

"Swimming Pool." A structure designed to be used for swimming which has a capacity of 3,000 gallons or more or which has a depth of over 36 inches.

"Taproom (Brewery)." An area for the on-sale consumption of malt liquor produced by the brewer for consumption on the premises of a brewery. A taproom may also include sale for off-premises consumption of malt liquor produced at the brewery location or adjacent taproom and owned by the brewery for off-premises consumption, packaged subject to Minn. Stats. § 240A.301, Subd. 7(b), or its successor.

"Tasting Room (Winery/Distillery)." An area for the on-sale consumption of distilled spirits or wine produced on the premises of one winery or one distillery and in common ownership to the producer of the wine or distilled spirits.

~~**"Townhouses."** Structure housing four or more dwelling units contiguous to each other only by the sharing a common wall(s), each such unit having a separate primary entrance to the exterior of the building at or near grade level, such structures to be of the town or row houses type as contrasted to multiple apartment structures.~~

~~**"Theaters, excluding Drive-Ins".** An establishment in which plays or movies are shown to an audience while inside an enclosed building. A theater where movies are watched while sitting in a vehicle is prohibited.~~

"Travel Trailer." Any vehicle or structure designed and used for human living quarters which meets all of the following qualifications.

- A. Is not used as the permanent residence of the owner or occupant.
- B. Is used for temporary living quarters by the owner or occupant while engaged in recreational or vacation activities.
- C. Is towed or otherwise transported by its own or by other motive power, on the public streets or highways incidental to such recreational or vacation activity.

The term "travel trailer" shall not include manufactured home. The term "travel trailer" shall include, but not be limited to, campers, camper tents, house trailers, camping trailers, travel trailers, tent trailers and any other self-propelled vehicle constructed to provide living accommodations. (See also the definition of "Recreation Vehicle.")

"Tree Preservation Related."

A. **"City Forester"** A person appointed as City Forester in City Code Section 710.02(b).

B. **"Clear Cutting."** The removal of an entire stand of trees and/or vegetation.

C. **"Coniferous Tree"** A woody plant bearing seeds and cones oftentimes, but not always, retaining foliage throughout the year.

D. **"Construction Area"** Any area in which movement of earth, alteration in topography, soil compaction, disruption of vegetation, change in soil chemistry, or any other change in the natural character of the land occurs as a result of site preparation, grading, building construction or any other construction activity.

E. **"Critical Root Zone"** The area around a tree measured from the trunk of the tree with a radius that is equal to 1.5 feet for each one inch of DBH of the tree. For example, if a tree's DBH is ten inches, then its critical root zone radius is 15 feet (10 x 1.5 = 15).

F. **"Deciduous Tree"** A woody plant which has a defined crown, and which loses leaves annually.

-
- G. **"Diameter of Tree at Breast Height" or "DBH"** The diameter of a tree as measured 4½ feet 54 inches above the ground. Trees that branch near or below 4½ feet from the ground will be measured at the narrowest point below 4½ feet. Trunks that originate from the ground shall be considered separate trees.
- H. **"Healthy Tree"** A tree that is in the average or better condition and vitality for the area, as determined by the City Forester.
- I. **"Heritage Tree"** A Rapid-Growth Tree that is 30 inches or greater in DBH, a Standard-Growth Tree that is 25 inches or greater in DBH, or a Healthy Coniferous Tree that is 25 inches or greater in DBH.
- J. **"Landscape Architect"** A person licensed by the State of Minnesota as a landscape architect.
- K. **"Nursery Stock Dealer" or "Nursery Stock Grower"** A person licensed by the State of Minnesota as a nursery stock dealer or a nursery stock grower.
- L. **"Public Infrastructure"** The construction or maintenance of:
1. Collector or arterial roads as defined by the City Transportation Plan;
 2. Public recreational trails;
 3. Stormwater infrastructure;
 4. Installation or maintenance of trunk utility infrastructure as described in the Comprehensive Sewer or Water Plans; or
 5. Any essential service or public improvement.
- M. **"Rapid-Growth Tree Species"** A species of tree recognized as rapid-growth trees by the City Forester, including cottonwood, poplar/aspen, box elder, willow, silver maple, elm, mulberry, and ash.
- N. **"Removal" or "Tree Removal":**
1. Manual, mechanical, chemical, or abiotic or biotic (fire, water, insects or inoculation) methods which results in the physical removal of a tree;
 2. Grading impact, compaction, or other damage up to 40 percent of a tree's Critical Root Zone;
 3. Excessive pruning that severely impacts the long term survivability of the tree; or
 4. Any other impact to a tree that comprises the long term health or structural stability of a tree.
- O. **"Significant Tree"** A Healthy Standard-Growth Tree that is six inches or greater in DBH, a Healthy Rapid-Growth Tree that is 12 inches or greater in DBH, or a Healthy Coniferous Tree that is 12 feet or greater in height or 12 inches or greater in DBH.
- P. **"Site Plan"** The site plan established and described in this Ordinance.
- Q. **"Standard-Growth Tree Species"** A species of tree recognized as standard-growth trees by the City Forester.
- R. **"Tree Inch(es)"** The DBH of a tree or trees on a site.
- S. **"Tree Preservation Plan"** The tree preservation plan established and described in this Ordinance.
- T. **"Tree Preservation Zone"** The tree preservation zone established and described in this Ordinance.
- U. **"Tree Removal Permit"** A permit that is required under this Ordinance for tree removal.

"Use." The purpose or activity for which the land or building thereon is designated, arranged, or intended or for which it is occupied, utilized or maintained, and shall include the performance of such activity as defined by the performance standards of this Ordinance. Uses are classified as principal or accessory, and as permitted, conditional, ~~and or~~ prohibited.

"Usable Open Space." A required ground area or terrace area on a lot which is graded, developed, landscaped and equipped and intended and maintained for either active or passive recreation or both, available and accessible to and usable by all persons occupying a dwelling unit or rooming unit on the lot and their guests. Such areas shall be grassed and landscaped or covered only for a recreational purpose. Roofs, driveways and parking areas shall not constitute usable open space.

"Variance." A variance is permission to depart from a provision of this Ordinance that may be requested and granted under Chapter 905 of this Ordinance.

~~**"Veterinary Clinic."** Those uses concerned with the diagnosis, treatment and medical care of animals including animal or pet hospitals.~~

~~**"Warehousing."** The storage of materials or equipment within an enclosed building.~~

"Waterbody." Means a body of water (lake, pond) or a depression of land or expanded part of a river, or an enclosed basin that holds water and is surrounded by land.

"Watercourse." A channel or depression through which water flows, such as rivers, streams, creeks, and may flow year-round or intermittently.

"Watershed." The area drained by the natural and artificial drainage system, bounded peripherally by a bridge or stretch of high land dividing drainage areas.

"Wetlands Related."

- A. **"Wetland."** Those areas that are inundated or saturated by surface or ground water at a frequency and duration sufficient to support and that in normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs and similar areas. Wetlands have the following general diagnostic environmental conditions:
1. **"Vegetation."** The prevalent vegetation consists of macrophytes that are typically adapted to areas having hydrologic and soil conditions described above. Hydrophytic species, due to morphological, physiological, and/or reproductive adaptation(s), have the ability to grow, effectively compete, reproduce, and/or persist in anaerobic soil conditions. The period of inundation or soil saturation varies according to the hydrologic/soil moisture regime.
 2. **"Soil."** Soils are present and have been classified as hydric, or they possess characteristics that are associated with reducing soil conditions.
 3. **"Hydrology."** The area is inundated either permanently or periodically at mean water depths less than two meters (6.6 feet), or the soil is saturated to the surface at some time during the growing season of the prevalent vegetation. The period of inundation or soil saturation varies according to the hydrologic/soil moisture regime.

Indicators of vegetation associated with wetlands, of developed under reducing conditions, and of hydrologic conditions that occur in wetlands are listed in the "Corps of Engineers Wetlands Delineation Manual" (U.S.-ACOE, Environmental Laboratory, 1987. Technical Report Y-87-1, U.S. Army Engineer Waterways Experiment Station, Vicksburg, Miss.). As defined here, wetlands also include any watercourse, natural drainage system, water body, stormwater detention basin or wetland that may be subject to periodic flooding, overflow, and/or seasonal high water table.

- B. **"Wetlands Overlay District."** The area containing the wetlands within the City of Wayzata, such wetlands being defined as any watercourse, natural drainage system, water body, stormwater detention basin or wetland that may be subject to periodic flooding, overflow, or seasonal high water table.
- C. **"Accessory Structure."** A structure not intended for human habitation, the structure on the same lot with, and of a nature customarily incidental and subordinate to, the principal use or structure.

-
- D. **"Wetland District Boundary."** That area located between the calculated 100-year frequency flood elevation and 2½ feet above the 100-year frequency flood elevation.
- E. **"Essential Services."** Those services deemed by the City Council to be necessary for the health, safety and general welfare of residents of the community and surrounding area.
- F. **"Flood Envelope."** Represents the boundary of the Wayzata Overlay District, such boundary being defined as that area located between the calculated 100-year frequency flood elevation and 2½ feet above the 100-year frequency flood elevation.
- G. **"Flood Envelope of a Wetland/Detention Basin."** Represents the boundary of the detention basin, such boundary being defined as that area located between the calculated 100-year frequency flood elevation and 2½ feet above the 100-year frequency flood elevation.
- H. **"Stormwater Detention Basin."** A basin, depression or holding area which is intended or used for the detention or storage of stormwater runoff.
- I. **"Wetland System District Map."** That map showing the wetland districts within the City of Wayzata. The wetlands are classified pursuant to the "Corps of Engineer Wetlands Delineation Manual" (U.S. ACOE, Environmental Laboratory, 1987. Technical Report Y-87-1, U.S. Army Engineer Waterways Experiment Station, Vicksburg, Miss.), and the "Stormwater Management Plan for the City of Wayzata."
- J. **"Wetland Systems Impact Plan."** Plan for development of any area within the Wayzata Wetlands Overlay District.

~~**"Wholesaling."** The selling of goods, equipment and materials by bulk to another business that in turn sells to the final customer.~~

"Winery." A facility operated by the owner of a Minnesota farm and producing table, sparkling, or fortified wines from grapes, grape juice, other fruit bases, or honey with a majority of the ingredients grown or produced in Minnesota. A winery may include a tasting room.

"Yard." An open space on the same lot with a building, unoccupied and unobstructed by any portion of a structure from the ground upward, except as otherwise provided herein.

"Yard, Depth of." The mean horizontal distance between the line of a building and the lot line.

"Yard, Front." The front yard of a lot shall be considered to be the area extending along the full length of a front lot line between side lot lines and to the depth required in the yard regulations for the district in which it is located.

"Yard, Rear." A space extending between the rear line of the principal building and the rear line of the lot and extending the full width of the lot.

"Yard, Required." That distance specified in the yard requirements pertaining to setbacks. Setbacks and required yards are used interchangeably.

"Yard, Side." A yard between the principal building and the side line of the lot extending from the front to the rear building lines.

"Zero Lot Line." The reduction of side yard setback requirements to zero, permitting the placement of a structure near or adjacent to the side yard lot line. With zero lot line, no portion of the structure or accessory appurtenance shall project over the lot line.

"Zoning Administrator." The duly appointed officer charged with the administration and enforcement of this Ordinance.

"Zoning Amendment." A change authorized by the City Council either in the allowed use within a district or in the boundaries of the district.

"Zoning District." An area or areas of the City (as delineated on the Zoning Map) set aside for specific uses with specific regulations and provisions for use and development as defined by this Ordinance.

"Zoning District Overlay." A zoning district containing regulations superimposed upon other zoning district regulations and superseding the underlying zoning district use regulations.

"Zoning District Underlying (Base)." All zoning districts except overlay zoning districts.

"Zoning Map." The map or maps incorporated into this Ordinance as part thereof, designating the zoning districts.



City of Wayzata Planning Commission Agenda Report

MEETING DATE: April 17, 2023	AGENDA ITEM: 5.a
TITLE: Consider Application for Design Deviations for Rooftop Mechanical Equipment at 900 Wayzata Blvd E	
PREPARED BY: Valerie Quarles, Assistant Planner	
REVIEWED BY: Emily Goellner, Community Development Director	
60 DAY DEADLINE: July 13, 2023 (extended to 120 days)	

BACKGROUND:

Applicant Mithun Enterprises LLC previously submitted and was approved in 2022 for an application to redevelop the property at 900 Wayzata Blvd E into a mixed-use project. The project, called Wayzata Gateway, includes a residential building with apartments and townhomes, an office building, and a bank with drive-through service. The project plans approved at that time did not include detailed mechanical equipment information. The applicant is now requesting design standards deviations for oversized rooftop mechanical equipment on the bank and office buildings. No deviations are requested at this time for the residential building, which is anticipated to be the last to start construction. The potential for deviations was discovered as the applicant prepared plans for building permit approval.

No public comments have been received for this application as of April 13.

ACTION REQUESTED:

After considering the items outlined in this report and the public hearing held at the meeting, the Planning Commission should direct staff to prepare a Planning Commission Report and Recommendation, with appropriate findings, reflecting a recommendation on the application for review and adoption at the next Planning Commission meeting.

ATTACHMENTS:

1. 900 Wayzata Blvd E - Staff Report
2. 900 Wayzata Blvd E - Applicant's Narrative
3. 900 Wayzata Blvd E - Elevations and Plans
4. 900 Wayzata Blvd E - Site Plan (September 21, 2022)
5. 900 Wayzata Blvd E - Renderings With and Without Screening
6. 900 Wayzata Blvd E - Grade Plane Information
7. 900 Wayzata Blvd E - Materials Information Abridged



**Staff Report
Wayzata Planning Commission
April 17, 2023**

Project Name: Wayzata Gateway Rooftop Mechanical Equipment
Addresses of Request: 900 Wayzata Blvd E
Approval Request: Design Standards Deviations (4)
Applicant: Matt Mithun, Mithun Enterprises LLC
Prepared by: Valerie Quarles, Assistant Planner
“120 Day” Decision Deadline: July 13, 2023

Development Application Introduction

Mithun Enterprises LLC previously submitted and was approved in 2022 for an application to redevelop the property at 900 Wayzata Blvd E into a mixed-use project. The approved project, called Wayzata Gateway, includes a residential building with apartments and townhomes, an office building, and a bank with drive-through service. The approved project will require the demolition of the existing building. While the property received approval for a subdivision and a development agreement has been approved, this application is being processed for the current parcel as the final plat has not yet been filed. The approved project plans did not include detailed mechanical equipment information. The potential for deviations was discovered as the applicant prepared plans for building permit approval.

The applicant is now requesting four additional design standards deviations for oversized rooftop mechanical equipment on the bank and office buildings. No deviations are requested at this time for the residential building, which is anticipated to be the last to start construction.

The property identification numbers and owner of the properties are as follows:

Address	PID	Owner
900 Wayzata Blvd E	06-117-22-41-0003, 06-117-22-41-0001	Mithun Enterprises LLC

The current zoning and comprehensive plan land use designation for the properties are as follows:

Current Zoning:	C-1 Office and Limited Commercial District
Future Approved Zoning:	C-1 Office and Limited Commercial, C-3 Service, R-5 Average Density Multiple Residential
Comprehensive Plan Designation:	Mixed-Use – Commercial/Residential (10-30 units/acre)
Overlay Districts:	N/A
Design District:	Wayzata Boulevard District

Project Location

The parcels form a wedge shape that is located on the south side of Wayzata Boulevard and the north side of Superior Boulevard and Rice Street East.

Map 1: Project Location



Source: Hennepin County¹

Application Requests

As part of the development application, the applicant is requesting approval of the following items:

Office Building

1. Design Standards Deviation for Rooftop Equipment Location and Screening (§909.10.B.1):
 - a. Footprint: The applicant is requesting a deviation from the Design Standards to increase the footprint of proposed rooftop mechanical

¹ The eastern corner of the property is incorrectly depicted on Hennepin County's map. See the current site plan, attached, for the correct depiction.

equipment from the required maximum of 9 square feet to a total of 500 square feet in 3 separate rooftop units (302 square feet for the central unit and 99 square feet for each of the 2 western units).

- b. Height: The applicant is requesting a deviation from the Design Standards to increase the height of proposed rooftop mechanical equipment from the required maximum of 3 feet to 6 feet, 1 inch for all 3 proposed units, measured from the roof surface.

Bank Building

2. Design Standards Deviation for Rooftop Equipment Location and Screening (§909.10.B.1):

- a. Footprint: The applicant is requesting a deviation from the Design Standards to increase the footprint of proposed rooftop mechanical equipment from the required maximum of 9 square feet to a total of 120 square feet in 5 rooftop units (24 square feet for each of the 5 proposed units).
- b. Height: The applicant is requesting a deviation from the Design Standards to increase the height of proposed rooftop mechanical equipment from the required maximum of 3 feet to 3 feet, 6 inches for all 5 proposed units, measured from the roof surface.

Public Hearing Notice

Notice of the public hearing on the Application was published in the *Sun Sailor* on April 6, 2023. The public hearing notice was mailed to all property owners and residents who rent located within 500 feet of the subject properties on April 5, 2023.

Neighborhood Notification

The applicant sent out their own neighborhood notification letter on April 5, 2023 to all property owners and residents who rent within 500 feet of the subject properties on April 5, 2023. No neighborhood meeting is required for design deviations.

Public Comments

As of April 13, no public comments have been received.

Relevant Existing Conditions

Topography

The site includes a significant slope from north to south. The highest point on the site is located at an elevation of 974' (the northern portion of the upper parking lot) and the lowest is approximately 934' (the ground above the piped Gleason Creek), creating a grade change of about 40' across the site. The current building is set into the slope and the upper parking lot is held in place by retaining walls that vary between 8' and 14' 6" in height. The steepest individual slopes are at the west and southeast.

The slope of the site can create building height calculations that are not intuitive. In code, height is measured from a horizontal grade plane ("average grade"). Average grade on a sloped site is somewhere between the highest and lowest elevations, depending on the

location of the building. Buildings that occupy a large area of slope typically have a grade plane located partially underground. The grade plane of the current building is at 963' 9", creating a building height of 40' 6".

2040 Comprehensive Plan and Surrounding Properties

The 2040 Comprehensive Plan land use designation for the site is Mixed-Use – Commercial/Residential. Areas designated for the Mixed-Use Commercial/Residential category are primarily located along the Wayzata Boulevard corridor.

The relevant Guiding Principles from the Comprehensive Plan include:

- Charming
- Walkable and Pedestrian Friendly

Direction	Adjacent Land Use	Zoning	2040 Comp Plan Designation
North	Multi-Family Residential, Office, Single-Family Residential	R-5, C-1A, R-3A	Mixed-Use – Commercial/Residential, Central Core Residential
East	Multi-Family Residential, Office	R-5, C-1	Mixed-Use – Commercial/Residential, High Density Residential
South	Multi-Family Residential	R-5, PUD	High Density Residential, Downtown Mixed Use
West	Multi-Family Residential	PUD	High Density Residential

Each of these properties will have views of the completed development, with 101 Glenbrook Rd N, 935 Wayzata Blvd E, and 949 Wayzata Blvd E sitting directly uphill from the property. Two of the properties sit at higher elevations than the subject property, and if redeveloped, could have views directly over the rooftops of the project.

Wayzata Boulevard Design District

The site is located on the western end of the Wayzata Boulevard Design District. The district extends east from the ravine at Grand/Superior Avenue to the large commercial parcels on the north frontage of I-394, including frontage parcels on both sides of Wayzata Boulevard and the east side of Central Avenue. This area is currently characterized as a typical “commercial strip,” but incremental change is anticipated that will gradually result in more mixed-use development in accordance with the 2040 Plan.

Approved Conditions

Office Building

The approved office building is planned to be a two story, 31 feet, 10 ½ inch tall, 35,000 square foot structure with underground parking. The building required a side yard setback variance to enable a shared entrance to underground parking and a conditional use permit related to shared parking. It did not require any variances related to height. The height limit is 35 feet.



Rendering of the office building provided by applicant in June 2022.



Rendering of the proposed bank building provided by applicant in June 2022.

Bank Building

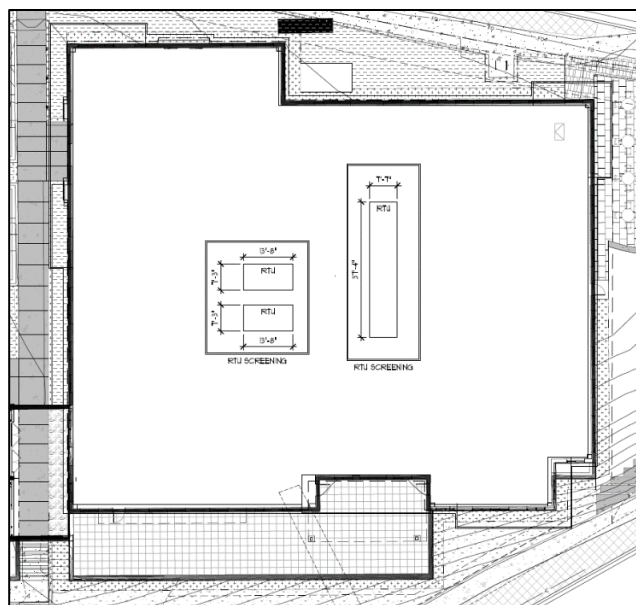
The proposed bank building is planned to be a one story, 16 feet tall, 5,500 square foot building with a drive-through. The building required a rezoning, conditional use permit for the drive-through, and a design standards deviation for reduced glazing on the east façade. The height limit is 35 feet.

Proposed Changes

At the time of approval by City Council in 2022, mechanical system (HVAC) designs had not been finalized for either the office or bank buildings. Updated designs for both buildings now request mechanical systems that require deviations from the Design Standards, which limit rooftop HVAC units to 9 square feet in area and 3 feet in height. This standard does not distinguish residential from commercial buildings and does not scale up or down based on the size of the building. On Lake Street, where rooftop mechanical equipment is prohibited, new buildings typically place equipment inside of the building or integrate it into the building's massing in a way that creates no additional bulk.

Office Building

The proposed rooftop equipment for the office building consists of 3 units. The central unit is 302 square feet in area and 6 feet, 1 inch tall. The western units are 99 square feet each and the same height. Both the area and the height require deviations. The proposed screening is compliant with the Design Standards and the equipment does not appear to be visible from street level. The screened area is 17 feet from the north edge of the roof. The screening is proposed to be just under 7 feet, 11 inches tall, metal, and painted a limestone color.



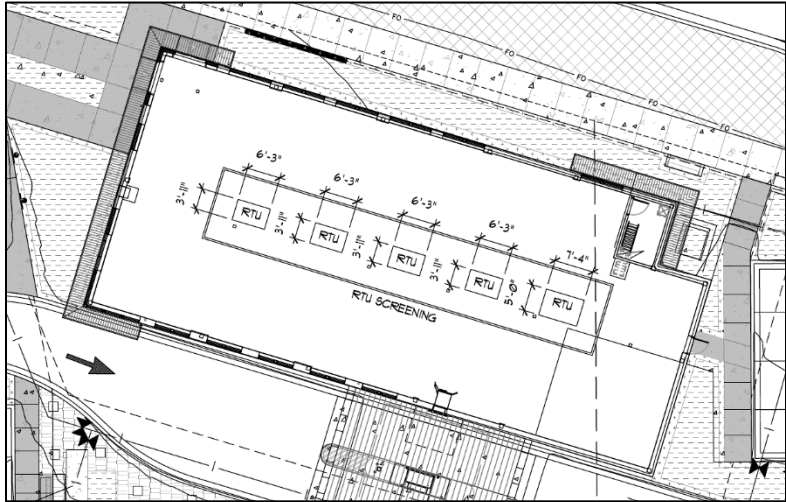
Rooftop plan of the office building with mechanical equipment footprints.

Despite the height of the equipment, an additional conditional use permit for height is not required because the top of the screening does not reach a height greater than 40 feet from the grade plane. In City Code §919.02.B, “necessary mechanical appurtenances” may reach this height without additional approvals. The rooftop of the office building has stayed at the same elevation as the City Council-approved plan, but its height from average grade plane has been adjusted by about 3 feet as grading details around the perimeter of the building have been finalized and the calculation of the grade plane has changed. Without this clarification of grade plane, the height of the mechanical systems would have required a CUP. The top of the mechanical equipment and screening is 39.81 feet above the grade plane. Materials verifying this change are attached.

Requirement	Code Standard	Proposed (Office)	Proposed (Bank)
Mechanical equipment height	3 ft	6 ft, 1 in	3 ft, 6 in
Mechanical equipment square footage	9 sq. ft.	500 sq. ft. total 302 sq. ft. (central) 99 sq. ft. each (2 western units)	120 sq. ft. total 24 sq. ft. (all 5 units)
Mechanical equipment roof coverage	25% roof area	3% roof area	3% roof area
Building height	35 ft	31 ft, 10.5 in	16 ft
Building height with mechanical equipment	40 ft or 5 ft over rooftop (whichever is greater)	39 ft, 9.5 in	20 ft, 6 in

Bank Building

The proposed rooftop equipment for the bank building consists of 5 units, each of which are 24 square feet in area and 3 feet, 6 inches tall. Both the area (8 times greater than the standard) and the height (6 inches over the standard) require deviations. The proposed screening is compliant with the Design Standards and the proposed equipment does not appear to be visible from street level. The screened area is between 16 and 18 feet from each edge of the roof. The proposed screening is 4 feet, 6 inches tall and painted a limestone color. The height of the building with the proposed mechanical equipment, measured from the average grade plane, is 19 feet, 6 inches.



Rooftop plan of the bank building with mechanical equipment footprints.

Analysis of Application Requests

Design Standards Deviations for Mechanical Equipment Footprint and Height §909.10.B.1

Along Wayzata Boulevard, rooftop mechanical equipment is limited to 9 square feet in area and 3 feet in height. The standard's description in the Design Standards Handbook states that necessary equipment should be located where it won't detract from the architecture and that applicants should make every effort to conceal large and bulky equipment from public view. It also states that to the maximum extent feasible, this limited rooftop equipment should be clustered in the least visually obtrusive locations.

The standards state that any equipment larger than these standards must be located in the building interior or on grade in the side or rear yard, and concealed from view. The applicant considered this option for the bank building and determined that there was not enough room in the area around the building to place the equipment. For the office building, locations within the first floor parking garage and south side of the building were considered, but would have required other entitlement items like a side yard setback variance, shared parking CUP amendment, and other potential requests depending on the final design.

The standards of evaluation for a design standards deviation are based on whether the negative impact of the deviation is outweighed by one or more of a set of factors. Advancement of the Comprehensive Plan and the positive effect of the project on the area are eligible factors. The extent to which the deviation permits greater conformity with other standards and policies is another. Lastly, alleviation of an undue burden is a valid

reason to approve a deviation – but again, only if the negative impact of the deviation is outweighed by the positive effect of the alleviation.

Standards of Planning Commission Review of Application Requests

Primary Questions to Consider:

1. Does the proposed rooftop mechanical equipment on each building fit the vision and policies of the Comprehensive Plan?
2. Does the proposed equipment on each building permit greater conformity with other Code standards or City policies?
3. Does the proposed equipment on each building have a positive effect on the area?
4. Does the placement of the proposed equipment on the roof alleviate an undue burden?
5. Do the achievements enabled by the proposed equipment on each building outweigh the negative impact of significantly deviating from the rooftop mechanical limitations on Wayzata Boulevard?
6. Does the proposed equipment location accommodate future possible uses near this property?

Action Steps

After considering the items outlined in this report, holding the public hearing on the application, and discussing the requests of the Application, the Planning Commission should direct staff to prepare a draft *Planning Commission Report and Recommendation*, with appropriate findings, reflecting a recommendation on the variance and conditional use permits requested in the application, for review and adoption at the next Planning Commission meeting.

Attachments

1. Applicant's Narrative
2. Plans, Elevations and Renderings
3. Site Plan (September 2022)
4. Grade Plane Materials
5. Material Specifications

Applicable Code Provisions for Review

Staff has analyzed the facts provided by the applicant in comparison with the criteria for approval. Staff has highlighted in **bold** the criteria that may require additional discussion with the Planning Commission.

Rooftop Equipment Location and Screening – Wayzata Blvd District (§909.10.B)

1. Mechanical equipment items less than three feet in height and nine square feet in area may be located on the roof surface, provided: (i) the total roof area covered by such equipment is less than 25 percent of roof area; and (ii) the equipment is fully concealed by 42-inch parapets or compatible architectural elements.
2. All other mechanical equipment items must be located either (i) in the building interior; or (ii) on grade, at the side or rear yard, and concealed from view.

Design Standards Deviation Criteria (§909.29.A)

Significant Deviations shall be defined as deviations that amount to a significant departure from the Standards enumerated in Chapter 909 and do not qualify as Minor Deviations. Approval of any Significant Deviation shall require a finding by the City Council (after considering the Planning Commission's recommendation) that the negative impact of such deviation is outweighed by one or more of the following factors:

1. **The extent to which the project advances specific policies and provisions of the City's Comprehensive Plan.**
2. **The extent to which the deviation permits greater conformity with other Standards, the Guidance of the Design Standards, policies behind the Standards, or with other Zoning Ordinance standards.**
3. **The positive effect of the project on the area in which the project is proposed.**
4. **The alleviation of an undue burden, taking into account current leasing, housing and commercial conditions.**
5. **The accommodation of future possible uses contemplated by the Design Standards, the Zoning Ordinance or the Comprehensive Plan.**
6. A national, state or local historic designation.
7. The project is the remodeling of an existing building which largely otherwise conforms to the Design Standards.

March 3, 2023

Emily Goellner
Community Development Director
City of Wayzata
600 Rice Street East
Wayzata, MN 55391

Re: Request for design deviation for rooftop units

Dear Ms. Goellner:

We represent Mithun Enterprises (“Mithun”) in conjunction with redevelopment of the Wells Fargo Building at 900 Wayzata Boulevard (the “Property”). Through 2021 and much of 2022, Mithun collaborated with staff and residents via public meetings and community outreach to bring forward the strategic redevelopment of the Property, utilizing the City’s new design standards and incorporating the guidance of the Planning Commission and the Council. This new campus with office, retail, and residential space is designed to both fit seamlessly within the landscape of the City and transform an outdated building, providing a welcoming gateway to the heart of downtown Wayzata. The City Council approved a preliminary and final plat application and site plan and accompanying development flexibility for the Project in June of this past year. Over the past 8 months, the Mithun team and City Staff worked diligently to draft a robust development agreement for the Property and now final architectural plan sets are in internal review in advance of submission for a building permit.

During the review of the final construction plans, for the Office Building and Retail Bank Building (approved site plan attached as Exhibit A), Mithun’s architect (Tanek) determined that the proposed rooftop mechanical units for both buildings would exceed the square footage limitations outlined within the design standards for commercial buildings along Wayzata Boulevard. The code calls for a maximum unit size of nine (9) square feet. It is worth noting that in its research, the *Mithun team could not find a single commercial system* that would comply with this language, even for the smallest of commercial buildings, let alone a 35,000 square foot office building. Rooftop units (RTU’s) essentially mechanical equipment for air circulation, heat and cooling, were always planned for both buildings. And site plans reviewed by the Planning Commission and Council during the entitlement process anticipated rooftop units.

Plan renderings incorporated the architectural elements- like 42 inch parapets- established by the design standards to provide screening and meet the aesthetic goals of limiting the impact of rooftop mechanicals. When the design team discovered that the proposed RTU’s for the Retail

Bank and Office Buildings would exceed the square footage maximum from the zoning ordinance, it immediately began looking for solutions to amend the plans and ensure compliance. Upon review, the Mithun team determined that unfortunately to adequately service the new buildings, there is not a path forward that does not require a deviation, a plan amendment, or further site flexibility.

With this in mind, the Mithun team respectfully requests flexibility from the Wayzata Boulevard design standards to allow for additional mechanicals to be placed on the roof of the buildings subject to screening. As further described herein, the Mithun team believes that this path meets the overarching policy goals of the design standards- to remove unsightly mechanicals from view of the public-while maintaining the architectural integrity, walkability, aesthetic quality, and functionality of this project.

Design Standards

Within the Wayzata Boulevard District, mechanical equipment items that are less than three feet in height and nine square feet in total area may be located on the roof surface, provided: (i) the total roof area covered by such equipment is less than 25 percent of overall roof area; and (ii) the equipment is fully concealed by 42-inch parapets or compatible architectural elements. Attached renderings and plans reflect the proposed rooftop units for the Retail Bank and the Office Building. Under the design standards, Mithun is entitled to cover twenty five percent of the rooftop with RTU's. As proposed, the units cover *only three percent of the roof area* but do individually exceed nine square feet. Based on the size of the building, a building that meets all district standards, under the code Mithun could cluster smaller unit creating a large block of RTU's and resulting in significantly greater visual impact, but units of this size are just not available for commercial structures of this size and cannot be engineered to serve a building like this. All proposed units are fully concealed with architecturally appropriate and code compliant parapets. The design team has integrated louver style covers to further disguise the proposed units. As platted, with the mechanicals on the roof, neither the Office Building nor the Retail Bank will exceed the C-1 Zoning District's height standards.

Office Building Code Analysis

Code Requirement	Code Standard	Proposed Office	Code Compliant
Building Height	35 ft.	31' 10.5"	☒
Building Height with RTU*	40 ft.	39'-9.5"	☒
Mechanical equipment height	3 ft.	6' 1"	<i>Flexibility requested</i>
Mechanical equipment square footage	9 sq. ft. per unit	Unit 1: ~302 sq. ft	<i>Flexibility requested</i>

		Unit 2: ~99 sq. ft	
Mechanical equipment coverage	25% roof area	3% roof area	☒
Screening required	Fully concealed	Fully concealed	☒

*Section 919.02 of the City Code specifically exempts mechanical and electrical appurtenances from building height calculations so long as no structural element exceeds 40 feet in total height or exceeds the maximum height of the building by 5 feet.

Retail Bank Building Code Analysis

Code Requirement	Code Standard	Proposed Retail Bank	Code Compliant
Building Height	35 ft.	16' 0"	☒
Building Height with RTU*	40 ft.	20' 6"	☒
Mechanical equipment height	3 ft.	3' 6"	<i>Flexibility requested</i>
Mechanical equipment square footage	9 sq. ft.	24 sq. ft. per unit	<i>Flexibility requested</i>
Mechanical equipment coverage	25% roof area	3% roof area	☒
Screening required	Fully concealed	Fully concealed	☒

As shown on the detailed renderings provided and submitted for your review, the Mithun team can demonstrate that the proposed flexibility will not result in a deviation from the core policy goals of the design standards. The standards were adopted to ensure that new buildings retain the important vision and character of Wayzata. The standards demand that developers design spaces and places that are vibrant, improve access physical activity for residents, safeguard the environment, and maintain the scenic and picturesque qualities that define the City, its downtown business district and respects the lake and the bluff that rises behind it.¹ The

¹ While the fact that a zoning standard reflects aesthetic policy choices will not automatically invalidate an otherwise valid ordinance and cities have broad authority to regulate development for the benefit of the public health, safety, and welfare, there is

Mithun team strongly believes that its proposed deviation meets these goals. The City Council and Planning Commission may approve a deviation from the Design Standards so long as an applicant can show that the negative impact of such a deviation is outweighed by the factors listed Section 900.29 of the zoning ordinance. A zoning ordinance must always be considered in light of its underlying policy.² The proposed flexibility for use of rooftop mechanicals will not negatively impact the Project or the district.

1. 900 Wayzata advances specific policies and provisions of the City's Comprehensive Plan.

2040 Goal: *Create connected neighborhoods that provide access to services, housing and recreation for all ages and mobility types.*

As currently designed the Project dramatically enhances an underutilized pedestrian corridor connecting Wayzata Boulevard to Lake Street with new pedestrian walkways. One option considered by the Mithun design team was to move the mechanical equipment from the roof to the grounds around the buildings. But as designed, all four sides of these buildings are exposed to street frontage and public view. They were designed to be walkable and viewable- placing large mechanical units, even with screening will impact the flow of the Property and limit the connectivity of the campus. To be sure, and as shown on the attached renderings, the rooftop mechanicals will simply not be viewable from the sidewalk or the roadway. Placing the units on the roof further protects the design investments already made by the City in the initial approvals that create more walkability, enhanced tree coverage, more open space, less impervious service, and a pleasing streetscaping.

2040 Goal: *Promote a diversity of retail, office, service and residential land uses at a high level of development quality to enhance Wayzata as a regional destination and provide services for residents.*

The Comprehensive Plan directed the City to consider regulations to allow a mix of commercial, office and residential uses within each of the commercial categories to strengthen Wayzata as a shopping, employment, and entertainment destination. In doing so and in building out this campus style project, Mithun has thoughtfully looked for ways to ensure that every resident, office tenant and their clients, and bank branch customers are surrounded by aesthetically conscious spaces and that both cars and pedestrians are able to navigate the Property safely from use to use. If the mechanicals are brought down to the ground level- they will impact the ability of the project to provide a safe, comfortable and attractive pedestrian scale. There is nothing appealing about hearing, seeing and feeling churning air conditioning compressors while walking

no case law that suggests a city can adopt and enforce standards for the sole purpose of aesthetic value alone, especially where there are reasonable alternatives that achieve the policy goals of the underlying ordinance.

² Lowry v. City of Mankato, 231 Minn. 108, 42 N.W.2d 553 (1950); Frank's Nursery Sales, Inc. v. City of Roseville, 295 N.W.2d 604, 609 (Minn. 1980).

through the public spaces incorporated into this Project. Because the rooftop units can be fully screened, the proposed flexibility promotes this diversity of uses while also preserving other important design elements in this Project.

2040 Goal: *Examine the placement of parking within developments so that it is not a focal point but rather placed behind buildings with appropriate buffers and landscaping. Consider promotion of shared and joint parking facilities within development wherever possible*

The Mithun Project utilizes shared parking to ensure the Property is sufficiently parked and also to ensure that parking is not the focal point of design. One option contemplated by the Mithun team was to incorporate the mechanical equipment into the shared parking garage. In order to service the Office Building properly, mechanicals placed within the garage would reduce the amount of parking available to both office tenants and residents, thereby limiting the potential benefit from the shared parking currently approved. Rooftop units would not have this impact and are consistent with the direction provided by the 2040 Comprehensive Plan.

2040 Goal: *Support the existing commercial core within the community and encourage business retention and reinvestment.*

Without flexibility from the existing standards, the Office Building and Retail Bank Branch cannot move forward. Wells Fargo is a core business that provides important financial services to the City and the broader community. Supporting this flexibility request is consistent with the City's goal of retaining and reinvesting in existing local businesses.

2040 Goal: *Utilize and support sustainable development practices for public and private developments within the City.*

As a prosperous and renowned destination suburb, Wayzata has taken a lead on sustainability goals and objectives including working to build a City free of visual and noise pollution. The requested flexibility meets and addresses these objectives. First and foremost, the proposed location and placement of the mechanicals will not disrupt or impact views to and from the lake. Placing these units on the roof as compared to on the ground or within the building allows them to run more efficiently and reduces the risk of ground dirt and debris impacting the system and therefore tenants and customers air quality. The 2040 Comprehensive Plan specifically directs staff, the Planning Commission and Council to consider potential noise pollution impacts associated with a proposed development. While in operation, the noise of rooftop units is virtually unnoticeable because they are naturally positioned away from pedestrians, tenants, and customers. Allowance of these units on the roof is directly in line with the Comprehensive Plan direction to encourage developers to utilize techniques and equipment that minimize noise pollution impacts on the community.

2. *Approval of the deviation requested permits greater conformity with other Standards, the Guidance of the Design Standards, policies behind the Standards, or with other Zoning Ordinance standards.*

The Mithun team is confident that as proposed the rooftop units will create minimal, if any, visual impact. The Code suggests specific square footage standards which the proposed units will exceed, as would be the case with any commercial units. At the same time, the Code suggests that rooftop units should not exceed twenty five percent coverage of the rooftop. The actual square footage of the proposed units would only cover three percent of the Office rooftop and three percent of the Bank Branch rooftop. This allows the Project to move forward while meeting the policies behind the rooftop standards- to limit the visual impact of mechanical equipment.

Furthermore, placement of these units on the roof permits greater conformity with other standards including maintaining visual appeal of both buildings, providing for unimpeded pedestrian connectivity, and limiting noise pollution. Core to the design standards is maintaining and fostering the charm the City is known for. Removing these units from the visual landscape- while keeping them screened and hidden from pedestrian and drive sightlines meets the purpose and intent of the design standards and broader zoning ordinance.

3. The Project will positively affect the area in which it is proposed.

The key design objective of this Project is to transform the 4.24 acre Property into a mixed-use community at the gateway to downtown Wayzata. The Project will dramatically improve the Property and enhance the area by replacing an office building, a drive-through bank and underutilized parking lot with the small mixed-use campus designed to enhance and enrich the Property.

4. Approval of the requested deviation will alleviate an undue burden, taking into account current leasing, housing and commercial conditions.

When the Mithun team discovered that the Project plans were inconsistent with the City code, it immediately pursued code compliant alternatives. Alternative units, alternative mechanisms of building the mechanicals into a new mezzanine within the Office Building, and whether it was possible to store the units for the single-story Bank Branch within a basement. The team considered a variety of ways to make a ground level units work while also making sure it didn't create a heavy industrial corner visible to pedestrians, drivers, and residents of the surrounding buildings-both those existing and to be built.

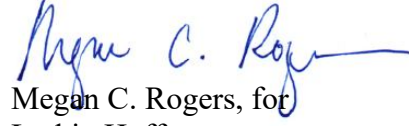
Ultimately, the Mithun team is seeking this flexibility after reducing the size of the proposed units, providing more screening, and working with Tanek to create minimal or no visual impact based on the flexibility requested. It is important to note that while the Mithun team heard and worked to incorporate the feedback of the Planning Commission and the Council, this Project garnered only positive public comment and feedback. City residents attending the public meetings supported the Project, the previously requested deviations and the vision for redevelopment for the Property. This development incorporates high-quality exterior materials, including cast stone, brick, stucco, metal accents and large windows. The Project was designed to ensure building details and setbacks maintain an appropriate scale relative to the surrounding properties. The entirety of the Project encourages the integration of the built environment into a

pedestrian friendly corridor intended to seamlessly integrate the Property with the City's public realm investments on Lake Street and Superior Boulevard. Approval of this flexibility mechanism takes into account the unique status of this Project and alleviates a burden that if not addressed would require the wholesale redesign of the Project, but more likely the termination of this Project.

Based on the findings above and the attached materials, the proposed flexibility for use of rooftop mechanicals will not negatively impact the Project or the district. Please do not hesitate to contact a member of the Mithun team if you have any questions or would like to discuss further.

Sincerely,

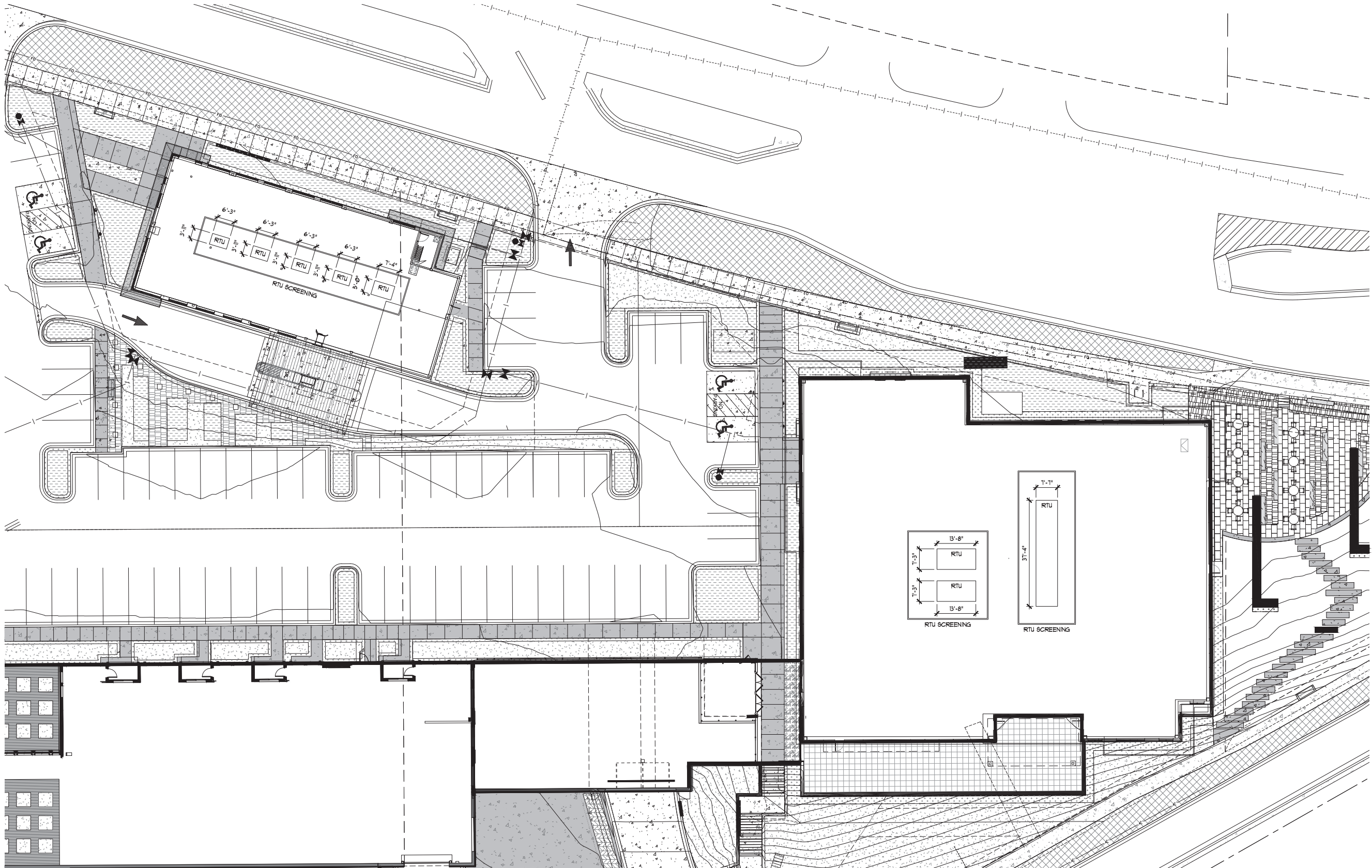
Sincerely,

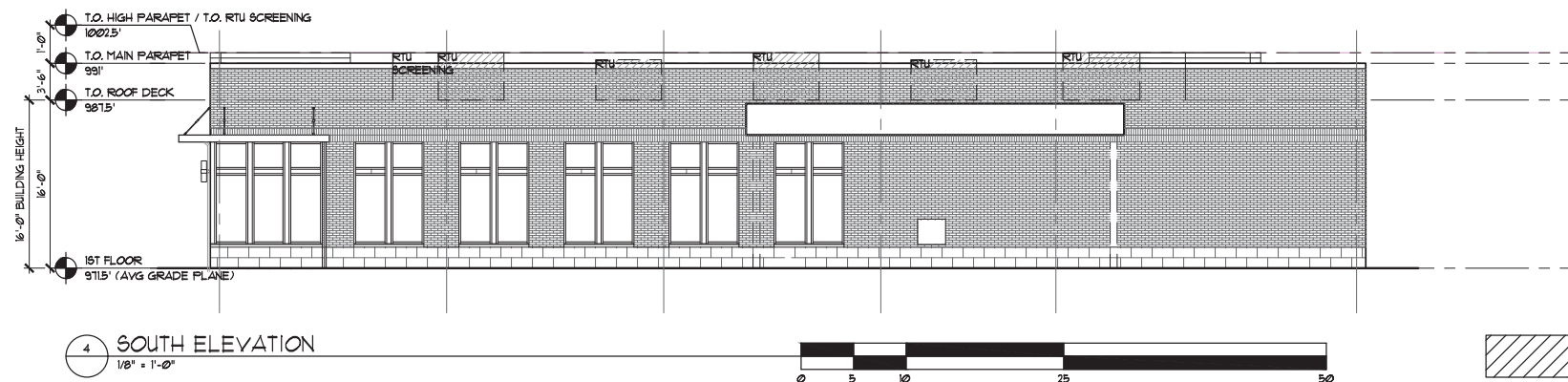
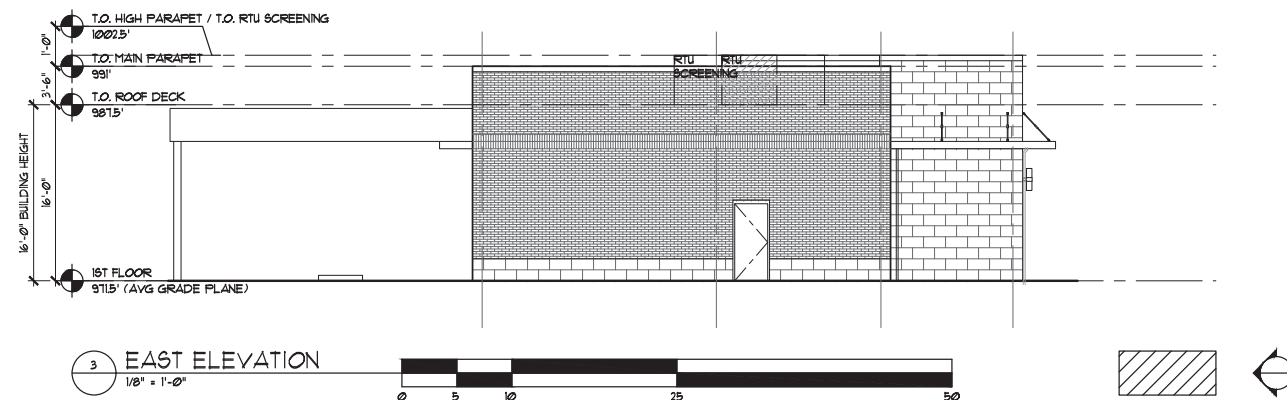
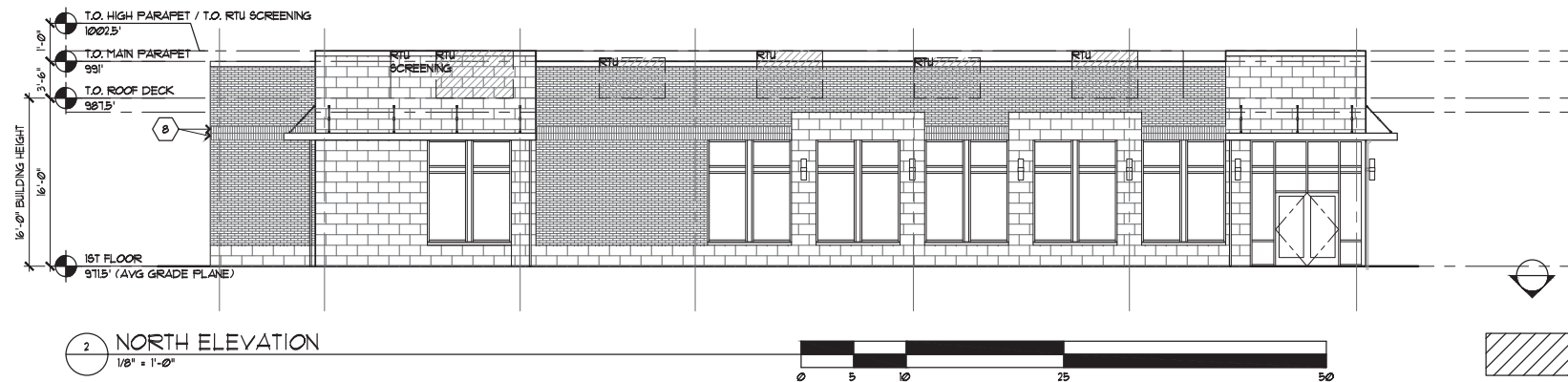
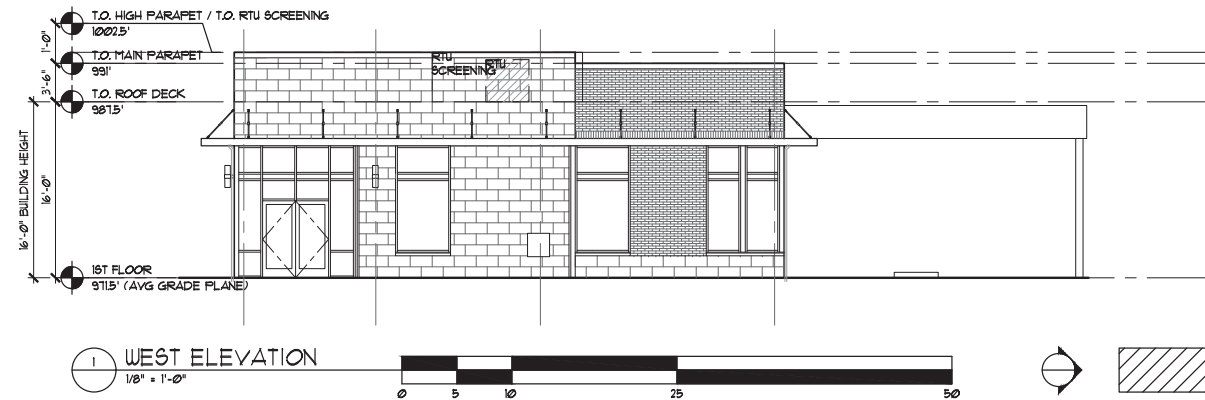
A handwritten signature in blue ink, appearing to read "Megan C. Rogers", with a long horizontal flourish extending to the right.

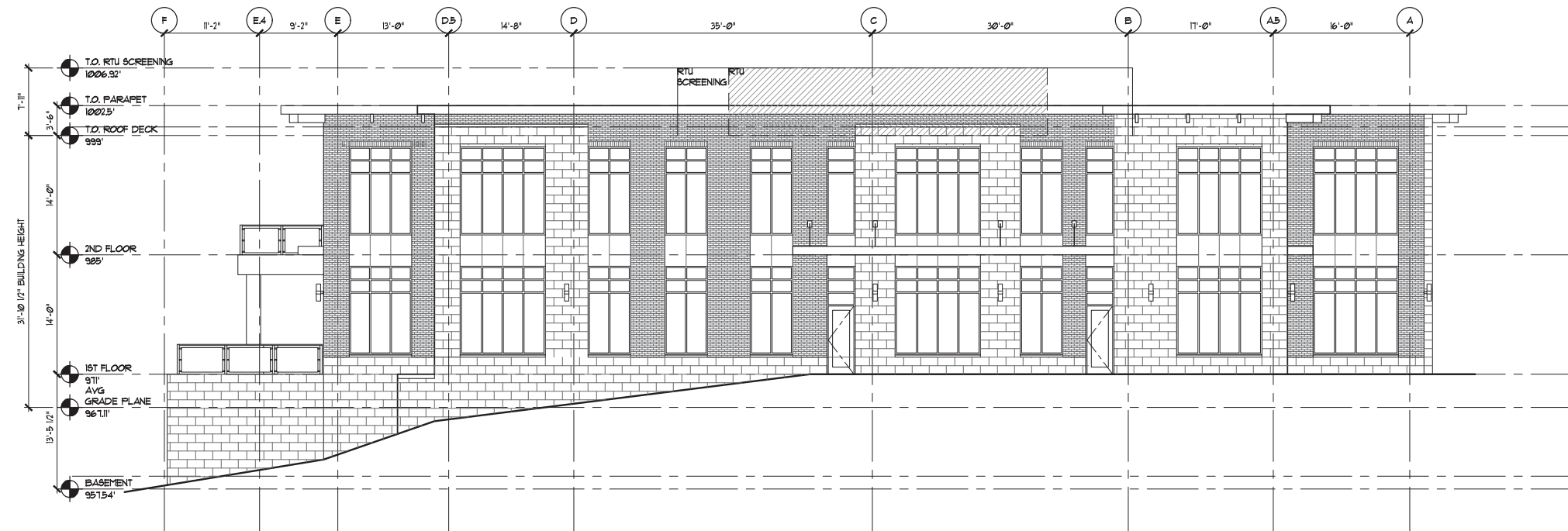
Megan C. Rogers, for
Larkin Hoffman

Direct Dial: (952) 896-3395
Direct Fax: (952) 842-1847
Email: mrogers@larkinhoffman.com

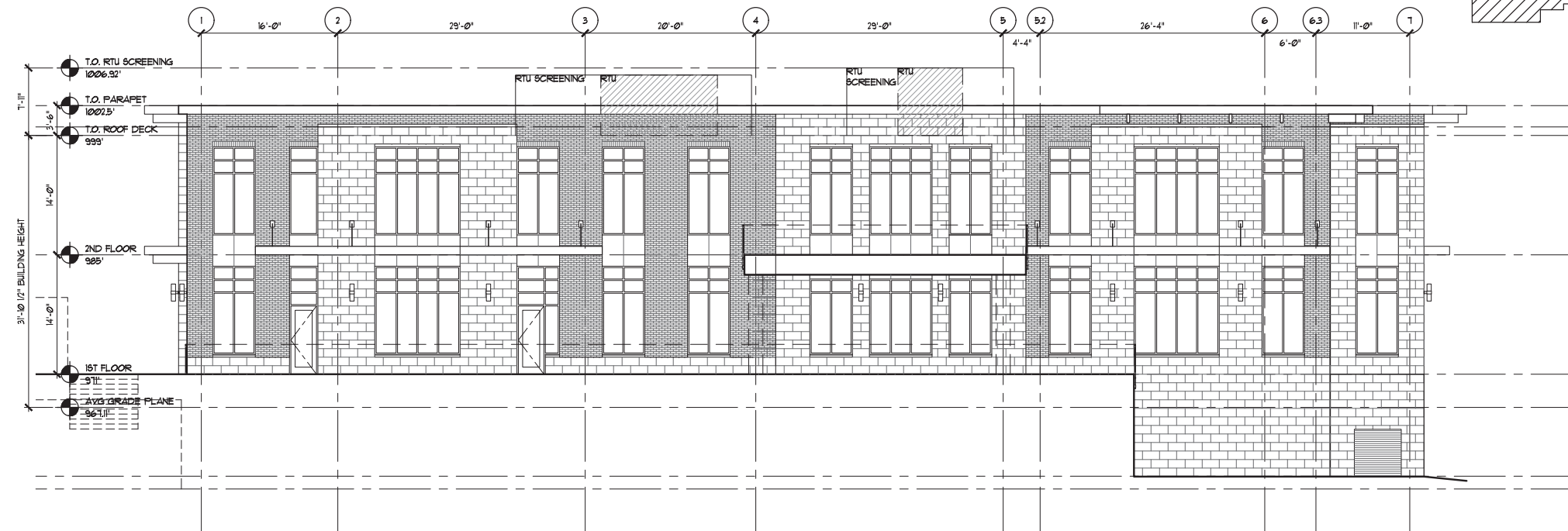
Attachments



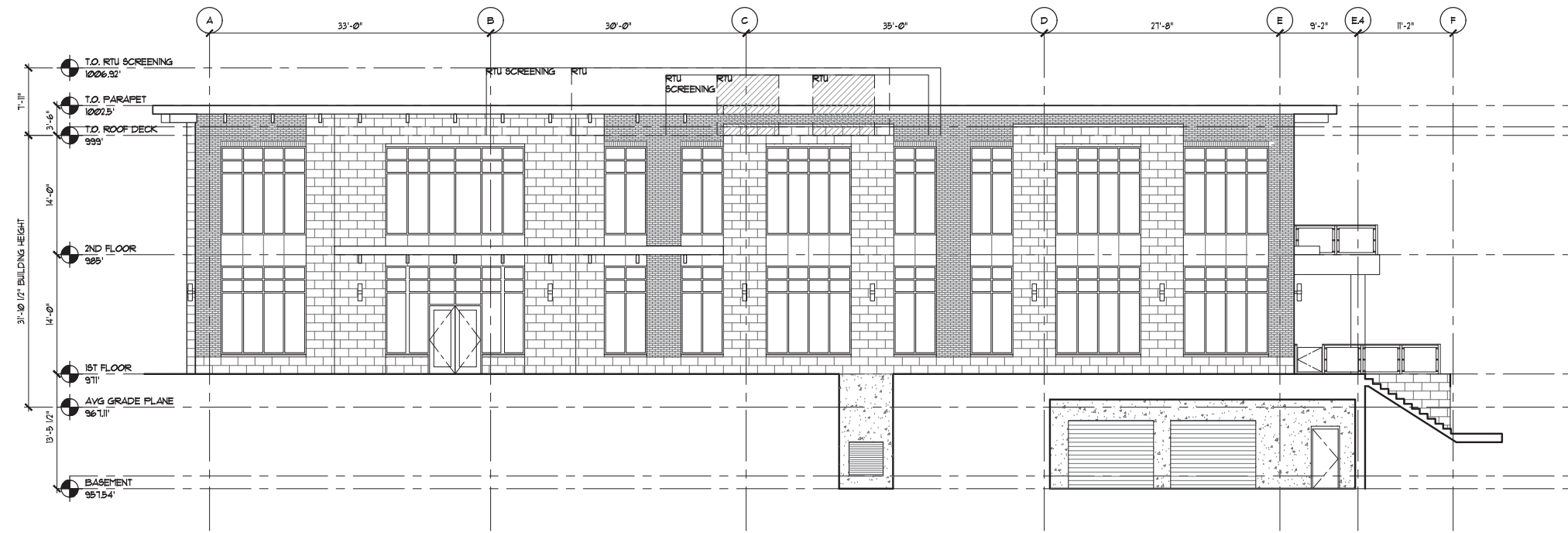




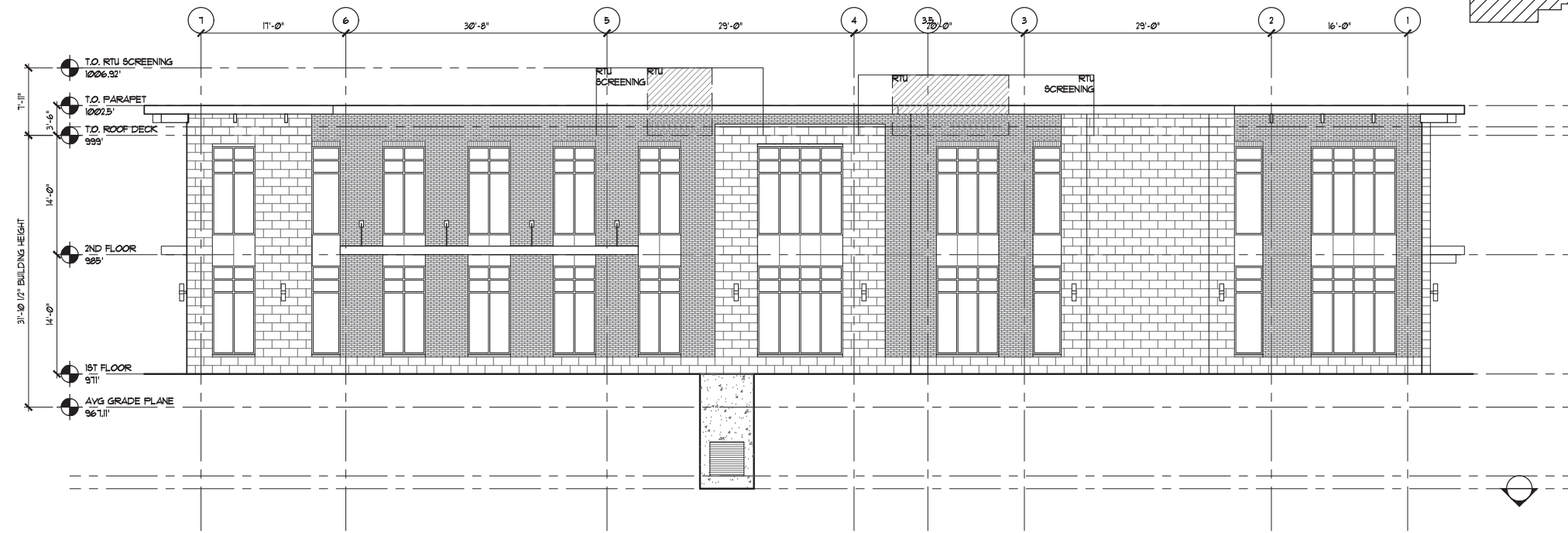
3 EAST ELEVATION
1/8" = 1'-0"



4 SOUTH ELEVATION
1/8" = 1'-0"



1 WEST ELEVATION
1/8" = 1'-0"



2 NORTH ELEVATION
1/8" = 1'-0"



CALL BEFORE YOU DIG!

Gopher State One Call
TWIN CITY AREA: 651-454-0002
TOLL FREE: 1-800-252-1866

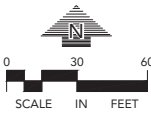
WARNING:

THE CONTRACTOR SHALL BE RESPONSIBLE FOR CALLING FOR LOCATIONS OF ALL EXISTING UTILITIES. THEY SHALL COOPERATE WITH ALL UTILITY COMPANIES IN MAINTAINING THEIR SERVICE AND / OR RELOCATION OF LINES.

THE CONTRACTOR SHALL CONTACT GOPHER STATE ONE CALL AT 651-454-0002 AT LEAST 48 HOURS IN ADVANCE FOR THE LOCATIONS OF ALL UNDERGROUND WIRES, CABLES, CONDUITS, PIPES, MANHOLES, VALVES OR OTHER BURIED STRUCTURES BEFORE DIGGING. THE CONTRACTOR SHALL REPAIR OR REPLACE THE ABOVE WHEN DAMAGED DURING CONSTRUCTION AT NO COST TO THE OWNER.

NOTE:

EXISTING CONDITIONS
INFORMATION SHOWN IS FROM
A ALTA/NSPS LAND TITLE
SURVEY PREPARED BY LOUCKS,
DATED DECEMBER, 2021.



SITE NOTES

1. ALL PAVING, CONCRETE CURB, GUTTER AND SIDEWALK SHALL BE FURNISHED AND INSTALLED IN ACCORDANCE WITH THE DETAILS SHOWN PER THE DETAIL SHEETS AND STATE/LOCAL JURISDICTION REQUIREMENTS.
2. ALL CURB DIMENSIONS SHOWN ARE TO THE FACE OF CURB UNLESS OTHERWISE NOTED.
3. ALL BUILDING DIMENSIONS ARE TO THE OUTSIDE FACE OF WALL UNLESS OTHERWISE NOTED.
4. ALL CURB RADIUS SHALL BE 5.0' UNLESS OTHERWISE NOTED.
5. SEE SITE ELECTRICAL PLAN FOR SITE LIGHTING.
6. REFER TO ARCHITECTURAL PLANS FOR DETAILED BUILDING AREAS, DIMENSIONS, UNIT COUNTS, STRUCTURED PARKING STALL TOTALS, FLOOR AREA RATIOS, ETC.

SITE DATA

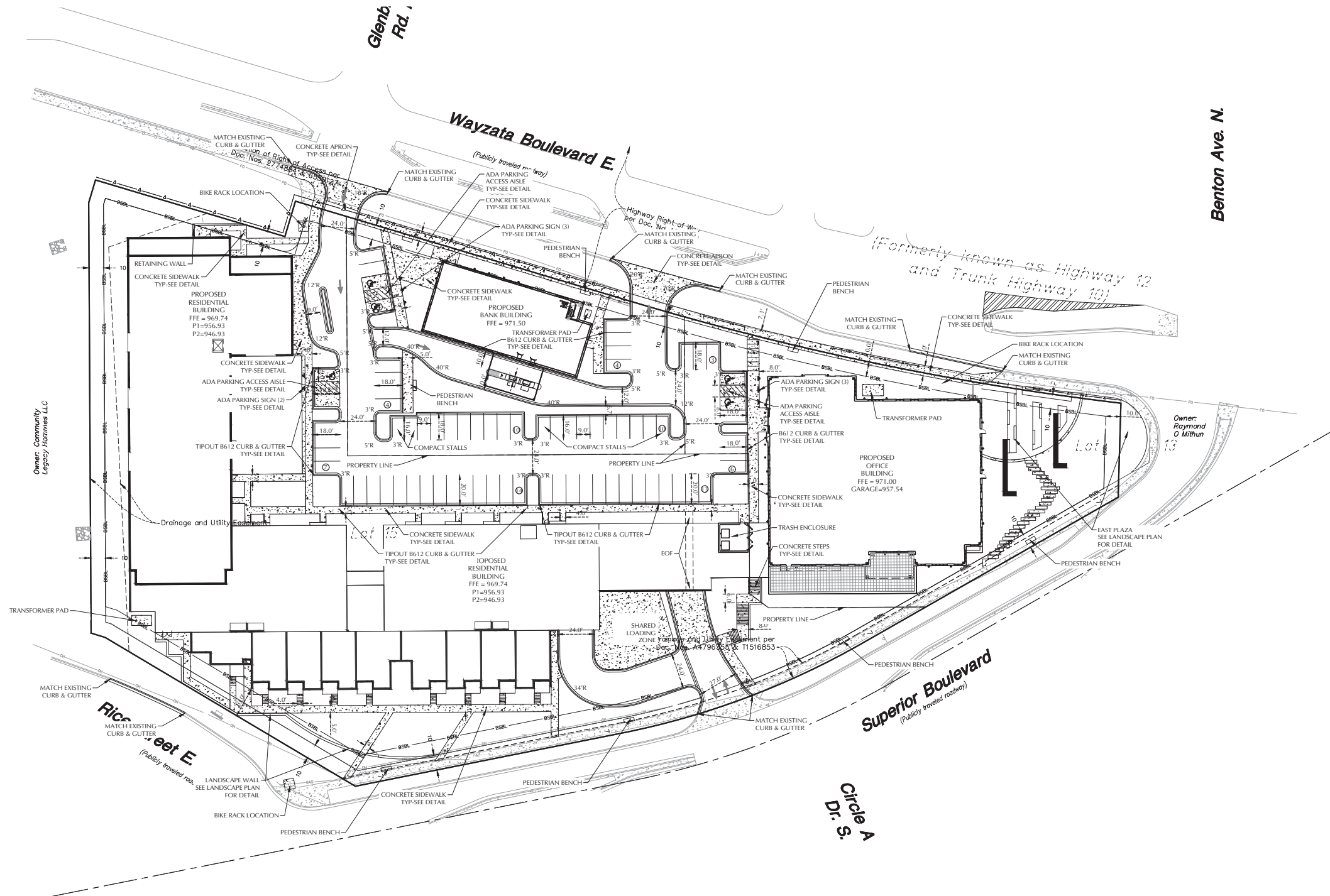
SITE ADDRESS: 900 WAYZATA BLVD, WAYZATA, MN 55391
HENNEPIN COUNTY PID: 0611722410003
PROPERTY DESCRIPTION: XX
PROPERTY AREA: 184,484 SQ. FT. / 4.24 +/- AC.
DISTURBED AREA: 4.24 AC
EXISTING IMPERVIOUS AREA: 104,328 SF / 2.39 AC (56.40%)
PROPOSED PERVIOUS AREA: 43,785 SF / 1.01 AC (23.82%)
PROPOSED IMPERVIOUS AREA: 140,699 SF / 3.23 AC (76.18%)

GENERAL NOTES

1. MINNESOTA STATE STATUTE REQUIRES NOTIFICATION PER "GOPHER STATE ONE CALL" PRIOR TO COMMENCING ANY GRADING, EXCAVATION OR UNDERGROUND WORK.
2. THE CONTRACTOR SHALL FIELD VERIFY LOCATIONS AND ELEVATIONS OF EXISTING UTILITIES AND TOPOGRAPHIC FEATURES PRIOR TO COMMENCEMENT OF CONSTRUCTION ACTIVITY. THE CONTRACTOR SHALL NOTIFY THE ENGINEER OF ANY DISCREPANCIES OR VARIATIONS FROM THE PLANS.
3. THE CONTRACTOR SHALL TAKE ALL PRECAUTIONS NECESSARY TO AVOID PROPERTY DAMAGE TO ADJACENT PROPERTIES DURING THE CONSTRUCTION PHASE OF THIS PROJECT. THE CONTRACTOR WILL BE HELD RESPONSIBLE FOR ANY DAMAGES TO ADJACENT PROPERTIES OCCURRING DURING THE CONSTRUCTION PHASE OF THIS PROJECT.
4. THE CONTRACTOR WILL BE RESPONSIBLE FOR PROVIDING AND MAINTAINING TRAFFIC CONTROL DEVICES SUCH AS BARRICADES, WARNING SIGNS, DIRECTIONAL SIGNS, FLAGMEN AND LIGHTS TO CONTROL THE MOVEMENT OF TRAFFIC WHERE NECESSARY. PLACEMENT OF THESE DEVICES SHALL BE APPROVED BY THE ENGINEER PRIOR TO PLACEMENT. TRAFFIC CONTROL DEVICES SHALL CONFORM TO THE APPROPRIATE MINNESOTA DEPARTMENT OF TRANSPORTATION STANDARDS.
5. IN ACCORDANCE WITH GENERALLY ACCEPTED CONSTRUCTION PRACTICES, THE CONTRACTOR WILL BE SOLELY AND COMPLETELY RESPONSIBLE FOR CONDITIONS ON THE JOB SITE, INCLUDING SAFETY OF ALL PERSONS AND PROPERTY DURING THE PERFORMANCE OF THE WORK. THIS REQUIREMENT WILL APPLY CONTINUOUSLY AND NOT BE LIMITED TO NORMAL WORKING HOURS.
6. THE DUTY OF THE ENGINEER OR THE DEVELOPER TO CONDUCT CONSTRUCTION REVIEW OF THE CONTRACTORS PERFORMANCE IS NOT INTENDED TO INCLUDE REVIEW OF THE ADEQUACY OF THE CONTRACTORS SAFETY MEASURES IN, OR NEAR THE CONSTRUCTION SITE.
7. BEFORE BEGINNING CONSTRUCTION THE CONTRACTOR SHALL INSTALL EROSION AND SEDIMENTATION CONTROL MEASURES IN ACCORDANCE WITH NPDES PERMIT REQUIREMENTS, BEST MANAGEMENT PRACTICES, STATE AND LOCAL REQUIREMENTS AND THE DETAILS SHOWN ON THE DETAIL SHEETS OF THE PROJECT PLANS.
8. ALL CONSTRUCTION PERMITS, APPLICATIONS AND FEES ARE THE RESPONSIBILITY OF THE CONTRACTOR.
9. ALL ENTRANCES AND CONNECTIONS TO CITY STREETS SHALL BE CONSTRUCTED PER THE REQUIREMENTS OF THE STATE AND LOCAL JURISDICTIONS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ALL PERMITS AND NOTIFICATIONS AS REQUIRED.
10. ALL STREET REPAIRS AND PATCHING SHALL BE PERFORMED PER THE REQUIREMENTS OF THE CITY. ALL TRAFFIC CONTROL SHALL BE PROVIDED BY THE CONTRACTOR AND SHALL BE ESTABLISHED PER THE REQUIREMENTS OF THE MINNESOTA MANUAL OF UNIFORM TRAFFIC CONTROL DEVICES (MUTCD) AND THE CITY. THIS SHALL INCLUDE ALL SIGNAGE, BARRICADES, FLASHERS AND FLAGGERS AS NEEDED. ALL PUBLIC STREETS SHALL BE OPEN TO TRAFFIC AT ALL TIMES.
11. ADJUST ALL EXISTING STRUCTURES, BOTH PUBLIC AND PRIVATE TO THE PROPOSED GRADES WHERE DISTURBED AND COMPLY WITH ALL REQUIREMENTS OF THE UTILITY OWNERS. STRUCTURES BEING RESET TO PAVED AREAS MUST MEET OWNERS REQUIREMENTS FOR TRAFFIC LOADING.
12. SUBGRADE PREPARATION SHALL BE PERFORMED IN ACCORDANCE WITH MNDOT 211.2. THE TOP 3 FEET SHALL BE COMPACTED TO 100% OF THE STANDARD PROCTOR DENSITY.
13. AGGREGATE BASE SHALL BE MNDOT 2211 CLASS 5. COMPACTION SHALL BE BY THE QUALITY COMPACTION METHOD.
14. PLANT MIXED BITUMINOUS PAVEMENT SHALL BE CONSTRUCTED IN ACCORDANCE WITH MNDOT 2360 WITH MIX DESIGN AS SHOWN ON THE DETAILS. COMPACTION SHALL BE BY THE ORDINARY COMPACTION METHOD.
15. CONCRETE CURB & GUTTER SHALL BE PERFORMED IN ACCORDANCE WITH MNDOT 2531. CURING SHALL BE BY THE MEMBRANE CURING METHOD. EXPANSION JOINTS EVERY 200 FEET AT ALL FIXED OBJECTS. CONTRACTIONS JOINTS EVERY 10 FEET.
16. CONCRETE WALK SHALL BE PERFORMED IN ACCORDANCE WITH MNDOT 2521. CURING SHALL BE BY THE MEMBRANE CURING METHOD. EXPANSION JOINTS AT ALL FIXES OBJECTS. CONTRACTION JINTS EVERY 5 FEET.
17. A CITY RIGHT-OF-WAY PERMIT IS REQUIRED TO WORKING WITHIN CITY ROW.

PAVEMENT TYPES

EXISTING	PROPOSED



900 Wayzata Boulevard
Wayzata, MN

esg
ARCHITECTURE & DESIGN

500 Washington Avenue South, Suite 1080
Minneapolis, MN 55415
p 612.339.5508 f 612.339.5382
www.esgarch.com

I hereby certify that this plan, specification, or report was prepared by me or under my direct supervision and that I am a duly licensed Professional Engineer under the laws of the State of Minnesota
Signature
Nicholas M. Mannel - PE
Typed or Printed Name
45861 xx/xx/xxxx
License # Date

LOUCKS
PLANNING
CIVIL ENGINEERING
LAND SURVEYING
LANDSCAPE ARCHITECTURE
ENVIRONMENTAL
7200 Hennick Lane, Suite 300
Maple Grove, MN 55369
763.424.5505
www.loucksinc.com
LOUCKS PROJECT NO. 16620.08

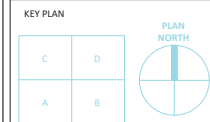
NOT FOR CONSTRUCTION

CITY REVIEW SET
09/21/2022

ORIGINAL ISSUE:
08/10/22 - CHECK SET
REVISIONS:
No. Description Date
01 CITY REVIEW SET 09/21/22

16620.08
PROJECT NUMBER

JDK NMM
DRAWN BY CHECKED BY



900 Wayzata Boulevard

SITE PLAN

C2.1























architecture specialty millwork virtual vision project management

118 E. 26th Street Suite 300 Mpls, MN 55404 P:612-879-8225 F:612-879-8152 www.tanek.com

March 15, 2023

Valerie Quarles
Assistant Planner
City of Wayzata

RE: 900 Wayzata Office Building Grade Plane Calculation Comparison

Dear Ms. Quarles,

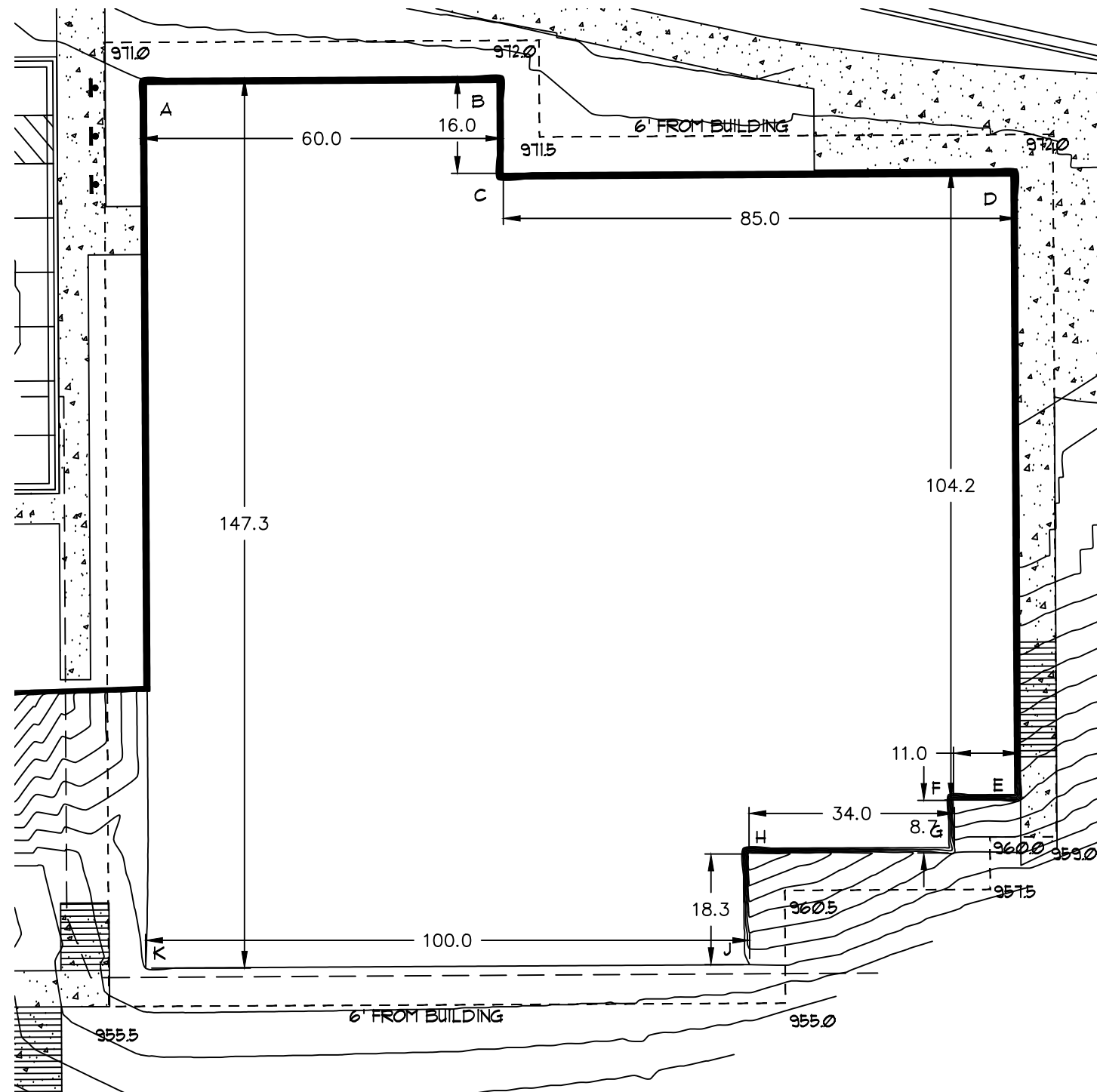
This letter is to describe the grade plane calculations for the 900 Wayzata Office building, dated May of 2022 and March of 2023.

There are minor grade changes between the two plans, but the bulk of the change in the grade plane came from the east and west sides. Per the grade plane calculations from May of 2022 (2023.03.15 900 Wayzata Office_grade plane exhibit 2022.05.pdf), the calculation along the east took a point at the north corner and a point at the south corner and calculated the average grade along the whole length of that façade. The same methodology was used along the west elevation as well.

The grade plane calculations from March of 2023 (2023.03.15 900 Wayzata Office_grade plane exhibit 2023.03.pdf), added a point to the east side just to the south of the exit sidewalk and calculated the grade plane separately for the length north of that point and the length south of that point. This happened at the west elevation as well, adding a point at the south end of the link building. The March 2023 calculation uses greater accuracy of where the grade changes along the east and west elevations than the May of 2022.

If you have any questions, please contact Nathaniel Shea at (612) 998-8200 or nshea@tanek.com.

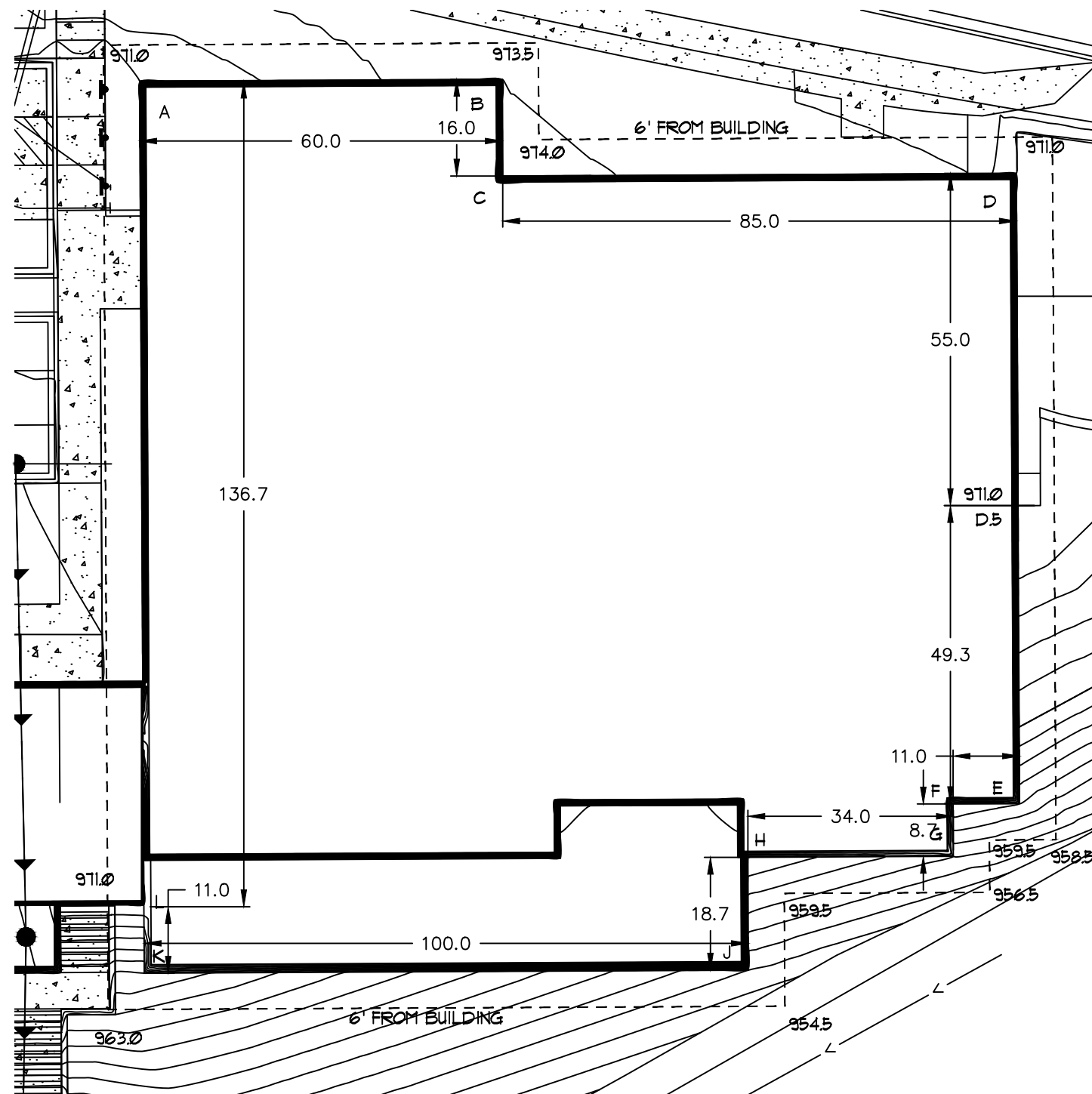
Regards,
Nathaniel Shea
Tanek, Inc.



SITE PLAN WITH ELEVATIONS - May 2022

FFE 01	971				
FFE 03	999	14' floor to floor - 28'			
A	971				
B	972	A-B	971.5	60	58,290
C	971.5	B-C	971.75	16	15,548
D	972	C-D	971.75	85	82,599
E	959	D-E	965.5	104.2	100,605
F	960	E-F	959.5	11	10,555
G	957.5	F-G	958.75	8.7	8,341
H	960.5	G-H	959	34	32,606
J	955	H-J	957.75	18.3	17,527
K	955.5	J-K	955.25	100	95,525
		K-A	963.25	147.3	141,887
				584.5	563,482
		average grade plane			964.05
		bldg ht w. 28' to t.o. roof			34.95

GRADE PLANE CALCULATIONS - May 2022



FFE 01	971				
FFE 03	999	14' floor to floor - 28'			
A	971				
B	973.5	A-B	972.25	60	58,335
C	974	B-C	973.75	16	15,580
D	971	C-D	972.5	85	82,663
D.5	971	D-D.5	971	55	53,405
E	958.5	D-E	964.75	49.33	47,591
F	959.5	E-F	959	11	10,549
G	956.5	F-G	958	8.66	8,296
H	959.5	G-H	958	34	32,572
J	954.5	H-J	957	18.66	17,858
K	963	J-K	958.75	100	95,875
L	971	K-L	967	11	10,637
		L-A	971	136.66	132,697
				585.31	566,057
		average grade plane			967.11
		bldg ht w. 28' to t.o. roof			31.89

Unique visual effects are possible with the IW Series—featuring concealed fasteners for a clean, unbroken aesthetic. Available in embossed or smooth finishes, the panels also feature a common-lock joint design.

FEATURES & BENEFITS

- Horizontal or vertical installation
- No exposed panel fasteners
- Available with MicroSeam® corners for horizontal installation
- Clean, unbroken appearance
- All panels are interchangeable because of the common-lock joint design; allows for appealing visual effects
- Excellent for new construction and retrofit projects
- Cost-effective, all-weather installation capability shortens installation time; permits fast-track scheduling
- Panels are available with embossed or smooth finishes and in flush, ribbed, striated or stepped profiles

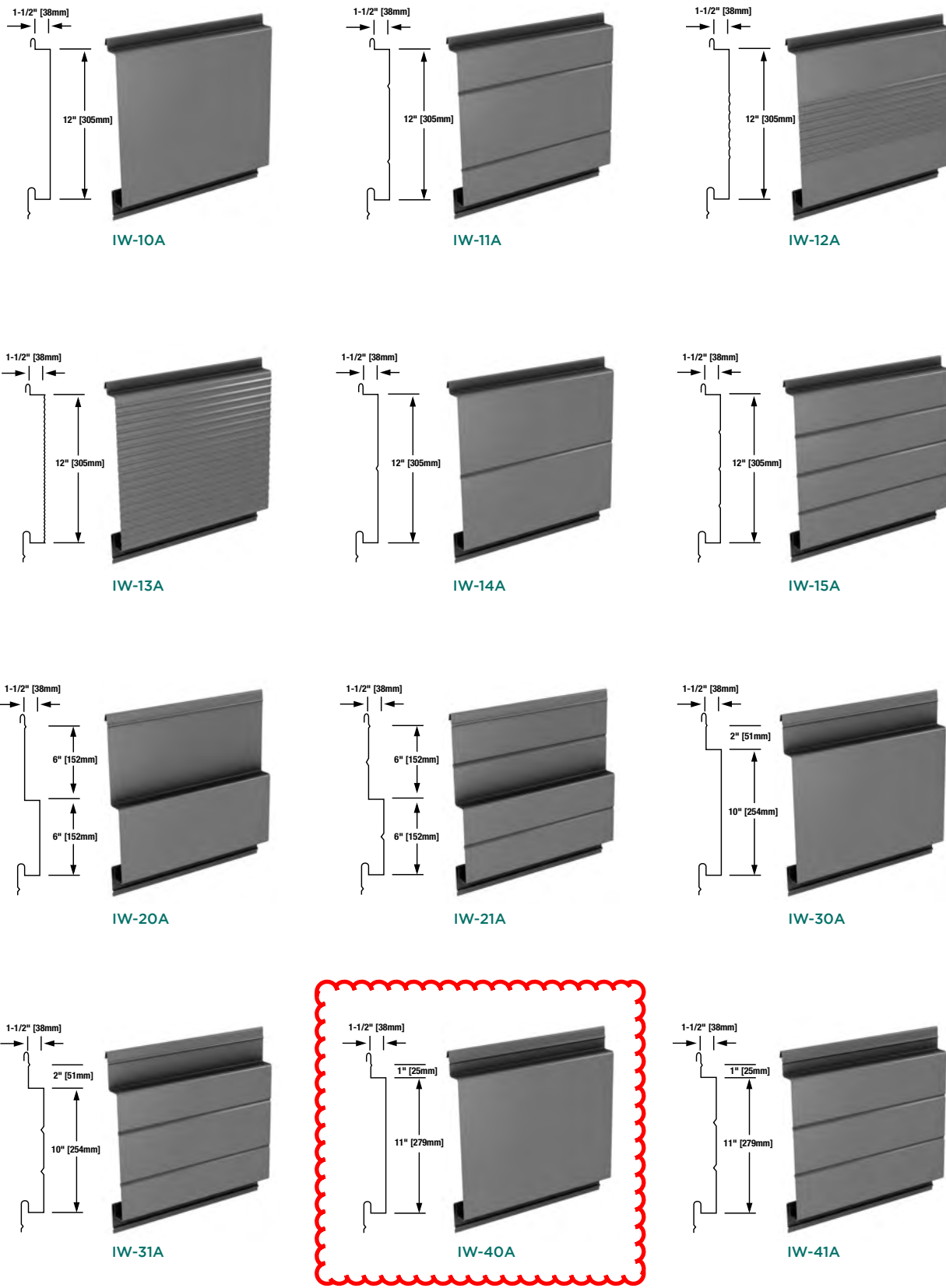
COMPONENT DESCRIPTION

SUBSTRATE	• Standard 22-18 gauge G-90 galvanized steel • Optional aluminum, stainless steel or zinc
SURFACE FINISH	• Smooth • Embossed (Optional) • Smooth only for zinc
PANEL LENGTHS	• Lengths up to 30' [9.14m] for steel panels (Standard)
PANEL WIDTH	• 12" [305mm]
PANEL DEPTH	• 1-1/2" [38mm]
SIDE JOINT	• Common-lock joint design of IW-10A through IW-41A makes panels interchangeable
COATINGS & COLORS	• Available in a wide range of coil-coated colors and finishes. See charts on Pages 46-51.

Note: Zinc available for all vertical IW Series panels. Horizontal panels are limited to IW-20 to IW-40 panels.



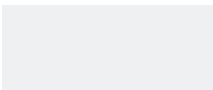
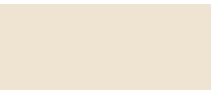
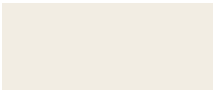
IW SERIES PANELS



NOTE: Swaged ends of 2" [51mm] length are available in 20 gauge and 22 gauge only. Not available in any gauge for IW-12A, IW-14A and IW-15A.

COLORS

PRISMATIC™ SERIES COLORS
FLUOROFINISH, DURAGARD AND DURAGARD PLUS, VERSACOR ELITE

				
179 Regal White	996 Crushed Ice	993 Off-White	995 Cambridge White	310 Bone White
				
994 Colonial White	5012 Marble	992 Lee Ivory	133 Sandstone	1760 Limestone
				
142 Surrey Beige	9910 Light Seawolf	9911 Pebble	997 Prism Yellow	5444 Aged Copper
				
977 Moss	9933 Cypress Olive	978 Hunter Green	183 Evergreen	9932 Hartford Green
				
177 Slate Blue	9926 Arabian Blue	974 Teal Blue	9928 Cherokee Blue	200 Deep Blue Sea
				
9930 Night Horizon	9923 Granite	971 Chromium Gray		
				
9917 Light Gray	9918 Dove Gray	9919 Fashion Gray		
				
181 Slate Gray	9922 Steel Gray	9921 Charcoal Gray		
				
9914 Midnight Bronze	154 Dark Bronze	9916 Rich Black		
				
9912 Sage Brown	1243 Mocha	9937 Mauve		
				
156 Colonial Red	999 Aspen Gold			

Unless specified otherwise, CENTRIA will provide a standard backer coat on the reverse side of panels. Color may vary.

Colors shown are for preliminary selection only. Printed colors can vary from actual painted material.

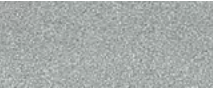
Contact CENTRIA for painted metal samples before final selection.

NOTE: Because of the differences in the formulation and application properties of spray-applied coatings versus coil coatings, a slight color variation is likely to occur when matching coatings of these different types.

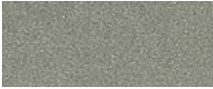
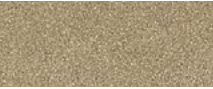
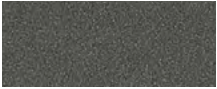
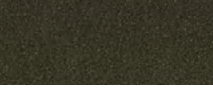
COLORS

SUNDANCE™ SERIES COLORS

Sundance Mica 2-coat

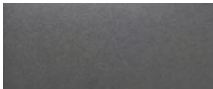
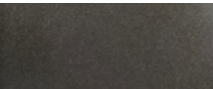
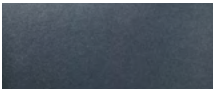
				
9946 Silversmith	9947 Gray Velvet	9948 Champagne Bronze	9949 Copper	9987 Bronze II
				
9951 Champagne Pearl	9989 Platinum	9988 Brick II	9954 Jade	9955 Blue

Sundance AM Aluminum Metallic 3-Coat

				
9956 XL Rosalind Rose	9957 XL Silver	9958 XL Champagne Gold	9959 XL Light Bronze	9960 XL Medium Gray
				
9962 XL Silver Gray	9963 XL Copper Metallic	9964 XL Medium Bronze	9965 XL Dark Bronze	9967 XL Pewter

Custom colors may require an additional clear and/or barrier coat. Consult CENTRIA for details.

CELESTIAL™ EFFECTS COLORS

				
801 White Gold	802 White Silver	803 Slate Silver	804 Platinum Silver	805 Charcoal Silver
				
806 Bronze Gold	807 Black Silver	808 Blue Silver		

Custom colors are available for Celestial Effects.

NOTE: Galvalume®, stainless and aluminum may not be available for all product profiles or coating systems. Consult CENTRIA sales. Galvalume® offers improved heat resistance only when used unpainted.



SUBMITTAL

Project

Wells Fargo RTU

Date

Thursday, June 9, 2022

Tim May
TMS Johnson
2908 Nevada Ave N
New Hope MN 55428

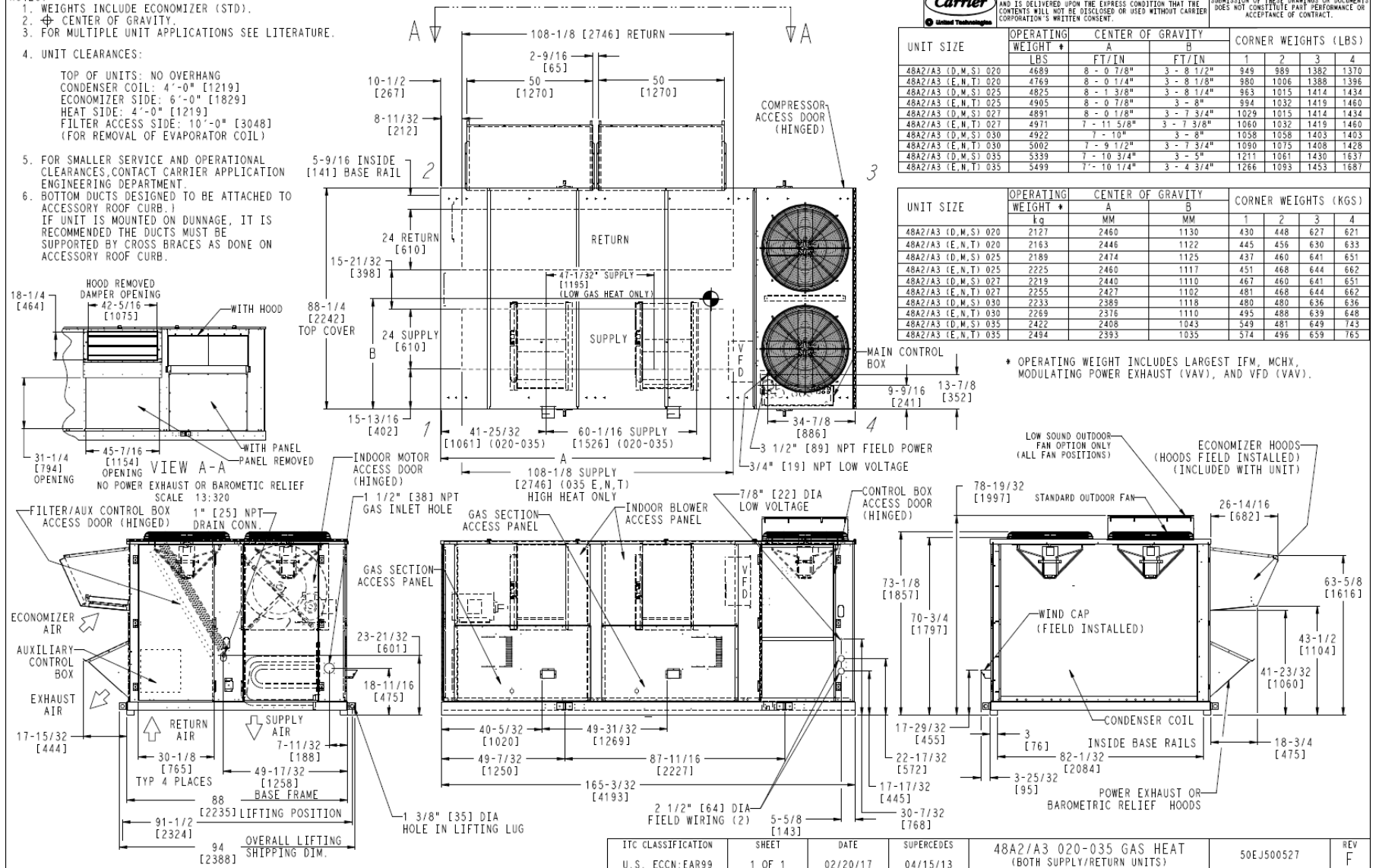
Certified Drawing for RTU-1

Project: Wells Fargo RTU
Prepared By: Tim May

10/27/2022
02:41PM

NOTES:

- WEIGHTS INCLUDE ECONOMIZER (STD).
- ⊕ CENTER OF GRAVITY.
- FOR MULTIPLE UNIT APPLICATIONS SEE LITERATURE.
- UNIT CLEARANCES:
TOP OF UNITS: NO OVERHANG
CONDENSER COIL: 4'-0" [1219]
ECONOMIZER SIDE: 6'-0" [1829]
HEAT SIDE: 4'-0" [1219]
FILTER ACCESS SIDE: 10'-0" [3048]
(FOR REMOVAL OF EVAPORATOR COIL)
- FOR SMALLER SERVICE AND OPERATIONAL CLEARANCES, CONTACT CARRIER APPLICATION ENGINEERING DEPARTMENT.
- BOTTOM DUCTS DESIGNED TO BE ATTACHED TO ACCESSORY ROOF CURB. IF UNIT IS MOUNTED ON DUNNAGE, IT IS RECOMMENDED THE DUCTS MUST BE SUPPORTED BY CROSS BRACES AS DONE ON ACCESSORY ROOF CURB.



THIS DOCUMENT IS THE PROPERTY OF CARRIER CORPORATION AND IS DELIVERED UPON THE EXPRESS CONDITION THAT THE CONTENTS WILL NOT BE DISCLOSED OR USED WITHOUT CARRIER CORPORATION'S WRITTEN CONSENT.

UNIT SIZE	OPERATING WEIGHT #	CENTER OF GRAVITY		CORNER WEIGHTS (LBS)			
		A	B	1	2	3	4
48A2/A3 (D.M.S) 020	4689	8 - 0 7/8"	3 - 8 1/2"	949	989	1382	1370
48A2/A3 (E.N.T) 020	4769	8 - 0 1/4"	3 - 8 1/8"	980	1006	1388	1386
48A2/A3 (D.M.S) 025	4825	8 - 1 3/8"	3 - 8 1/4"	983	1015	1414	1434
48A2/A3 (E.N.T) 025	4905	8 - 0 7/8"	3 - 8"	994	1032	1419	1460
48A2/A3 (D.M.S) 027	4891	8 - 0 1/8"	3 - 7 3/4"	1029	1015	1414	1434
48A2/A3 (E.N.T) 027	4971	7 - 11 5/8"	3 - 7 3/8"	1060	1032	1419	1460
48A2/A3 (D.M.S) 030	4922	7 - 10"	3 - 8"	1058	1058	1403	1403
48A2/A3 (E.N.T) 030	5002	7 - 9 1/2"	3 - 7 3/4"	1090	1075	1408	1428
48A2/A3 (D.M.S) 035	5339	7 - 10 3/4"	3 - 5"	1211	1061	1430	1637
48A2/A3 (E.N.T) 035	5499	7 - 10 1/4"	3 - 4 3/4"	1266	1093	1453	1687

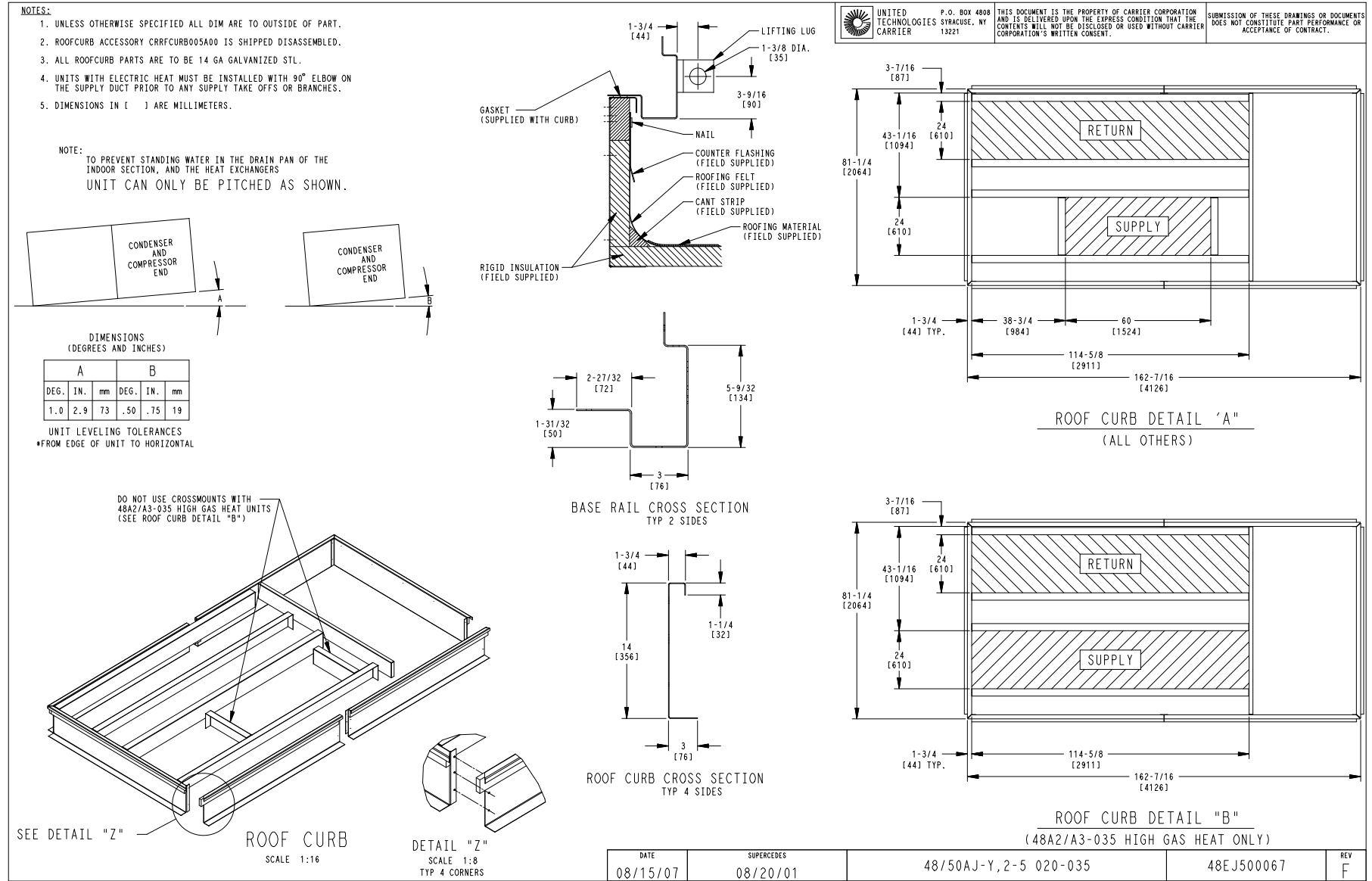
UNIT SIZE	OPERATING WEIGHT #	CENTER OF GRAVITY		CORNER WEIGHTS (KGS)			
		A	B	1	2	3	4
48A2/A3 (D.M.S) 020	2127	2460	1130	430	448	627	621
48A2/A3 (E.N.T) 020	2163	2446	1122	445	456	630	633
48A2/A3 (D.M.S) 025	2189	2474	1125	437	460	641	651
48A2/A3 (E.N.T) 025	2225	2460	1117	451	468	644	662
48A2/A3 (D.M.S) 027	2219	2440	1110	467	460	641	651
48A2/A3 (E.N.T) 027	2255	2427	1102	481	468	644	662
48A2/A3 (D.M.S) 030	2233	2389	1118	480	480	636	636
48A2/A3 (E.N.T) 030	2269	2376	1110	495	488	639	648
48A2/A3 (D.M.S) 035	2422	2408	1043	549	481	649	743
48A2/A3 (E.N.T) 035	2484	2393	1035	574	496	659	765

* OPERATING WEIGHT INCLUDES LARGEST IFM, MCHX, MODULATING POWER EXHAUST (VAV), AND VFD (VAV).

Certified Drawing for RTU-1

Project: Wells Fargo RTU
Prepared By: Tim May

10/27/2022
02:41PM



Certified Drawing for RTU-2

Project: Wells Fargo RTU
Prepared By: Tim May

10/27/2022
02:41PM



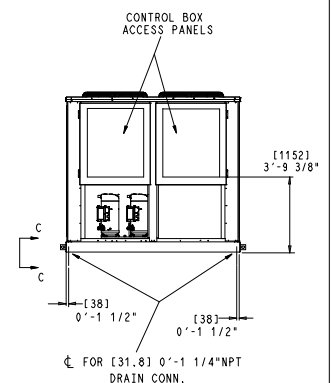
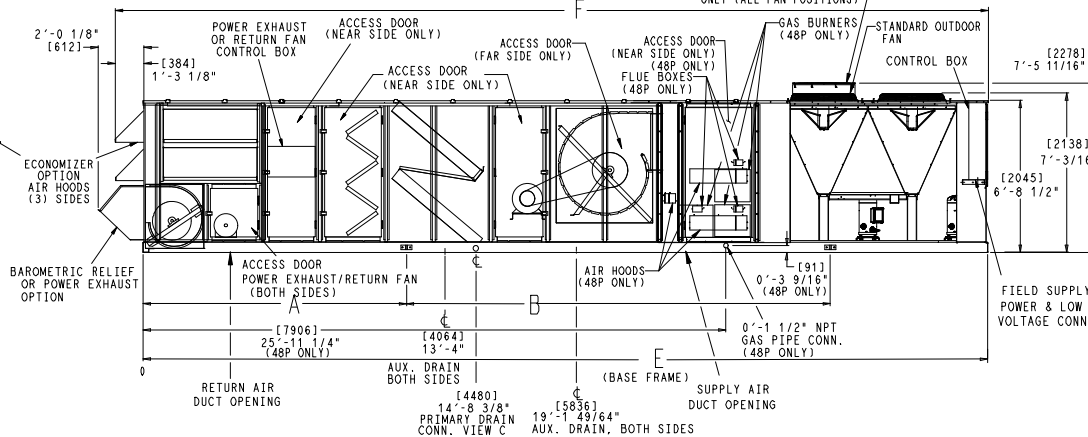
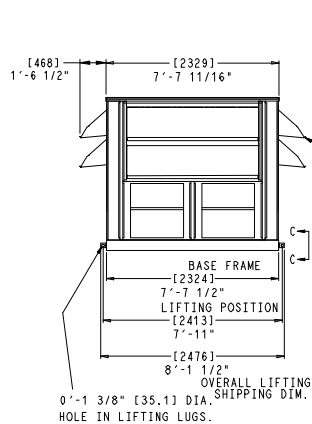
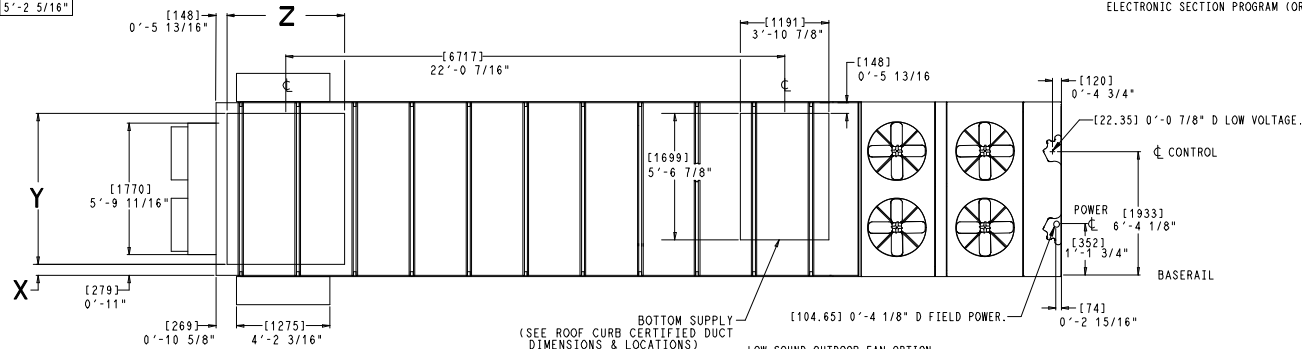
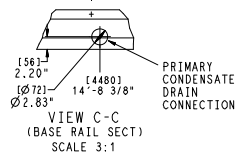
THIS DOCUMENT IS THE PROPERTY OF UTC CLIMATE, CONTROLS & SECURITY AND IS DELIVERED UPON THE EXPRESS CONDITION THAT THE CONTENTS WILL NOT BE DISCLOSED OR USED WITHOUT WRITTEN CONSENT.

SUBMISSION OF THESE DRAWINGS OR DOCUMENTS DOES NOT CONSTITUTE PART PERFORMANCE OR ACCEPTANCE OF CONTRACT.

- NOTES:
1. DIMENSIONS IN [] ARE IN MILLIMETERS.
 2. UNIT CLEARANCES
TOP - DO NOT RESTRICT CONDENSER FANS
CONTROL BOX END - 6'-0"
SIDES - 6'-0"
ECONOMIZER END - 6'-0" (EXCEPT POWER EXHAUST UNITS 10'-0")
 3. DOWNSHOT DUCTS DESIGNED TO BE ATTACHED TO ACCESSORY ROOF CURB. IF UNIT IS MOUNTED ON DUNNAGE, IT IS RECOMMENDED THE DUCTS BE SUPPORTED BY CROSS BRACES AS DONE ON THE ACCESSORY ROOF CURB.
 4. WHEN THE UNIT IS SLAB MOUNTED, PLUG THE FACTORY DRILLED AUXILIARY CONDENSATE DRAIN HOLES.
 5. ECONOMIZER SIDE HOODS ARE FOLDED INSIDE UNIT FOR SHIPPING.
 6. FOR UNIT WEIGHTS REFER UNIT SUBMITTAL DATA, ELECTRONIC SECTION PROGRAM (OR) PD.

UNIT SIZE	MM	A FT. IN.	MM	B FT. IN.	MM	E FT. IN.	MM	F FT. IN.
070 LOW HEAT	3543	11'-7 1/2"	5715	18'-9"	11378	37'-3 15/16"	11762	38'-7 1/16"
070 HIGH HEAT	3543	11'-7 1/2"	5715	18'-9"	11378	37'-3 15/16"	11762	38'-7 1/16"

RETURN OPTION	X	Y	Z
RETURN FAN	[656] 2'-1 13/16"	[1330] 4'-4 3/8"	[1221] 4'-0 1/16"
POWER EXHAUST	[148] 0'-5 13/16"	[2032] 6'-8"	[1583] 5'-2 5/16"



ITC CLASSIFICATION	SHEET	DATE	SUPERCEDES	48/50 P, VERTICAL SUPPLY & RETURN, SIZE 070	48ZZ502053	REV
U.S. ECCN:NSR	1 OF 1	12/12/19	06/03/19			F

Project: Wells Fargo RTU
Prepared By: Tim May

NOTES:

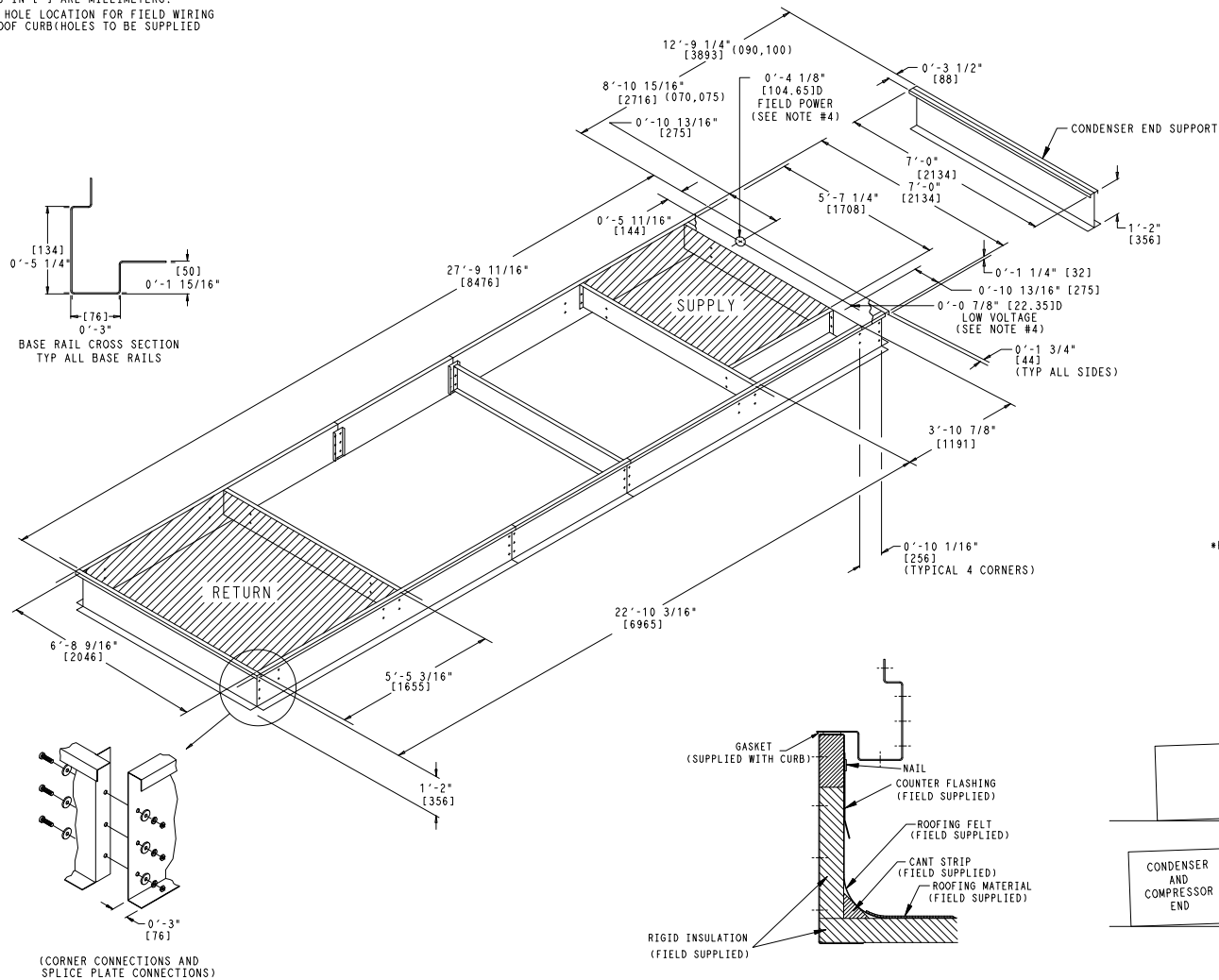
1. ROOF CURB ACCESSORY 50DJ-901---011 IS SHIPPED DISASSEMBLED.
2. ROOF CURB: 14 GA.[VA03-56] STL.
3. DIMENSIONS IN [] ARE MILLIMETERS.
4. SUGGESTED HOLE LOCATION FOR FIELD WIRING THROUGH ROOF CURB(HOLES TO BE SUPPLIED BY FIELD).



UNITED TECHNOLOGIES P.O. BOX 480
CARRIER SYRACUSE, NY
13221

THIS DOCUMENT IS THE PROPERTY OF CARRIER CORPORATION
AND IS DELIVERED UPON THE EXPRESS CONDITION THAT THE
CONTENTS WILL NOT BE DISCLOSED OR USED WITHOUT CARRIER
CORPORATION'S WRITTEN CONSENT.

SUBMISSION OF THESE DRAWINGS OR DOCUMENTS
DOES NOT CONSTITUTE PART PERFORMANCE OR
ACCEPTANCE OF CONTRACT.



A		B	
DEG.	IN.	DEG.	IN.
1.0	2.0	.50	.75

UNIT LEVELING TOLERANCES
*From edge of unit to horizontal.

SHEET 1 OF 1	DATE 02/19/09	SUPERCEDES 50DW412144	48/50P070-100 VERTICAL & HORIZONTAL SUPPLY & RETURN W/EXTENDED PLENUM	48ZZ501949	REV 2.0
-----------------	------------------	--------------------------	--	------------	------------

Certified Drawing for RTU-2

Project: Wells Fargo RTU
Prepared By: Tim May

10/27/2022
02:41PM

NOTES:

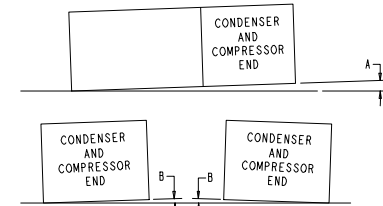
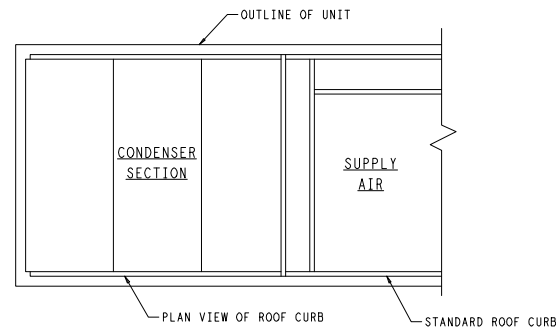
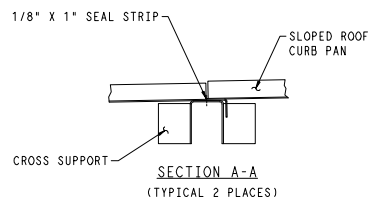
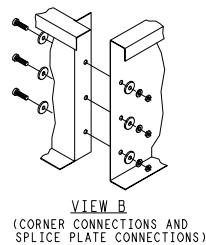
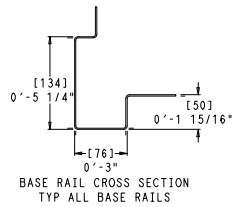
1. ROOF CURB ACCESSORY CRFRCURB070A00 IS SHIPPED DISASSEMBLED.
2. DIMENSIONS IN [] ARE MILLIMETERS.
3. ROOF CURB: 14 GA. [VA03-56] STL.
ROOF CURB PANS: 16 GA. [VA03-56] STL.



UNITED
TECHNOLOGIES SYRACUSE, NY
CARRIER P.O. BOX 4808
13221

THIS DOCUMENT IS THE PROPERTY OF CARRIER CORPORATION
AND IS DELIVERED UPON THE EXPRESS CONDITION THAT THE
CONTENTS WILL NOT BE DISCLOSED OR USED WITHOUT CARRIER
CORPORATION'S WRITTEN CONSENT.

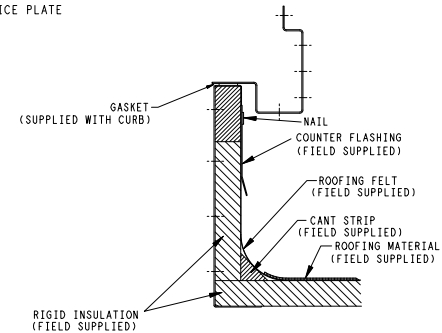
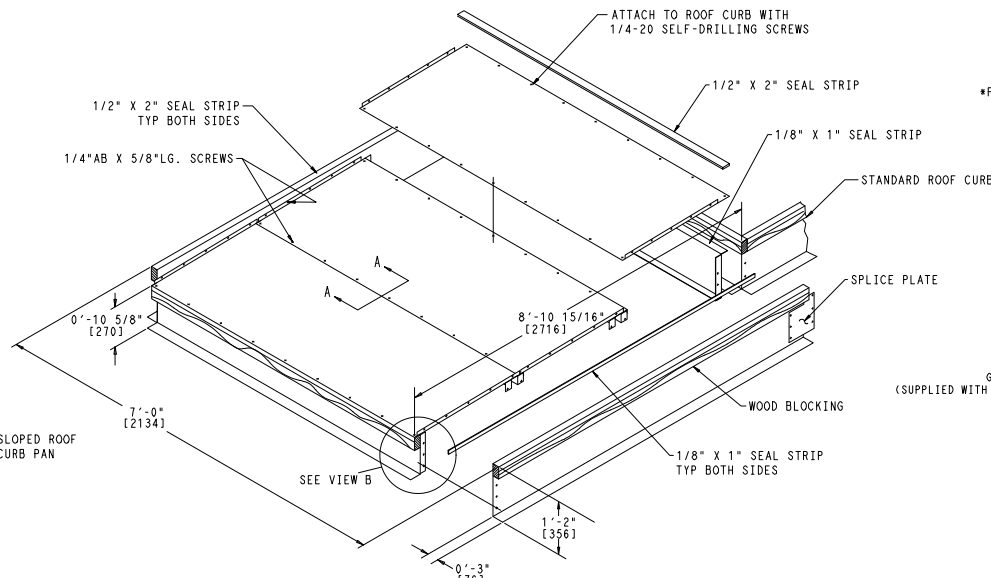
SUBMISSION OF THESE DRAWINGS OR DOCUMENTS
DOES NOT CONSTITUTE PART PERFORMANCE OR
ACCEPTANCE OF CONTRACT.



DIMENSIONS
(degrees and inches)

A		B	
DEG.	IN.	DEG.	IN.
1.0	2.0	.50	.75

UNIT LEVELING TOLERANCES
*From edge of unit to horizontal.

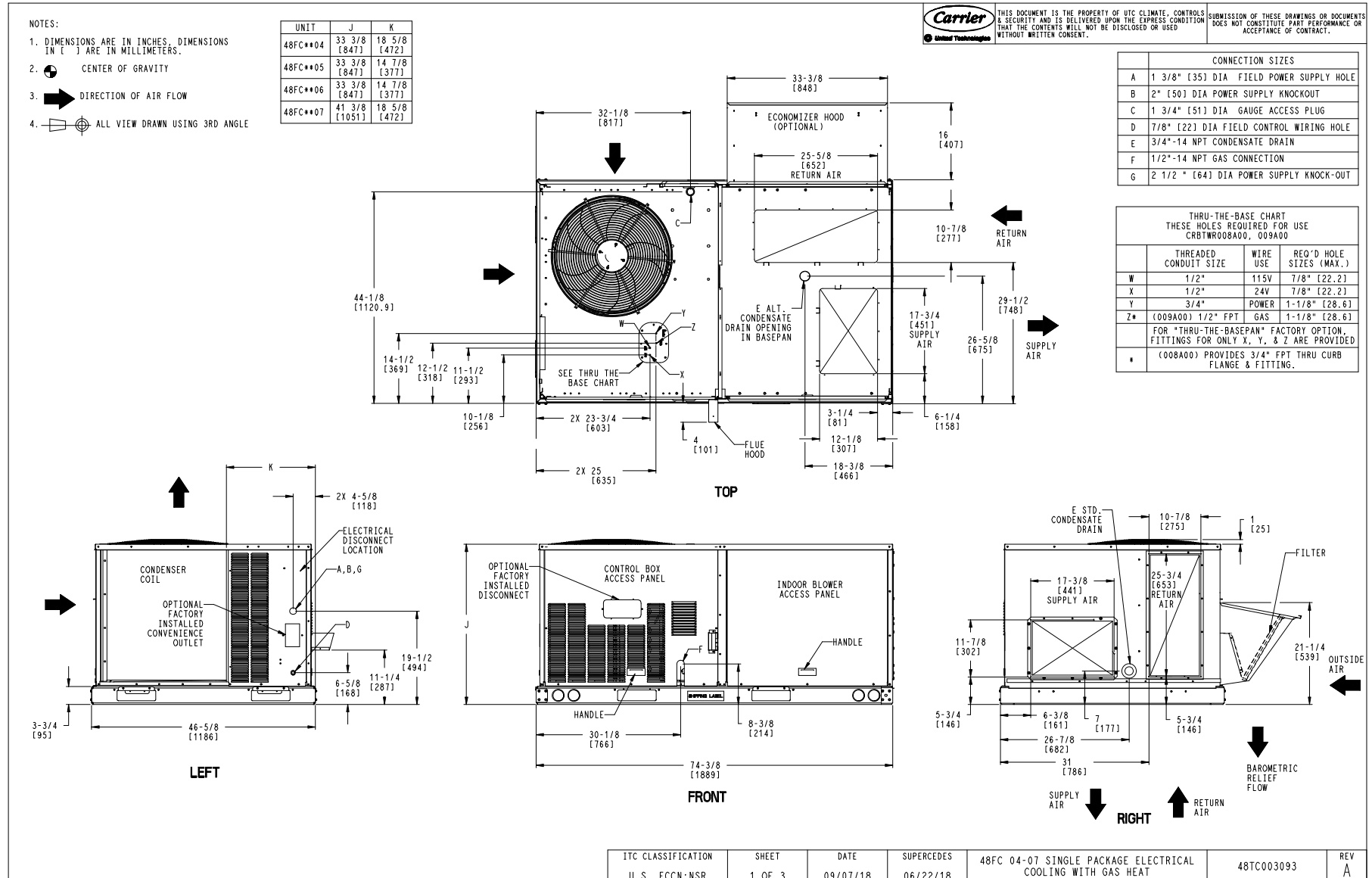


SHEET	DATE	SUPERCEDES	48/50P070,075 CONDENSER SECTION	48ZZ501983	REV
1 OF 1	02/19/09	50DW412137			2.0

Certified Drawing for RTU-3

Project: Wells Fargo RTU
Prepared By: Tim May

10/27/2022
02:41PM



Certified Drawing for RTU-3

Project: Wells Fargo RTU
Prepared By: Tim May

10/27/2022
02:41PM

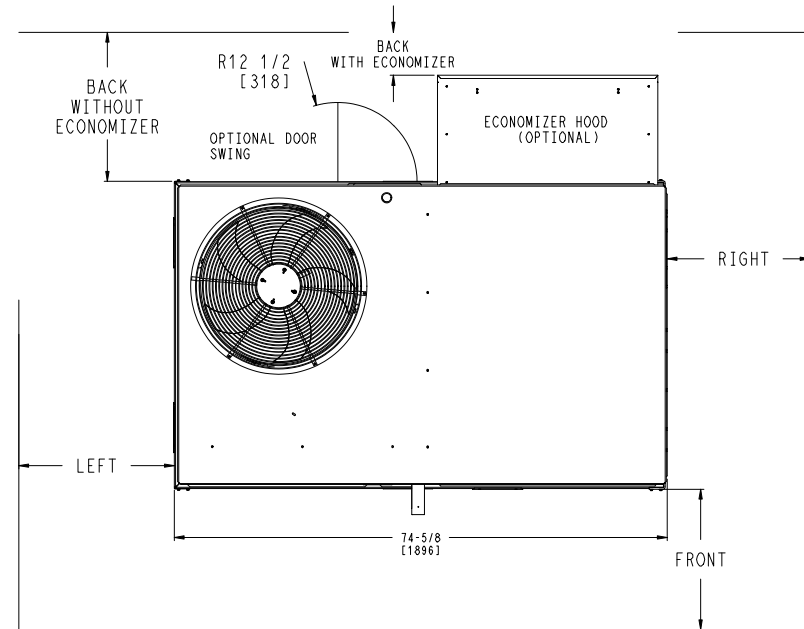
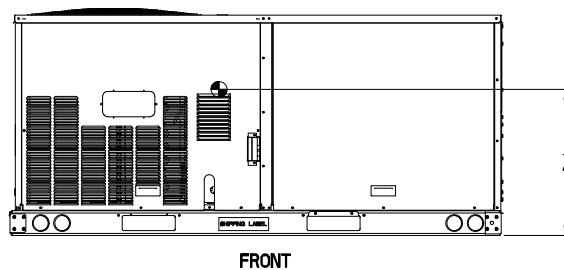
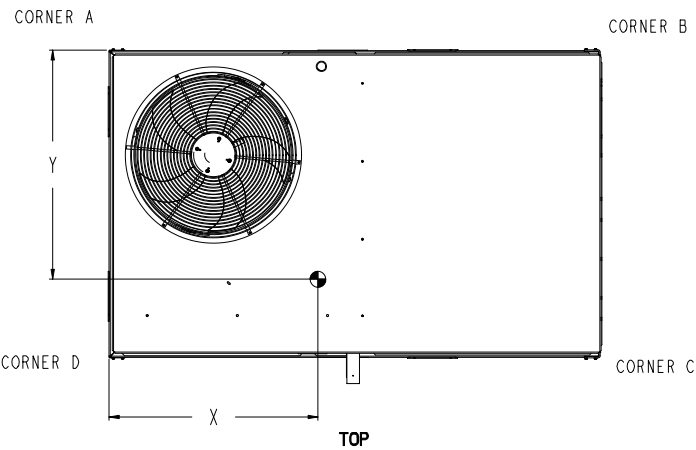
UNIT	STD. UNIT WEIGHT *		CORNER WEIGHT (A)		CORNER WEIGHT (B)		CORNER WEIGHT (C)		CORNER WEIGHT (D)		C.G.			HEIGHT
	LBS.	KG.	LBS.	KG.	LBS.	KG.	LBS.	KG.	LBS.	KG.	X	Y	Z	
48FC**04	482	219	113	51	116	53	128	58	125	57	37 5/8 [956]	24 9/16 [624]	18 1/4 [464]	
48FC**05	543	246	138	63	133	60	133	60	138	63	36 1/2 [927]	23 3/8 [594]	18 [457]	
48FC**06	556	252	142	64	136	62	136	62	142	64	36 1/2 [927]	23 3/8 [594]	18 [457]	
48FC**07	607	275	162	73	152	69	141	64	151	68	36 [914]	22 1/2 [572]	19 3/8 [492]	

* STANDARD UNIT WEIGHT IS WITH LOW GAS HEAT AND WITHOUT PACKAGING.
FOR OTHER OPTIONS AND ACCESSORIES, REFER TO THE PRODUCT DATA CATALOG.



THIS DOCUMENT IS THE PROPERTY OF UTC CLIMATE, CONTROLS & SECURITY AND IS DELIVERED UPON THE EXPRESS CONDITION THAT THE CONTENTS WILL NOT BE DISCLOSED OR USED WITHOUT WRITTEN CONSENT.

SUBMISSION OF THESE DRAWINGS OR DOCUMENTS DOES NOT CONSTITUTE PART PERFORMANCE OR ACCEPTANCE OF CONTRACT.



NOTES:

1. FOR ALL MINIMUM CLEARANCES LOCAL CODES OR JURISDICTIONS MAY PREVAIL.

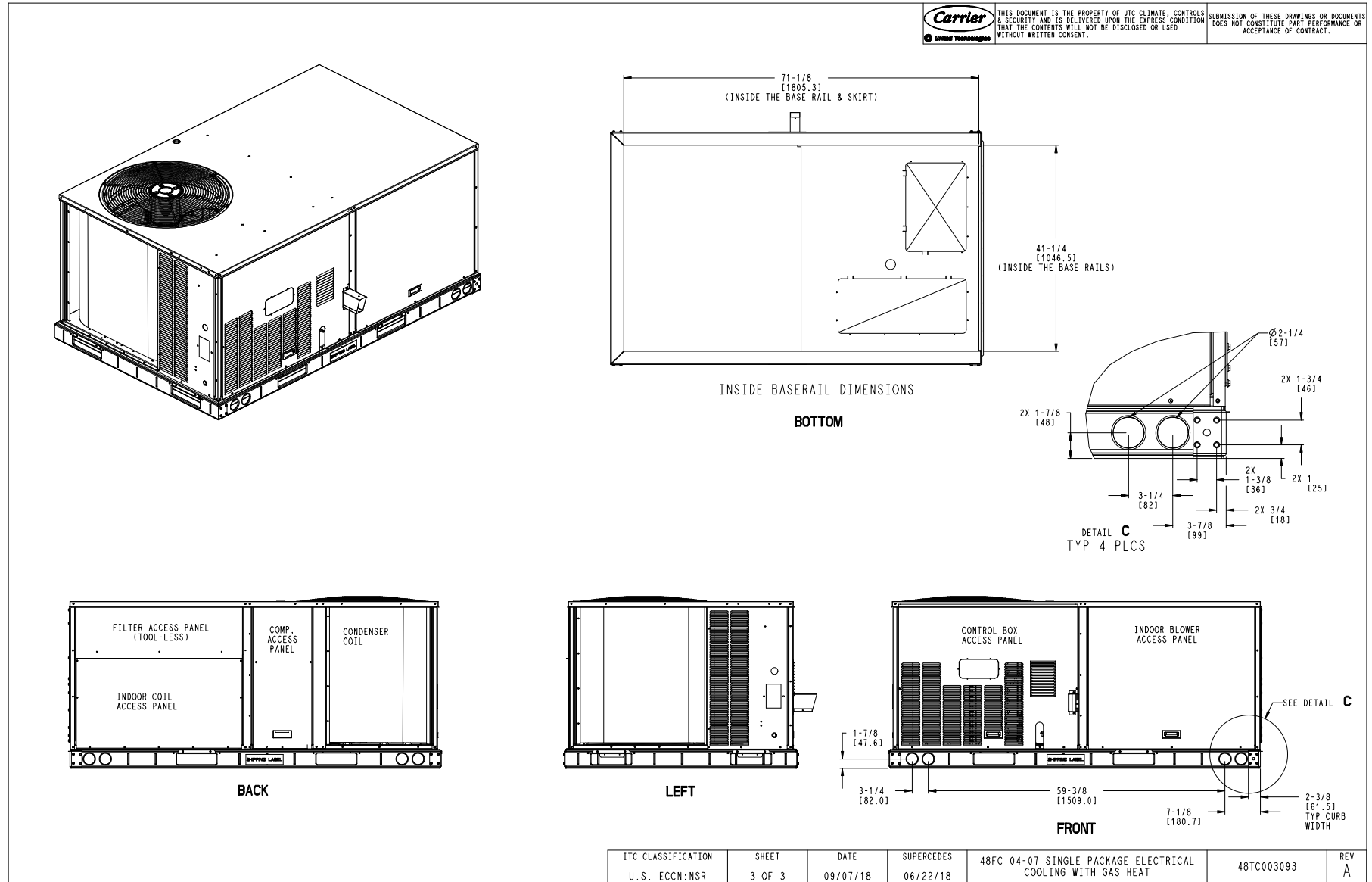
SURFACE	SERVICE WITH:		OPERATING CLEARANCE
	CONDUCTIVE BARRIER	NONCONDUCTIVE BARRIER	
FRONT	48 [1219mm]	36 [914mm]	18 [457mm]
LEFT	48 [1219mm]	42 [1067mm]	18 [457mm]
BACK	48 [1219mm]	42 [1067mm]	18 [457mm]
BACK W/HOOD	36 [914mm]	36 [914mm]	18 [457mm]
RIGHT	36 [914mm]	36 [914mm]	18 [457mm]
TOP	72 [1829mm]	72 [1829mm]	72 [1829mm]

ITC CLASSIFICATION U.S. ECCN:NSR	SHEET 2 OF 3	DATE 09/07/18	SUPERCEDES 06/22/18	48FC 04-07 SINGLE PACKAGE ELECTRICAL COOLING WITH GAS HEAT	48TC003093	REV A
-------------------------------------	-----------------	------------------	------------------------	--	------------	----------

Certified Drawing for RTU-3

Project: Wells Fargo RTU
Prepared By: Tim May

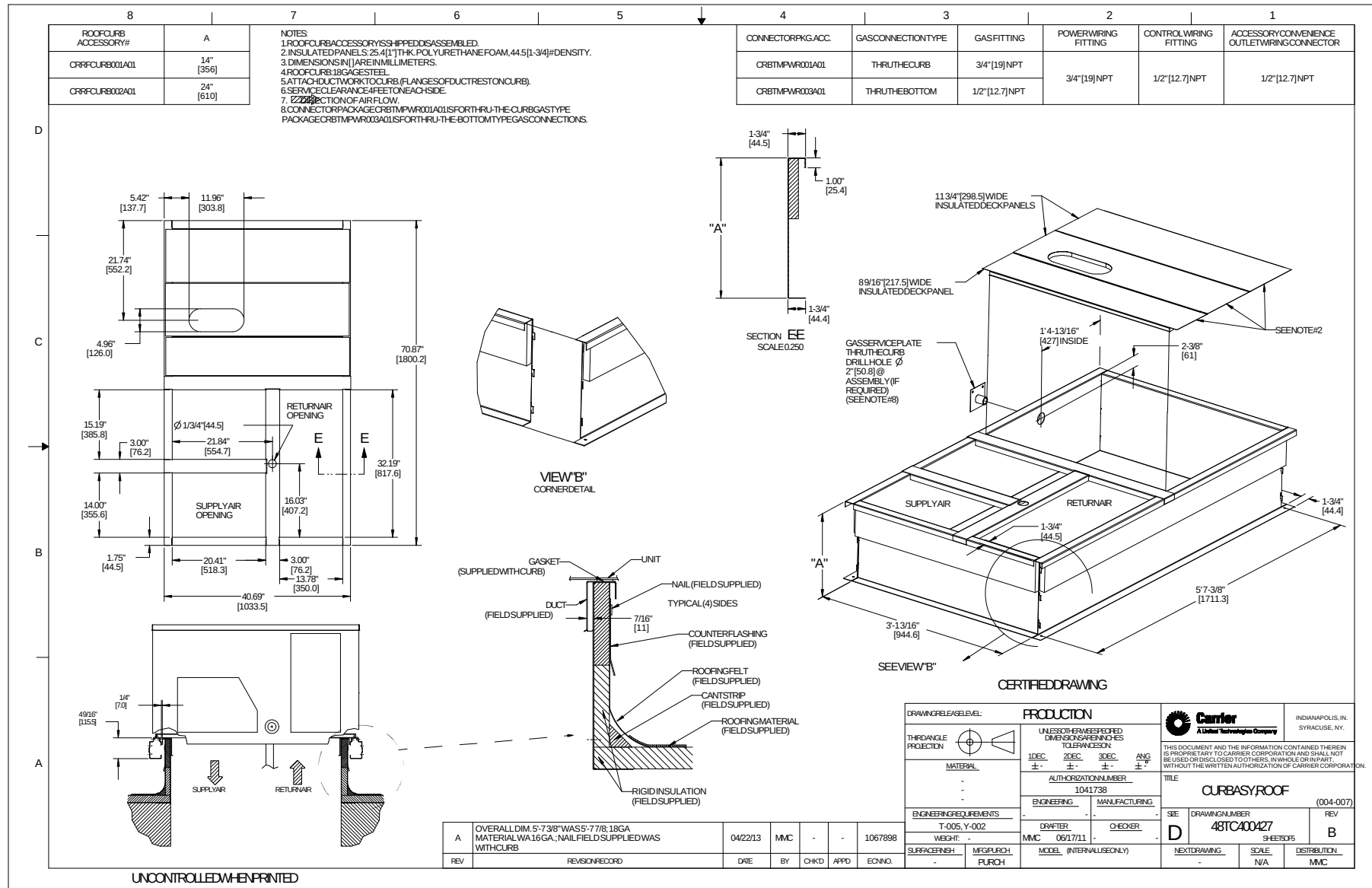
10/27/2022
02:41PM



Certified Drawing for RTU-3

Project: Wells Fargo RTU
Prepared By: Tim May

10/27/2022
02:41PM



Unit Feature Sheet for RTU-3

Project: Wells Fargo RTU
Prepared By: Tim May

10/27/2022
02:41PM



– 48FC

**PACKAGED ROOFTOP GAS HEATING/ELECTRIC COOLING UNITS –
3, 4, 5 TON - 13.4 SEER2 and 14.0 SEER, 6 TON - 15.0 IEER**



WEATHERMAKER SERIES

48FC units are single packaged gas heating, electric cooling units that are pre-wired and charged with Puron (R-410) refrigerant. The units are factory tested in both heating and cooling modes. 3-5 ton models use single stage cooling capacity control. 6 ton model uses two stage cooling capacity control.

Approved and certified by:



Use of the AHRI Certified TM label indicates a manufacturer's participation in the program. For verification of certification for individual products, go to: www.ahridirectory.org.

STANDARD FEATURES INCLUDE:

- Puron (R-410A) HFC refrigerant
- Meets or exceeds ASHRAE 90.1 energy efficiency levels
- Scroll compressors with internal line break and overload protection
- Single-stage cooling capacity 04-06 models, Two Stage on 07 models
- SEER2's up to 13.8
- SEER's to 14.0, IEER's to 15.0
- Acutrol™ refrigerant metering system on 04-06 models, TXV on 07 size models
- Exclusive non-corrosive composite condensate pan in accordance with ASHRAE Standard 62, sloping design, side or center drain
- Standard cooling operation up to 115°F (46°C) and down to 40°F (4°C) - down to 25° F (-4° C) with winter start kit.
- Pre-painted exterior panels and primer-coated interior panels tested to 500 hours salt spray protection
- Fully insulated cabinet
- NEW Direct Drive – EcoBlue™ Technology indoor fan system uses Vane Axial fan design and electronically commutated motor
- New Unit Control Board with intuitive quick fan speed adjustment
- Exclusive IGC solid-state control for on-board diagnostics with LED error code designation burner control logic
- Induced draft gas heat combustion design
- Redundant gas valves with up to two stages of heating
- Low pressure and high pressure switch protected.

MAINTENANCE FEATURES:

- Access panels with easy grip handles
- Innovative easy starting, no-strip screws on unit access panels
- Two-inch disposable return air filters and Tool-less filter access door
- New unit control board to facilitate simple safety circuit troubleshooting and simplified control box arrangement

INSTALLATION FEATURES:

- Thru-the-bottom power entry capability
- Single point gas and electric connections
- Full perimeter base rail with built-in rigging adapters and fork slots
- Field convertible from vertical to horizontal airflow

STANDARD WARRANTY:

- 10-year heat exchanger – 15-year stainless steel option
- 5-year compressor
- 3-year SystemVu™
- 1-year parts
- Many optional upgrades also available

OPTIONS INCLUDE BUT ARE NOT LIMITED TO:

- Intelligent SystemVu communicating controls
- RTU Open Multi-Protocol DDC Controls
- Supply and Return Air Smoke Detectors, high static motors
- Louvered condenser coil guards
- Disconnect switch and convenience outlet options
- Stainless Steel heat exchanger option
- Corrosion resistant coil coating
- MERV-8 and 13 Return Air Filters
- Patented Humidi-MiZer® adaptive dehumidification system.
- Hinged access panels
- Integrated economizer system. Low and Ultra Low Leak versions
- Phase Monitor Protection
- Condensate Overflow Protection

For a complete list of options and accessories refer to the Product Data Catalog for this unit.

Spec Sheet for RTU-3

Project: Wells Fargo RTU
Prepared By: Tim May

10/27/2022
02:41PM

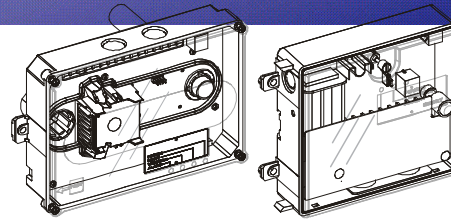


Table 1 – Controller Terminal Connections

TERMINAL NUMBER	NAME
1	AUX (-)
2	Reset
3	SUPV Contact COM
4	Alarm Contact COM
5	Alarm Contact NO
6	AUX 1 Contact COM
7	AUX 2 Contact NO
8	AUX 2 Contact NC
9	24V AC/DC In (+)
10	24V AC/DC In (-)
11	Not used
12	Multi-Shutdown
13	SUPV Contact NO
14	SUPV Contact NC
15	REM Alarm LED Out
16	AUX 1 Contact NC
17	AUX 1 Contact NO
18	AUX 2 Contact COM
19	18 VDC Output (+)
20	18VDC Output (-)
TB3-1	Not Used
TB3-2	Not Used
N	AC Neutral
L	AC Line

Operating Current:

- 20 – 29 VDC: 175 mA
- 24 VAC: 500 mA at 50/60 Hz
- 120 VAC: 100 mA, 50 Hz, 75 mA at 60 Hz
- 220/240 VAC: 53 mA at 50 Hz, 40 mA at 60 Hz

Alarm Initiation Relay:

- Quantity: 1
- Style: Normally open
- Ratings: 2.0 A at 30 VDC (resistive)

Auxiliary Relays:

- Quantity: 2
- Style: Form C
- Ratings: 10 A at 30 VDC, 10 A at 250 VAC

Supervision (Trouble) Relay:

- Quantity: 1
- Style: Form C
- Ratings: 2.0 A at 30 VDC (resistive)

Available on the following Carrier® Packaged Rooftop Units:



48/50 KC(Q)



48/50 TC(Q)



48/50 HC(Q)



48/50 LC



48/50 FC(Q)



48/50 GC(Q)



48/50 JC



Turn to the experts

carrier.com/commercial | 1.800.CARRIER

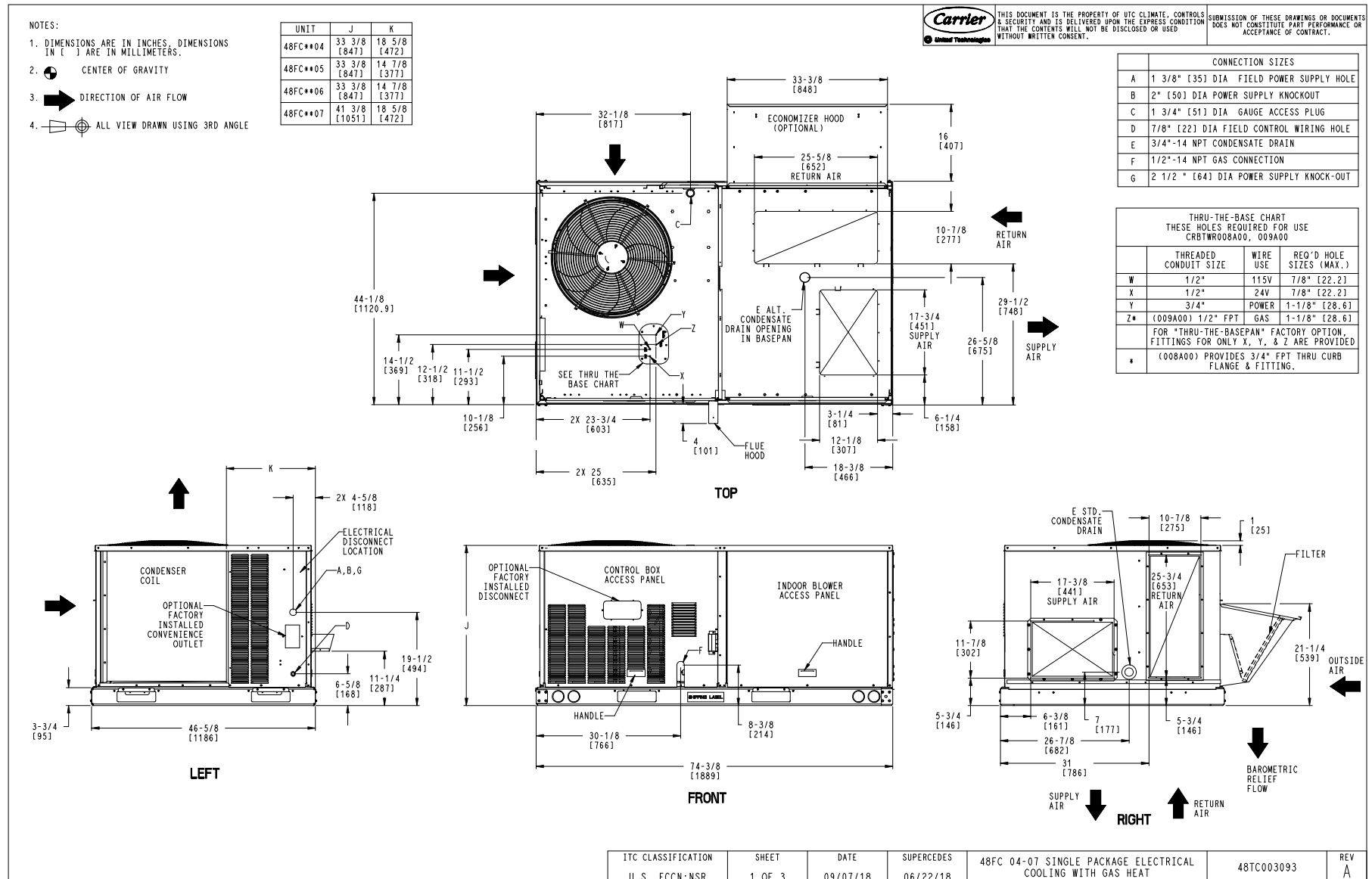
© 2021 Carrier. Manufacturer reserves the right to discontinue, or change at any time, specifications or designs without notice and without incurring obligations.
Cat. No. 04-811-70010



Certified Drawing for RTU-4

Project: Wells Fargo RTU
Prepared By: Tim May

10/27/2022
02:41PM



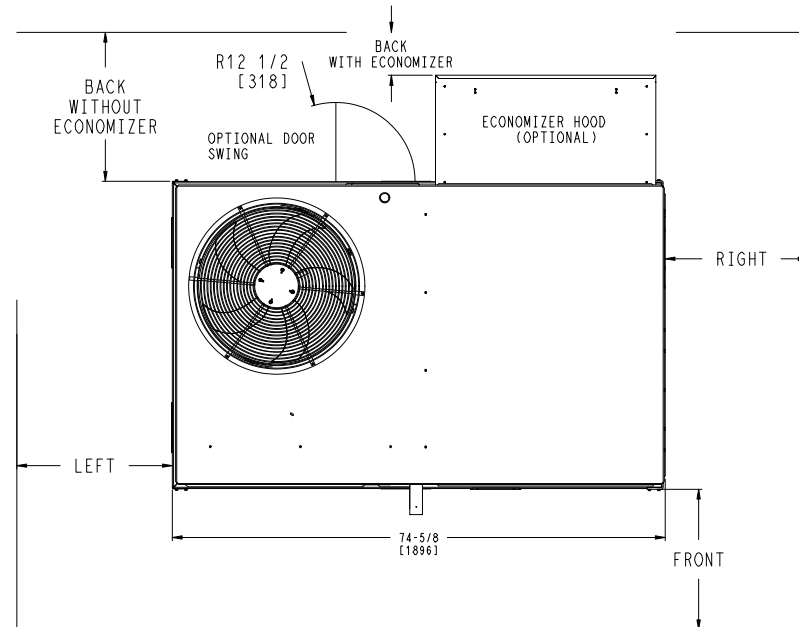
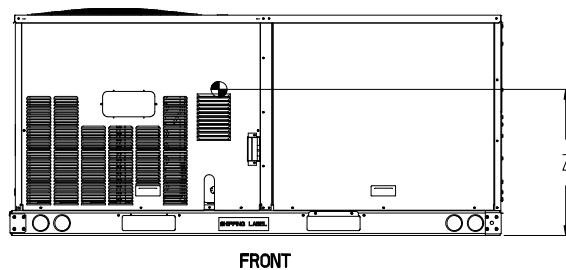
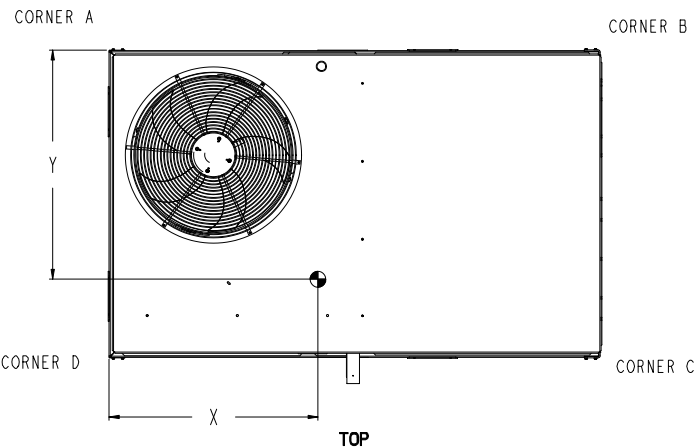
Certified Drawing for RTU-4

Project: Wells Fargo RTU
Prepared By: Tim May

10/27/2022
02:41PM

UNIT	STD. UNIT WEIGHT *		CORNER WEIGHT (A)		CORNER WEIGHT (B)		CORNER WEIGHT (C)		CORNER WEIGHT (D)		C.G.		HEIGHT
	LBS.	KG.	LBS.	KG.	LBS.	KG.	LBS.	KG.	LBS.	KG.	X	Y	Z
48FC**04	482	219	113	51	116	53	128	58	125	57	37 5/8 [956]	24 9/16 [624]	18 1/4 [464]
48FC**05	543	246	138	63	133	60	133	60	138	63	36 1/2 [927]	23 3/8 [594]	18 [457]
48FC**06	556	252	142	64	136	62	136	62	142	64	36 1/2 [927]	23 3/8 [594]	18 [457]
48FC**07	607	275	162	73	152	69	141	64	151	68	36 [914]	22 1/2 [572]	19 3/8 [492]

* STANDARD UNIT WEIGHT IS WITH LOW GAS HEAT AND WITHOUT PACKAGING.
FOR OTHER OPTIONS AND ACCESSORIES, REFER TO THE PRODUCT DATA CATALOG.



NOTES:

- FOR ALL MINIMUM CLEARANCES LOCAL CODES OR JURISDICTIONS MAY PREVAIL.

SURFACE	CLEARANCE		OPERATING CLEARANCE
	SERVICE WITH: CONDUCTIVE BARRIER	SERVICE WITH: NONCONDUCTIVE BARRIER	
FRONT	48 [1219mm]	36 [914mm]	18 [457mm]
LEFT	48 [1219mm]	42 [1067mm]	18 [457mm]
BACK	48 [1219mm]	42 [1067mm]	18 [457mm]
BACK W/HOOD	36 [914mm]	36 [914mm]	18 [457mm]
RIGHT	36 [914mm]	36 [914mm]	18 [457mm]
TOP	72 [1829mm]	72 [1829mm]	72 [1829mm]

ITC CLASSIFICATION U.S. ECCN:NSR	SHEET 2 OF 3	DATE 09/07/18	SUPERCEDES 06/22/18	48FC 04-07 SINGLE PACKAGE ELECTRICAL COOLING WITH GAS HEAT	48TC003093	REV A
-------------------------------------	-----------------	------------------	------------------------	---	------------	----------

Certified Drawing for RTU-4

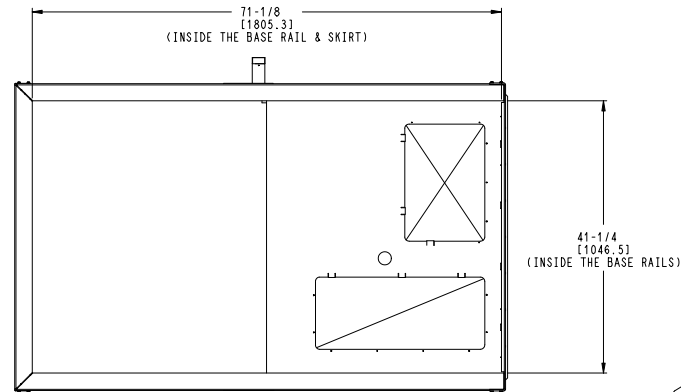
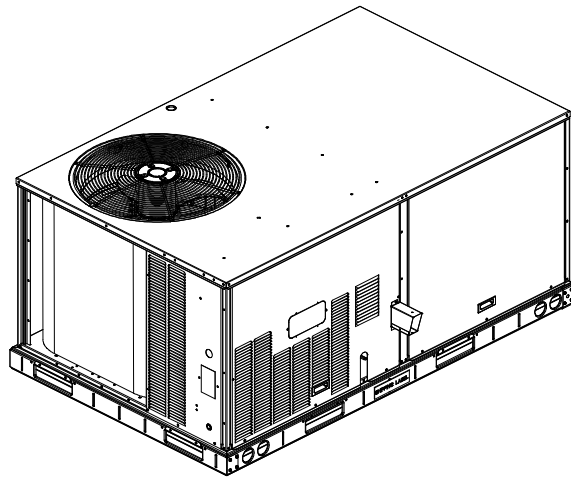
Project: Wells Fargo RTU
Prepared By: Tim May

10/27/2022
02:41PM



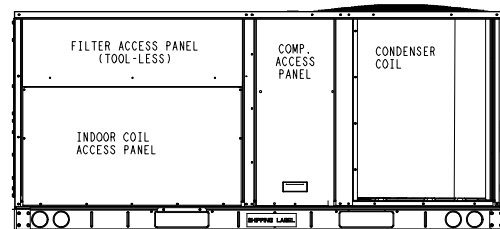
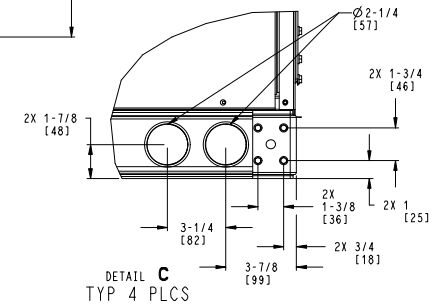
THIS DOCUMENT IS THE PROPERTY OF UTC CLIMATE, CONTROLS & SECURITY AND IS DELIVERED UPON THE EXPRESS CONDITION THAT THE CONTENTS WILL NOT BE DISCLOSED OR USED WITHOUT WRITTEN CONSENT.

SUBMISSION OF THESE DRAWINGS OR DOCUMENTS DOES NOT CONSTITUTE PART PERFORMANCE OR ACCEPTANCE OF CONTRACT.

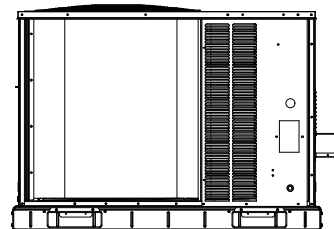


INSIDE BASERAIL DIMENSIONS

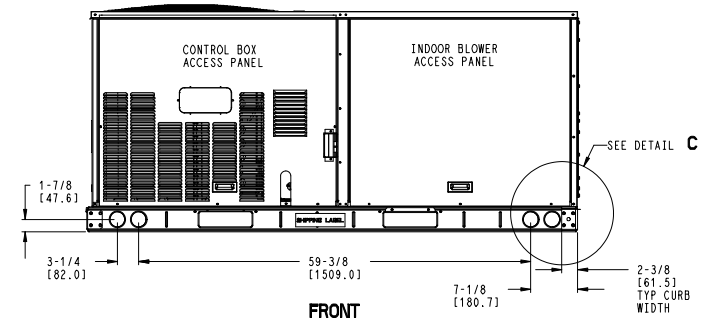
BOTTOM



BACK



LEFT



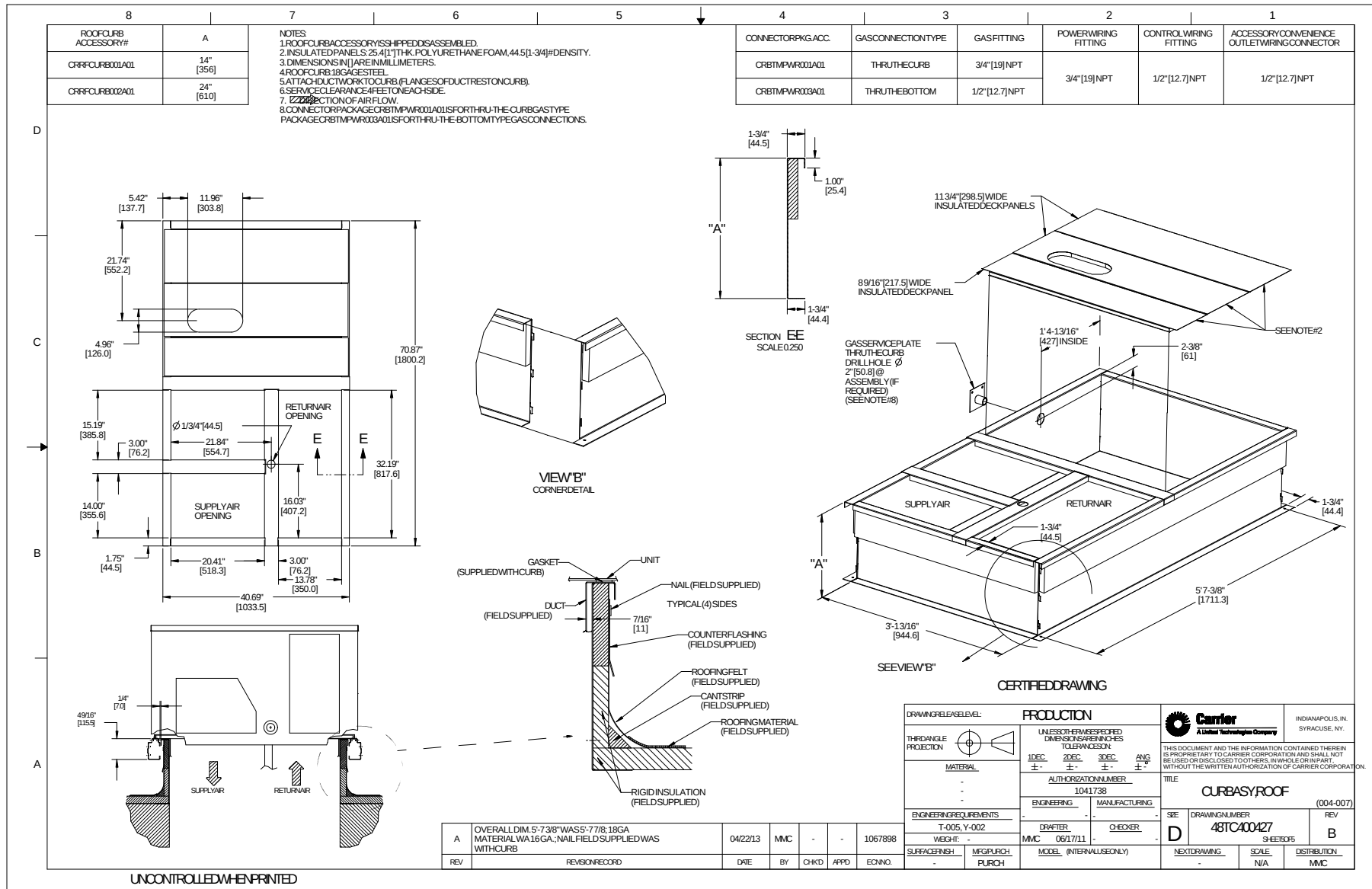
FRONT

ITC CLASSIFICATION	SHEET	DATE	SUPERCEDES	48FC 04-07 SINGLE PACKAGE ELECTRICAL COOLING WITH GAS HEAT	48TC003093	REV
U.S. ECCN:NSR	3 OF 3	09/07/18	06/22/18			A

Certified Drawing for RTU-4

Project: Wells Fargo RTU
Prepared By: Tim May

10/27/2022
02:41PM



Spec Sheet for RTU-4

Project: Wells Fargo RTU
Prepared By: Tim May

10/27/2022
02:41PM

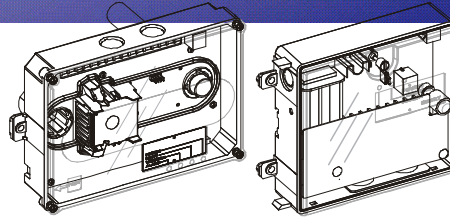


Table 1 – Controller Terminal Connections

TERMINAL NUMBER	NAME
1	AUX (-)
2	Reset
3	SUPV Contact COM
4	Alarm Contact COM
5	Alarm Contact NO
6	AUX 1 Contact COM
7	AUX 2 Contact NO
8	AUX 2 Contact NC
9	24V AC/DC In (+)
10	24V AC/DC In (-)
11	Not used
12	Multi-Shutdown
13	SUPV Contact NO
14	SUPV Contact NC
15	REM Alarm LED Out
16	AUX 1 Contact NC
17	AUX 1 Contact NO
18	AUX 2 Contact COM
19	18 VDC Output (+)
20	18VDC Output (-)
TB3-1	Not Used
TB3-2	Not Used
N	AC Neutral
L	AC Line

Operating Current:

- 20 – 29 VDC: 175 mA
- 24 VAC: 500 mA at 50/60 Hz
- 120 VAC: 100 mA, 50 Hz, 75 mA at 60 Hz
- 220/240 VAC: 53 mA at 50 Hz, 40 mA at 60 Hz

Alarm Initiation Relay:

- Quantity: 1
- Style: Normally open
- Ratings: 2.0 A at 30 VDC (resistive)

Auxiliary Relays:

- Quantity: 2
- Style: Form C
- Ratings: 10 A at 30 VDC, 10 A at 250 VAC

Supervision (Trouble) Relay:

- Quantity: 1
- Style: Form C
- Ratings: 2.0 A at 30 VDC (resistive)

Available on the following Carrier® Packaged Rooftop Units:



48/50 KC(Q)



48/50 TC(Q)



48/50 HC(Q)



48/50 LC



48/50 FC(Q)



48/50 GC(Q)



48/50 JC



Turn to the experts



carrier.com/commercial | 1.800.CARRIER

© 2021 Carrier. Manufacturer reserves the right to discontinue, or change at any time, specifications or designs without notice and without incurring obligations.
Cat. No. 04-811-70010

Certified Drawing for RTU-5

Project: Wells Fargo RTU
Prepared By: Tim May

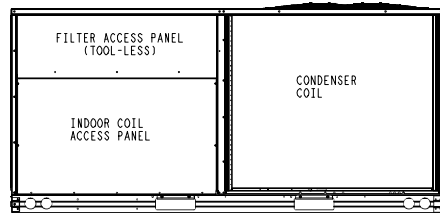
10/27/2022
02:41PM

NOTES:

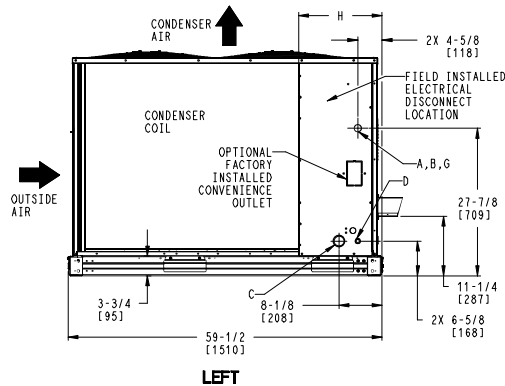
1. DIMENSIONS ARE IN INCHES. DIMENSIONS IN [] ARE IN MILLIMETERS.
2. CENTER OF GRAVITY
3. DIRECTION OF AIR FLOW
4. ALL VIEW DRAWN USING 3RD ANGLE

UNIT	OUTDOOR COIL TYPE	J	K	H
48FC-M08	RTPF	41 1/4 [1048]	33 3/4 [857]	15 7/8 [403]
48FC-M09	RTPF	49 3/8 [1253]	36 3/8 [925]	15 7/8 [403]
48FC-M12	RTPF	49 3/8 [1253]	36 3/8 [925]	15 7/8 [403]

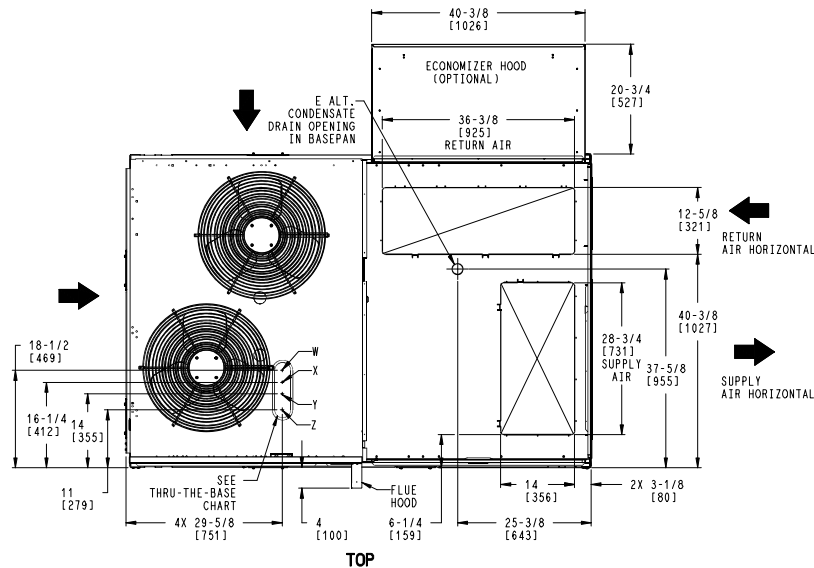
RTPF - ROUND TUBE, PLATE FIN (COPPER/ALUM)



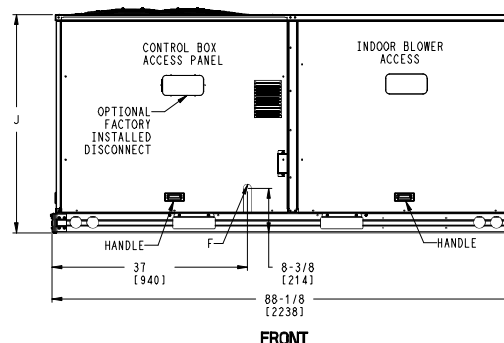
BACK



LEFT



TOP



FRONT



THIS DOCUMENT IS THE PROPERTY OF CARRIER CORPORATION AND IS DELIVERED UPON THE EXPRESS CONDITION THAT THE CONTENTS WILL NOT BE DISCLOSED OR USED WITHOUT CARRIER CORPORATION'S WRITTEN CONSENT.

SUBMISSION OF THESE DRAWINGS OR DOCUMENTS DOES NOT CONSTITUTE PART PERFORMANCE OR ACCEPTANCE OF CONTRACT.

CONNECTION SIZES	
A	1 3/8" [35] DIA FIELD POWER SUPPLY HOLE
B	2 1/2" [64] DIA POWER SUPPLY KNOCKOUT
C	1 3/4" [51] DIA GAUGE ACCESS PLUG
D	7/8" [22] DIA FIELD CONTROL WIRING HOLE
E	3/4"-14 NPT CONDENSATE DRAIN
F	1/2"-14 NPT GAS CONNECTION
G	2" [51] DIA POWER SUPPLY KNOCK-OUT

THRU-THE-BASE CHART (FIELD INST)

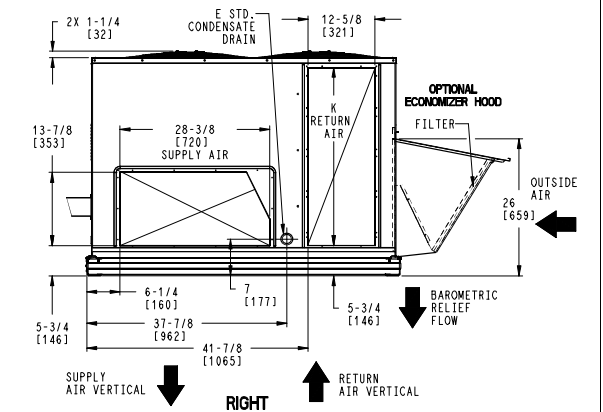
THESE HOLES REQUIRED FOR USE WITH ACCY KITS:
CRBTMPWRO02A01: GAS THRU CURB
CRBTMPWRO04A01: GAS THRU BASEPAN

	THREADED CONDUIT SIZE	WIRE USE	REQ'D HOLE SIZES (MAX.)
W	1/2"	ACC.	7/8" [22.2]
X	1/2"	24V	7/8" [22.2]
Y	1 1/4" (002,004)	POWER	1 3/4" [44.4]
Z *	(004) 3/4" FPT	GAS	1 3/4" [44.4]
*	(002) PROVIDES 3/4" FPT THRU CURB FLANGE & FITTING. HOLE SIZE: 2" [50.8]		

THRU-THE-BASE CHART (FIOP)

FOR "THRU-THE-BASEPAN" FACTORY OPTION, FITTINGS FOR ONLY X, Y, & Z ARE PROVIDED. **

FOR BELOW LISTED MODELS, A FIELD SUPPLIED 1/2" ADAPTER IS REQUIRED BETWEEN BASE PAN FITTING AND GAS VALVE:
48FCD, S*08, 09



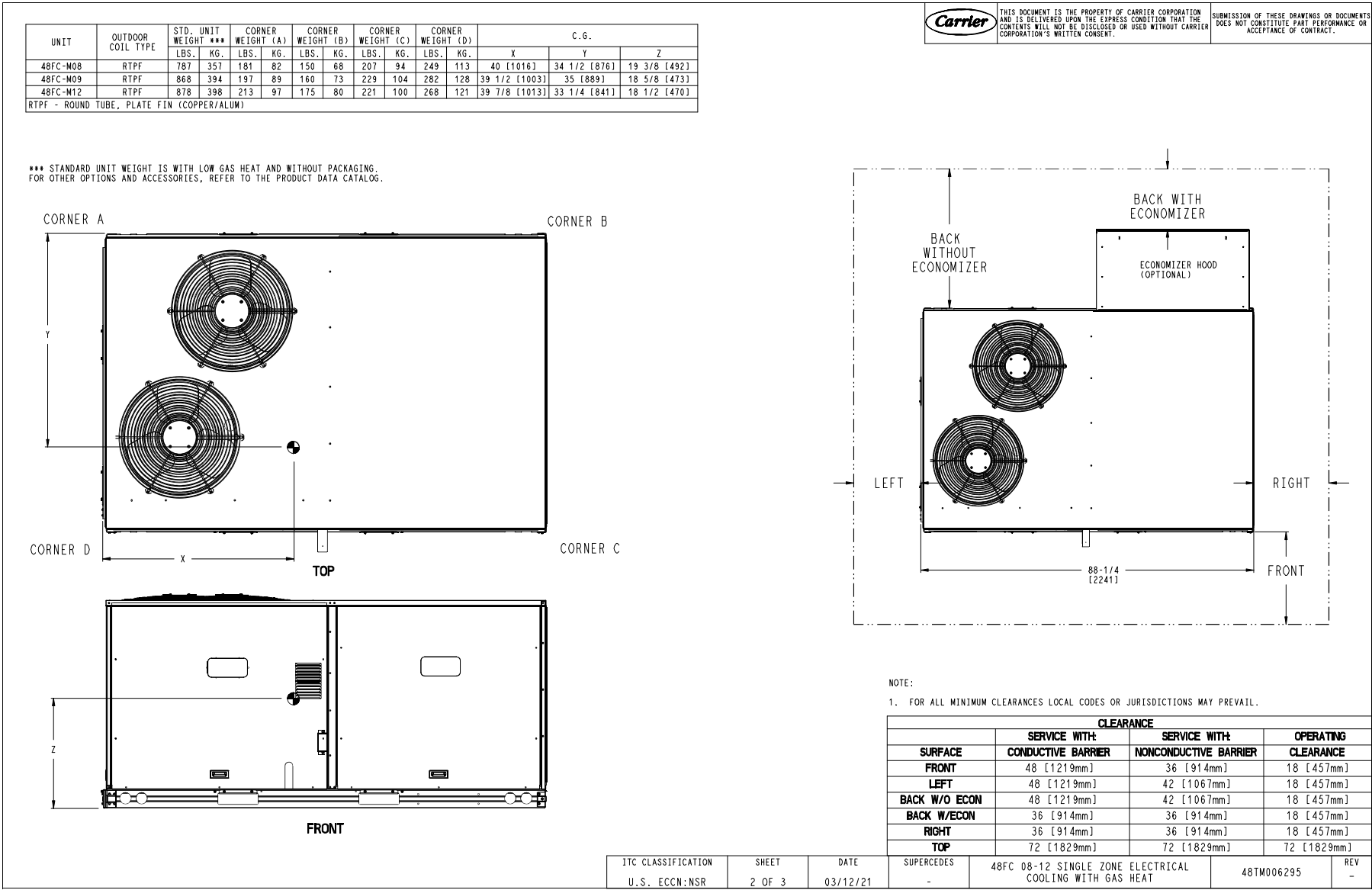
RIGHT

ITC CLASSIFICATION	SHEET	DATE	SUPERCEDES	48FC 08-12 SINGLE ZONE ELECTRICAL COOLING WITH GAS HEAT	48TM006295	REV
U.S. ECCN: NSR	1 OF 3	03/12/21	-			-

Certified Drawing for RTU-5

Project: Wells Fargo RTU
Prepared By: Tim May

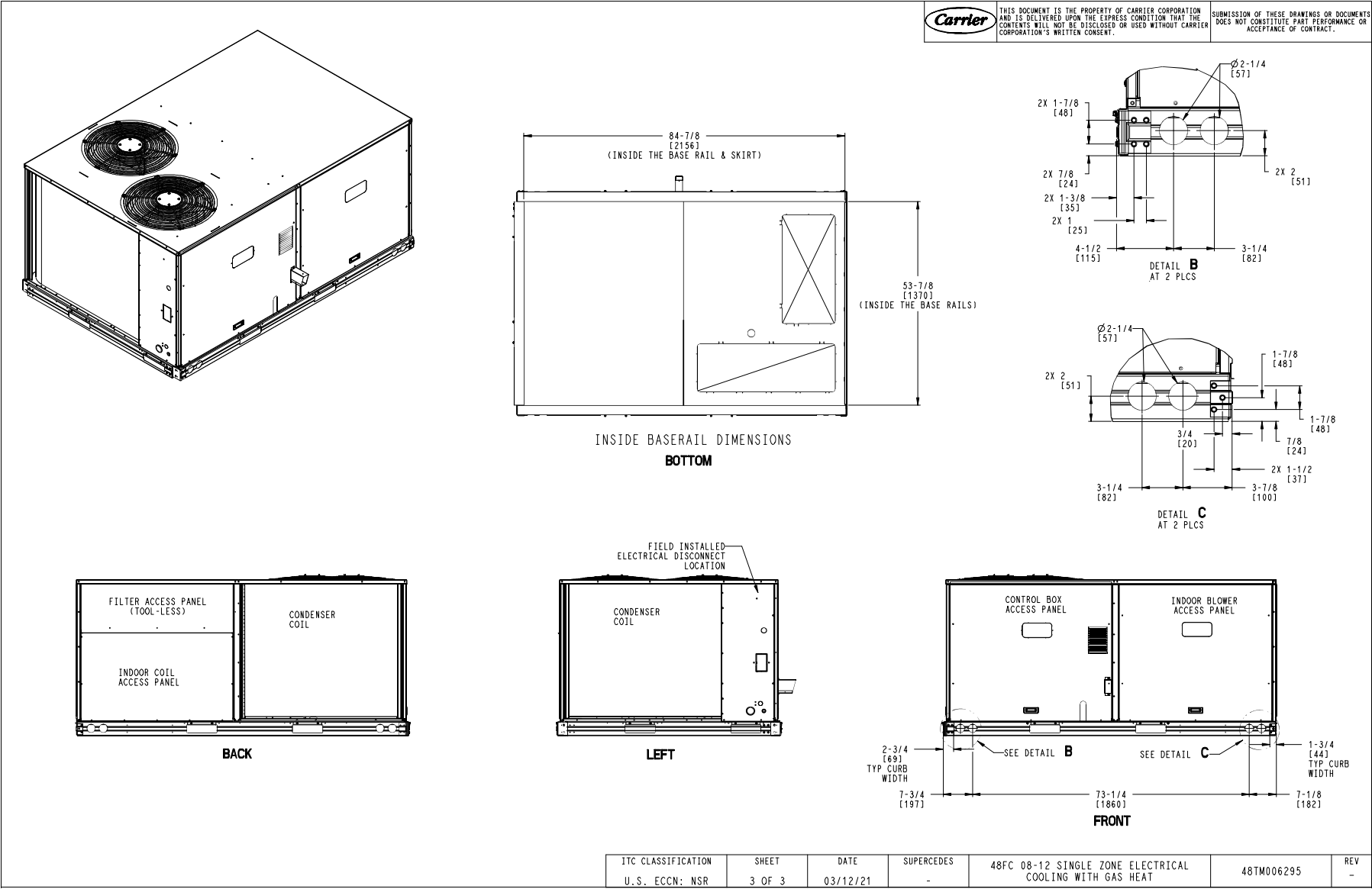
10/27/2022
02:41PM



Certified Drawing for RTU-5

Project: Wells Fargo RTU
Prepared By: Tim May

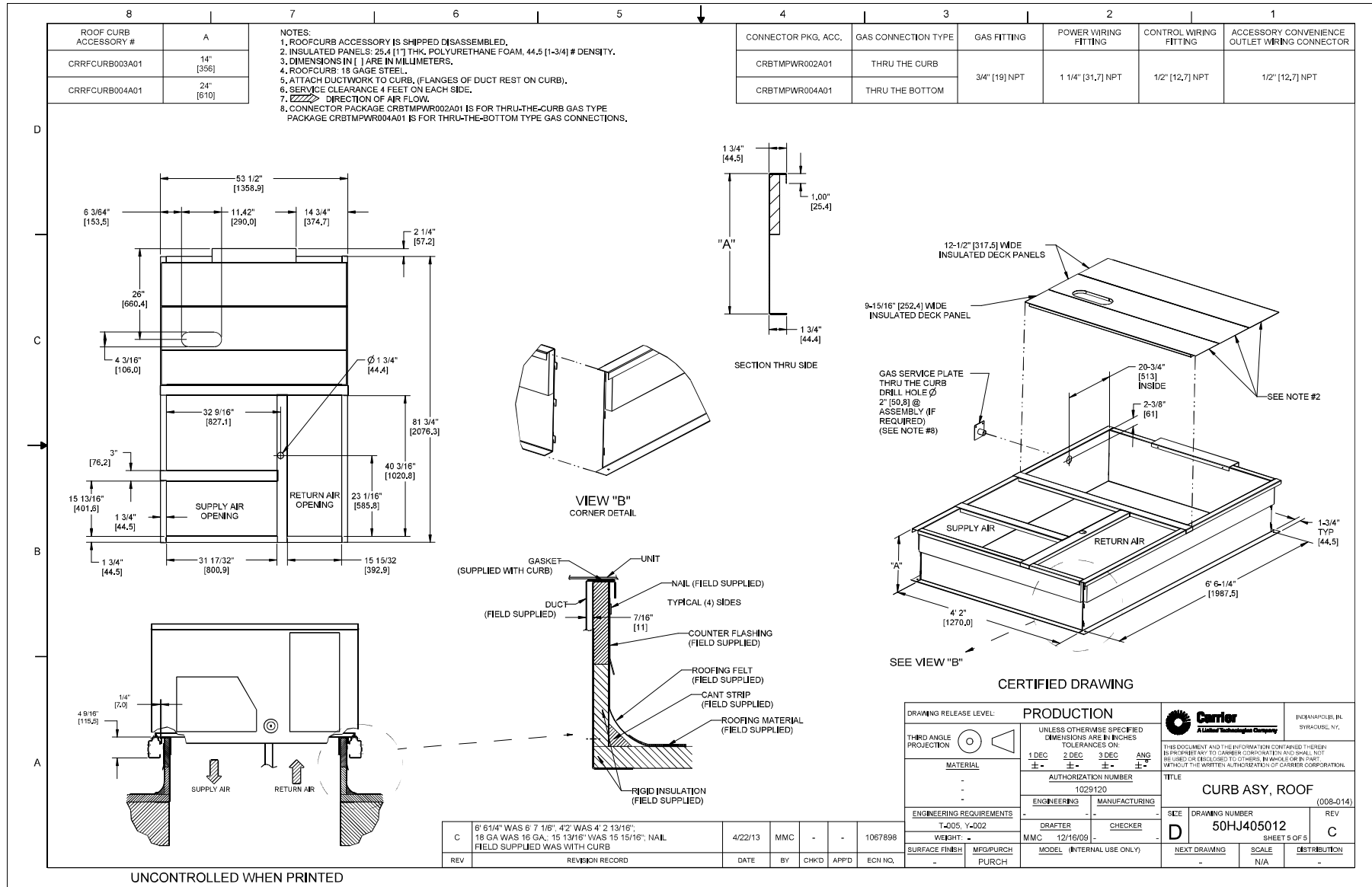
10/27/2022
02:41PM



Certified Drawing for RTU-5

Project: Wells Fargo RTU
Prepared By: Tim May

10/27/2022
02:41PM



Unit Feature Sheet for RTU-5

Project: Wells Fargo RTU
Prepared By: Tim May

10/27/2022
02:41PM



– 48FC

PACKAGED ROOFTOP GAS HEATING/ELECTRIC COOLING UNITS –
15.0 IEER 7.5, 8.5, 10, 12.5, 15 TONS



ecoBlue technology



WEATHERMAKER® SERIES

48FC units are single packaged gas heating, electric cooling units that are pre-wired and charged with Puron (R-410) refrigerant. The units are factory tested in both heating and cooling modes. All models use two stage cooling capacity control with a full active evaporator coil and new EcoBlue™ direct drive ECM indoor fan system

Approved and certified by:



Use of the AHRI Certified TM Mark indicates a manufacturer's participation in the program. For verification of certification for individual products, go to www.ahridirectory.org.

For a complete list of options and accessories refer to Product Data

STANDARD FEATURES INCLUDE:

- Rated in accordance with AHRI Standards 340/360
- Puron (R-410A) HFC refrigerant
- Two-stage cooling capacity control on all models
- IEER's of 15.0, EER's up to 11.2
- Exceeds current DOE IEER efficiencies while meeting DOE's new stringent 2023 IEER efficiency requirements
- 2023 DOE, ASHRAE 90.1, and IECC - IEER energy compliant
- New Direct Drive – EcoBlue™ Technology Indoor fan system uses Vane Axial fan design and electronically commutated motor. Indoor fan motor also delivers Staged Air Volume (SAV) fan speed control.
- Non-corrosive composite condensate pan in accordance with ASHRAE 62 Standard, sloping design; side or center drain
- TXV refrigerant metering system on all models
- Standard cooling operating range up to 125°F (52°C), except 14 size models with 115°F (46°C) and down to 40°F (-4°C), except 14 size models with 0°F (-18°C) Low Ambient controls allows cooling operation down to 0°F (-18°C).
- Pre-painted exterior panels and primer-coated interior panels tested to 500 hours salt spray protection
- New Unit Control Board with intuitive quick fan speed adjustment
- Exclusive IGC solid-state control for on-board diagnostics with LED
- Induced draft gas heat combustion design
- Redundant gas valves with up to two stages of heating
- Low pressure, high pressure, mixed air temperature switch protection

MAINTENANCE FEATURES:

- Access panels with easy grip handles
- Innovative easy starting, no-strip screws on unit access panels
- Two-inch disposable return air filters and Tool-less filter access door
- New slide out - Vane Axial evaporator-fan system has no fan belts, pulleys, blower shaft and blower bearings

INSTALLATION FEATURES:

- Thru-the-bottom power entry capability
- Single point gas and electric connections
- Full perimeter base rail with built-in rigging adapters and fork slots
- Field convertible from vertical to horizontal airflow, 16 size requires a special supply duct cover kit.

STANDARD WARRANTY:

- 10-year heat exchanger – 15-year stainless steel option
- 5-year compressor
- 3-year SystemVu™
- 1-year parts
- Many optional upgrades also available

OPTIONS INCLUDE BUT ARE NOT LIMITED TO:

- Intelligent SystemVu communicating controls
- Supply and Return Air Smoke Detectors, high static motors
- Louvered condenser coil guards
- Disconnect switch and convenience outlet options
- Stainless Steel heat exchanger option
- Corrosion resistant coil coating
- MERV-13, 4" Return Air Filters
- Patented Humidi-MiZer® adaptive dehumidification system.
- Hinged access panels
- Integrated economizer system. Low and Ultra Low Leak versions
- Phase monitor and condensate overflow protection

Spec Sheet for RTU-5

Project: Wells Fargo RTU
Prepared By: Tim May

10/27/2022
02:41PM

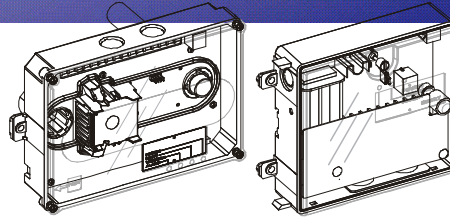


Table 1 – Controller Terminal Connections

TERMINAL NUMBER	NAME
1	AUX (-)
2	Reset
3	SUPV Contact COM
4	Alarm Contact COM
5	Alarm Contact NO
6	AUX 1 Contact COM
7	AUX 2 Contact NO
8	AUX 2 Contact NC
9	24V AC/DC In (+)
10	24V AC/DC In (-)
11	Not used
12	Multi-Shutdown
13	SUPV Contact NO
14	SUPV Contact NC
15	REM Alarm LED Out
16	AUX 1 Contact NC
17	AUX 1 Contact NO
18	AUX 2 Contact COM
19	18 VDC Output (+)
20	18VDC Output (-)
TB3-1	Not Used
TB3-2	Not Used
N	AC Neutral
L	AC Line

Operating Current:

- 20 – 29 VDC: 175 mA
- 24 VAC: 500 mA at 50/60 Hz
- 120 VAC: 100 mA, 50 Hz, 75 mA at 60 Hz
- 220/240 VAC: 53 mA at 50 Hz, 40 mA at 60 Hz

Alarm Initiation Relay:

- Quantity: 1
- Style: Normally open
- Ratings: 2.0 A at 30 VDC (resistive)

Auxiliary Relays:

- Quantity: 2
- Style: Form C
- Ratings: 10 A at 30 VDC, 10 A at 250 VAC

Supervision (Trouble) Relay:

- Quantity: 1
- Style: Form C
- Ratings: 2.0 A at 30 VDC (resistive)

Available on the following Carrier® Packaged Rooftop Units:



48/50 KC(Q)



48/50 TC(Q)



48/50 HC(Q)



48/50 LC



48/50 FC(Q)



48/50 GC(Q)



48/50 JC



Turn to the experts



carrier.com/commercial | 1.800.CARRIER

© 2021 Carrier. Manufacturer reserves the right to discontinue, or change at any time, specifications or designs without notice and without incurring obligations.
Cat. No. 04-811-70010



City of Wayzata Planning Commission Agenda Report

MEETING DATE: April 17, 2023	AGENDA ITEM: 5.b
TITLE: Consider Application for Zoning Text Amendments to Chapter 936 - Tree Preservation Ordinance and Chapter 918 - Fencing/Screening	
PREPARED BY: Nick Kieser, Parks Planner	
REVIEWED BY: Emily Goellner, Community Development Director	
60 DAY DEADLINE: N/A	

BACKGROUND:

In October 2022, the City Council approved zoning text amendments to Chapters 519, 710, and 936 to ensure protection, preservation, and enhancement of the natural environment of the community. Through enforcement of the new Ordinance, staff discovered that additional updates are needed to help with enforcement as intended in Chapter 936. Additional text amendments to Chapter 918 (Fencing/Screening) are also proposed to align with the updated language of Chapter 936.

ACTION REQUESTED:

After considering the items outlined in this report and the public hearing held at the meeting, the Planning Commission should direct staff to prepare a Planning Commission Report and Recommendation, with appropriate findings, reflecting a recommendation on the application for review and adoption at the next Planning Commission meeting.

ATTACHMENTS:

1. Staff Report
2. Draft Ordinance 825



**Staff Report
Wayzata Planning Commission
April 17, 2023**

Project Name: Tree Preservation & Fencing/Screening Ordinance Updates

Request: Zoning Text Amendment

Applicant: City of Wayzata

Location of Request: City of Wayzata

Prepared by: Bennett Myhran, City Forester
Nick Kieser, Parks Planner

Development Application Introduction

In October 2022, the City Council approved zoning text amendments to Chapters 519, 710, and 936 to ensure protection, preservation, and enhancement of the natural environment of the community. Through enforcement of the new Ordinance, staff discovered that additional updates are needed to help with enforcement as intended in Chapter 936. Additional text amendments to Chapter 918 (Fencing/Screening) are also proposed to align with the updated language of Chapter 936.

Project Location

The Tree Preservation Ordinance (TPO) is applicable to all properties within the City of Wayzata and not specific to any particular Zoning District. Applicability of the requirements outlined in the TPO are dependent on the proposed plans or activities for a property.

Application Requests

As part of the submitted development application, the applicant is requesting approval of the following items:

- A. Zoning Text Amendment (§903): Staff proposes amendments to Chapter 936 - Tree Preservation Ordinance (TPO) and Chapter 918 – Fencing/Screening.

Public Hearing Notice

Notice of the public hearing on the Application was published in the *Sun Sailor* on April 6, 2023.

Proposed Changes

Staff has worked on approximately 13 Tree Removal Permits since January 24. From the management of those permits, staff has compiled a list of proposed edits to clarify certain sections of code to help enforce the code as intended. A list of the proposed changes is listed below:

Chapter 936 – Tree Preservation

- Add clarification in the Heritage tree definition that the tree must be a **healthy** tree to meet the definition.
 - *The existing definition suggests that the removal of dead, diseased, or hazardous Heritage-sized trees would be included in the tree replacement calculations.*
- Add a definition for the Structural Root Zone (SRZ) of a tree.
- Add a section that bans the preservation of trees with a compromised Structural Root Zone.
 - *A tree's Structural Root Zone is essential for its stability. Any disruption to the SRZ creates an immediate hazard which can lead to uprooting or other sudden failure. Any plan which includes such a conflict must be amended to either better accommodate the tree's preservation or remove and replace it, pending City Forester approval.*
- Update the need for a Tree Removal Permit to include any tree with a diameter of six inches or more, regardless of condition. The requirement currently applies only to Significant and Heritage trees which are defined as healthy trees.
 - *This update is essential for tracking tree pest and pathogen migration through Wayzata. The current requirement only applies to healthy trees, so trees which have succumbed to biotic stress (pest and/or pathogen stress) are undocumented. The permit fee for such trees will be waived.*
- Clarify the Past Tree Removal section to include any tree removal in the past two years in the current Tree Preservation Plan, regardless of the type of development permit being pursued.
 - *The TPO technically does not factor in past removals unless additional removals are being proposed at the time of application.*

Chapter 918 – Fencing/Screening

- Remove the minimums for tree and plant size planting to follow the language in Chapter 936.
 - *This provides consistency and clarity. Smaller tree/plant size also encourages better establishment and less transplant shock. There would be no change to how the replacement inches are calculated. For example, if smaller stock is selected for replacement, more of them would be needed to achieve the required inches.*

- Add language to prohibit or restrict plantings based on the Minnesota Department of Agriculture list.
- Remove the list of suitable trees to follow the language in Chapter 936.
 - *Species compatibility changes too frequently to codify it. It would be more appropriate to cite a third party, reputable organization which is better-suited to maintain such a list.*
- Change additional language to match Chapter 936.

The proposed changes to Chapter 936 are in response to staff's recent experience with the permitting process on various projects. Chapter 918 was not reviewed during the last zoning text amendment process, so the proposed changes would align Chapter 918 with the recent changes to Chapter 936, 710, and 519.

Staff Recommendation

Staff recommends approval of the Zoning Text Amendment for the proposed changes to Chapter 936 - Tree Preservation Ordinance and Chapter 918 – Fencing/Screening. Staff believes that the proposed changes will help to protect, preserve, and enhance the natural environment of the community, specifically the tree canopy. The proposed changes will also improve the current enforcement of the TPO with better knowledge of staff resources and more efficient staff systems.

Standards of Planning Commission Review of Application Requests Primary Questions to Consider

- Does this text amendment fit with the City's 2040 Comprehensive Plan?
- Do the proposed changes conform to the present and future land uses of the area?
- Do the proposed changes help protect, preserve, and enhance the natural environment of the community?

Action Steps

After considering the items outlined in this report, holding the public hearing on the application, and discussing the requests of the Application, the Planning Commission can should direct staff to prepare a draft *Planning Commission Report and Recommendation for review and adoption at the next Planning Commission meeting.*

Attachments

- Proposed Language for Chapter 936 – Tree Preservation Ordinance
- Proposed Language for Chapter 918 – Fencing/Screening

Applicable Code Provisions for Review

Staff has analyzed the facts provided by the applicant in comparison with the criteria for approval. While several criteria appear to be met, **staff has highlighted in bold** the criteria that may require additional discussion with the Planning Commission.

2040 Comprehensive Plan

Guiding Principles of the Comprehensive Plan

Charming

- **Fostering charm in a community known for its small-town character requires intentionality and purpose.** A stronger focus on design – sending developers back to the proverbial drawing table to bring a more tasteful proposal – is a check that would go a long way. City residents want to connect to the City’s shared spaces. City spaces can be plain, or they can be charming – it is just a question of thoughtfulness. **Visitors and residents connect to places that evoke a sense of belonging, and a sense of nostalgia.** Wayzata – by nature, as it is located on the shore of Lake Minnetonka – evokes these feelings. **The challenge for the City is to make charm an utmost priority not only in new developments but in every aspect of the City’s lifecycle.** Placing emphasis on the arts, for example, is something that allows passers-by and visitors to slow down and enjoy the City. Development should be small and intimate, creating room for “randomness.”

Vibrant Parks and City Spaces

- **Vibrant City parks and City spaces are essential to Wayzata’s future. Parks provide mental health benefits to residents, opportunities for physical activity, and bring the important nature connection to daily routines.** City spaces allow residents and visitors to come together, create a sense of belonging, and encourage walkability. Wayzata, through the upcoming robust Parks and Trails System Master Plan, can revive its park spaces and transform them into inter-generational centers with opportunities and spaces from young families to older generations. Connecting the parks and city spaces are also crucial for Wayzata’s vitality. While Wayzata has plenty of park land, some spaces feel forgotten. The Nature Center is the key example of a place that could be reinvented to further connect residents and visitors with nature, and provide opportunities for physical activity.
- Recreation opportunities can be further enhanced by improved Wayzata parks and recreation. The work currently being carried out through partnerships fostered by the Lake Effect Conservancy (with the YMCA, Wayzata Sailing School, Wayzata School District, Interfaith Outreach, and Science Museum of Minnesota) is a fantastic step in that direction, so the focus should be on enhancing those partnerships and centralizing them at the City level so as to enhance access and grow the number of programs offered.

Environmental Sustainability

- As a prosperous and renowned destination suburb, Wayzata has an opportunity to take the lead on sustainability goals and objectives. In the Vision Survey, 68 percent of respondents believe that Wayzata should 'Aggressively pursue new sustainability actions and focus.' The health of Lake Minnetonka's ecosystem, a City free of visual and noise pollution, and **a City that cares about fostering a healthy, vibrant, and sustainable environment should be Wayzata's priorities**. A process to streamline the permitting application of green energy sources such as residential solar systems and the encouragement of the use of green sources of energy in large developments was highlighted by stakeholders as a key step in achieving a more sustainable Wayzata. Wayzata could also reduce the number of City landscapes that have high consumption of water and instead opt for more sustainable options. The establishment and operation of a City of Wayzata commission on energy and environment creates an opportunity for Wayzata to determine its sustainability goals and take steps to achieve them. Stakeholders agreed on a balanced but progressive agenda in Wayzata's sustainability efforts

Zoning Text Amendment (§903)

The Planning Commission shall consider possible adverse effects of the proposed amendment. Its judgment shall be based upon (but not limited to) the following factors:

1. **The proposed action in relation to the specific policies and provisions of the official City Comprehensive Plan.**
2. **The proposed use's conformity with present and future land uses of the area.**
3. The proposed use's conformity with all performance standards contained herein (i.e., parking, loading, noise, etc.).
4. The proposed use's effect on the area in which it is proposed.
5. The proposed use's impact upon property value in the area in which it is proposed.
6. Traffic generation by the proposed use in relation to capabilities of streets serving the property.
7. **The proposed use's impact upon existing public services and facilities including parks, schools, streets, and utilities, and the City's service capacity.**

CITY OF WAYZATA
HENNEPIN COUNTY, MINNESOTA
DRAFT ORDINANCE NO. 825

AN ORDINANCE AMENDING CITY CODE
CHAPTER 936 RELATED TO TREE PRESERVATION AND
SECTION 918.03 RELATED TO FENCING, SCREENING, AND LANDSCAPING

WHEREAS, the City Council, pursuant to Ordinance 818 (the “Ordinance”), recently made amendments to City Code related to tree management and preservation to better protect, preserve, and enhance the City’s tree canopy and natural environment;

WHEREAS, City Staff has identified certain further related amendments to the Zoning Ordinance that are needed to better clarify and administer the provisions thereof; and

WHEREAS, the Planning Commission has reviewed such proposed amendments, and recommends approval and adoption of them as detailed in the Report and Recommendation of the Planning Commission dated _____ 2023.

NOW THEREFORE, THE CITY OF WAYZATA ORDAINS:

Section 1. Adoption of Findings. The findings set forth in the Report and Recommendation of the Planning Commission dated _____ are hereby adopted.

Section 2. Amendments to Chapter 936 (Tree Preservation) of Part IX of City Code (Zoning Ordinance). Chapter 936 of the Wayzata City Code (Tree Preservation) is hereby amended to read in its entirety as set forth on Attachment A of this Ordinance (~~struck~~ text deleted, underlined text added).

Section 3. Amendments to Section 918.03 (Required Fencing, Screening, and Landscaping) of Part IX of City Code (Zoning Ordinance). Section 918.03 of the Wayzata City Code (Required Fencing, Screening, and Landscaping) is hereby amended to read in its entirety as set forth on Attachment B of this Ordinance (~~struck~~ text deleted, underlined text added).

Section 4. Effective Date. This Ordinance will become effective upon passage and publication.

Adopted by the City Council this ____ day of _____, 2023.

Johanna Mouton
Mayor

ATTEST:

Jeffrey Dahl
City Manager

First Reading:
Second Reading:
Publication:

CHAPTER 936 TREE PRESERVATION

936.01 Purpose and Intent.

The Wayzata City Council finds it is in the best interest of the City to protect, preserve, and enhance the natural environment of the City, and to encourage a balanced approach to the development and alteration of wooded areas. In the interest of achieving these objectives, the City has established the comprehensive tree preservation regulations of this Chapter to promote the following:

- A. Protection and preservation of the environment and natural beauty of the City;
- B. Assurance of orderly development within wooded areas to minimize tree and habitat loss;
- C. Evaluation of the impacts to trees and wooded areas resulting from development;
- D. Establishment of minimal standards for tree preservation and the mitigation of environmental impacts resulting from tree removal;
- E. Provision of incentives for creative land use and environmentally compatible site design which preserves trees and minimizes tree removal and clear-cutting during development; and
- F. Enforcement of tree preservation standards to promote and protect the public health, safety and welfare of the community.

936.02 Definitions.

For purposes of this section, the following definitions shall apply:

- A. **"City Forester"** means that person appointed as City Forester in Section 710.02.
- B. **"Coniferous Tree"** means a woody plant bearing seeds and cones oftentimes, but not always, retaining foliage throughout the year.
- C. **"Construction Area"** means any area in which movement of earth, alteration in topography, soil compaction, disruption of vegetation, change in soil chemistry, or any other change in the natural character of the land occurs as a result of site preparation, grading, building construction or any other construction activity.
- D. **"Critical Root Zone"** means the area around a tree measured from the trunk of the tree with a radius that is equal to 1.5 feet for each one inch of DBH of the tree. For example, if a tree's DBH is ten inches, then its critical root zone radius is 15 feet (10 x 1.5 = 15).
- E. **"Deciduous Tree"** means a woody plant which has a defined crown, and which loses leaves annually.
- F. **"Diameter of Tree at Breast Height"** or **"DBH"** means the diameter of a tree as measured 4½ feet 54 inches above the ground. Trees that branch near or below 4½ feet from the ground will be measured at the narrowest point below 4½ feet. Trunks that originate from the ground shall be considered separate trees.
- G. **"Healthy Tree"** means a tree that is in the average or better condition and vitality for the area, as determined by the City Forester.
- H. **"Heritage Tree"** means a Healthy Rapid-Growth Tree that is 30 inches or greater in DBH, a Healthy Standard-Growth Tree that is 25 inches or greater in DBH, or a Healthy Coniferous Tree that is 25 inches or greater in DBH.
- I. **"Landscape Architect"** means a person licensed by the State of Minnesota as a landscape architect.
- J. **"Nursery Stock Dealer"** or **"Nursery Stock Grower"** means a person licensed by the State of Minnesota as a nursery stock dealer or a nursery stock grower.

-
- K. **"Public Infrastructure"** means the construction or maintenance of:
1. Collector or arterial roads as defined by the City Transportation Plan;
 2. Public recreational trails;
 3. Stormwater infrastructure;
 4. Installation or maintenance of trunk utility infrastructure as described in the Comprehensive Sewer or Water Plans; or
 5. Any essential service or public improvement.
- L. **"Rapid-Growth Tree Species"** means a species of tree recognized as rapid-growth trees by the City Forester, including cottonwood, poplar/aspen, box elder, willow, silver maple, elm, mulberry, and ash.
- M. **"Removal"** or **"Tree Removal"** means:
1. Manual, mechanical, chemical, or abiotic or biotic (fire, water, insects or inoculation) methods which results in the physical removal of a tree;
 2. Grading impact, compaction, or other damage up to 40 percent of a tree's Critical Root Zone;
 3. Excessive pruning that severely impacts the long term survivability of the tree; or
 4. Any other impact to a tree that comprises the long term health or structural stability of a tree.
- N. **"Significant Tree"** means a Healthy Standard-Growth Tree that is six inches or greater in DBH, a Healthy Rapid-Growth Tree that is 12 inches or greater in DBH, or a Healthy Coniferous Tree that is 12 feet or greater in height or 12 inches or greater in DBH.
- O. **"Site Plan"** means the site plan established and described in this Chapter.
- P. **"Standard-Growth Tree Species"** means a species of tree recognized as standard-growth trees by the City Forester.
- Q. **"Structural Root Zone" means the area around a tree with a radius that is equal to three inches for each one inch of DBH of the tree.**
- R. **"Tree Inch(es)"** means the DBH of a tree or trees on a site.
- S. **"Tree Preservation Plan"** means the tree preservation plan established and described in this Chapter.
- T. **"Tree Preservation Zone"** means the tree preservation zone established and described in this Chapter.
- U. **"Tree Removal Permit"** means a permit that is required under this Chapter for tree removal.

936.03 Establishment of Tree Preservation Zone.

A Tree Preservation Zone is hereby established in order to aid in the stabilization of soil by the prevention of erosion and sedimentation; reduce stormwater runoff and the costs associated therewith and replenish ground water supplies; aid in the removal of carbon dioxide and generation of oxygen in the atmosphere; provide a buffer and screen against noise pollution; provide shade and the significant environmental benefit of counteracting the so-called "heat-island" effect; provide protection against severe weather; aid in the control of drainage and restoration of denuded soil subsequent to construction or grading; protect and increase property values; conserve and enhance the City's physical and aesthetic environment; provide a haven for animals and flora to thrive; and generally protect and enhance the quality of life and the general welfare of the City.

The Tree Preservation Zone shall be applied to and superimposed upon all property within the City of Wayzata. The regulations and requirements imposed within the Tree Preservation Zone shall be in addition to the zoning districts within the existing and amended text and map of the Wayzata Zoning Ordinance, and the Floodplain, Shoreland, and Wetland regulations and requirements. In cases where there is a conflict between regulations applicable within such zones, the more restrictive requirements shall apply.

936.04 City Forester Role.

The City Forester shall have the authority to make interpretations and final determinations on calculations, measurements, and the language of this Chapter.

936.05 Tree Removal Permit Requirement.

A Tree Removal Permit is required for the removal of any tree with a diameter at breast height (DBH) of six inches or more. ~~Significant or Heritage Tree.~~ No permit fee shall be required for the removal of trees that are determined by the City Forester to be dead, diseased, dying, or hazardous. Removal of any ~~Significant or Heritage Tree~~ tree that requires a Tree Removal Permit shall comply with all of the requirements of this Chapter along with the requirements listed in the Permit itself.

Submittals for a Tree Removal Permit Application shall be as follows:

- A. Completed Tree Removal Permit Application Form
- B. Tree Preservation Plan, if applicable, as specified in Sec. 936.07

The process for review and approval of a Tree Removal Permit Application shall be as follows:

- A. Submission of a completed Tree Removal Permit Application and other required submittals to the City
- B. City staff review of the Application and determination if the Application is complete
- C. Submission of any required tree escrow payment to cover tree replacement
- D. Staff approval or denial of the Tree Removal Permit
- E. If the Permit is approved, removal of the trees covered by the Permit can commence by the property owner or a licensed tree contractor under City Code Ch. 519

936.06 Tree Replacement Thresholds.

The tree replacement requirements of Section 936.09 shall apply as follows:

- A. **Subdivision, Public Infrastructure, Construction of Single-Family Home.** The following tree removal thresholds shall apply to all Subdivisions, Public Infrastructure projects, and construction of single-family homes.
 - 1. Heritage Trees. Heritage Trees are valued and special trees for the City of Wayzata due to their size and age. All practical measures must be taken to preserve Heritage Trees. Heritage Tree removal may occur only when there is not a practical alternative. There shall be a zero percent removal threshold of Heritage Trees, meaning every DBH inch of Heritage Tree removed requires full replacement in accordance with the standards of Section 936.09, in addition to any other requirements hereunder.
 - 2. Significant Trees. Although the City encourages preservation of the maximum amount of trees possible, the City recognizes that a certain amount of Significant Trees removal is sometimes necessary during development. Accordingly, 25 percent (25%) of the existing DBH inches of Significant Trees can be removed pursuant to a Tree Preservation Plan without obligation of replacement. Any tree removal beyond 25 percent will require replacement in accordance with the standards of Section 936.09.
 - 3. Public Infrastructure. The City Council may waive the tree replacement requirements of this Section for Public Infrastructure projects if the City Council makes a finding that the tree replacement requirement would create an undue financial or other burden on the project, and the public benefits of the Public Infrastructure project outweigh the benefits of the required tree replacement.
- B. **Land Disturbance Permits, Design Review, and Expansions to Single-Family Homes.** The following tree removal thresholds apply to projects that require a Land Disturbance Permit under City Code Section 409.05, projects that require Design Review under City Code Section 909.04.B, and expansions or additions to an existing single-family home:

-
1. Heritage Trees. Heritage Trees are valued and special trees for the City of Wayzata due to their size and age. All practical measures must be taken to preserve Heritage Trees. Heritage Tree removal may occur only when there is not a practical alternative. There shall be a zero percent removal threshold of Heritage Trees, meaning every DBH inch of Heritage Tree removed requires full replacement in accordance with the standards of Section 936.09 in addition to any other requirements hereunder.
 2. Significant Trees. The City recognizes that additional tree removal may occur after the construction of new houses or commercial developments, or the expansion of existing homes or commercial developments, but to a lesser degree than the original development. Therefore, ten percent (10%) of the existing DBH inches of trees can be removed without obligation of replacement. Any removal beyond ten percent will require replacement in accordance with the standards of Section 936.9.
- C. **Heritage Tree Removal.** Heritage trees removed in connection with a project not listed in Sections 936.06.A and 936.06.B shall be replaced at a ratio of one (1) inch to one (1) inch DBH removed in accordance with the standards of Section 936.09.
- D. **Trees Exempt From Replacement Requirements.** The following types of trees shall not be included as part of the tally of tree removals for purposes of calculating replacement in accordance with the standards within Section 936.09:
1. Dead, Diseased, Dying, or Hazard Trees as determined by the City Forester prior to removal; or
 2. Trees that are transplanted from the site to another appropriate location within the City as approved by the City Forester; or
 3. Trees that were planted as part of a commercial business such as a tree farm or nursery; or
 4. Trees that are structurally unstable and pose a risk to people or permanent structures, as deemed by a certified arborist with a Tree Risk Assessment Qualification and the City Forester.
 5. Significant trees that are not part of any project not listed in 936.06.A or 936.06.B.
- E. **Trees Included for Structural Root Zone Disturbance. Any tree with a Structural Root Zone that will be disturbed in any way in connection with a project listed in Sections 936.06.A and 936.06.B must be (i) inventoried and removed prior to grading or excavation, and (ii) included as part of the tally of tree removals for purposes of calculating replacement in accordance with the standards within Section 936.09.**

936.07 Tree Preservation Plan.

When a Tree Preservation Plan is required with a Tree Removal Permit, an applicant is responsible for implementing the approved Tree Preservation Plan prior to and during site grading and plan development. A Tree Preservation Plan is required for any land use approval or activity mentioned in Section 936.06. The Tree Preservation Plan will be reviewed by the City Forester and any other relevant City staff to assess the best overall tree design for the project involved, taking into account the preservation, renewal and health of Significant and Heritage Trees, and ways to enhance the efforts to mitigate damage to the trees on the property and the natural environment. The applicant is encouraged to meet with City staff prior to submission of a Subdivision application, Public Infrastructure project, or Design Review application to determine the placement of buildings, parking, driveways, streets, storage and other physical features which result in the fewest Significant and Heritage Trees being destroyed or damaged. The Tree Preservation Plan must include the following items:

- A. The name(s) and address(es) of property owners and applicants.
- B. Delineation of the buildings, structures, impervious surfaces, utilities, and other site improvements situated thereon or contemplated to be constructed thereon.
- C. Delineation of all areas to be graded and limits of land disturbance, including the contouring of all areas to be

-
- graded.
- D. Size, species, location and condition of all Significant and Heritage Trees located on the property as well as on adjacent properties where the Critical Root Zones of the trees are within the proposed Construction Area. The size of Deciduous Trees must be recorded in DBH and the size of Coniferous Trees must be recorded both in DBH and approximate height.
 - E. Identification of all Dead, Diseased, Dying and Hazard Trees.
 - F. The Critical Root Zone of all Significant and Heritage Trees proposed to be preserved.
 - G. Identification of all Significant and Heritage Trees proposed to be removed within the Construction Area.
 - H. Identification of all Significant and Heritage Trees on all individual lots. The Developer must submit a list of all lot and block numbers identifying those lots.
 - I. Measures to protect Heritage and Significant Trees as outlined in Section 936.08.
 - J. Size, species, and location of all replacement trees to be planted on the property in accordance with the tree replacement requirements.
 - K. Calculations of the total amount of tree inches proposed to be removed, the allowed removal percentage, and tree replacement inches required and proposed.
 - L. Signature of the person preparing the plan and statement which includes acknowledgment of the fact the trees to be used as replacements are appropriate species with respect to survival of the replacement trees.

936.08 Tree Protection.

The following tree protection measures are required:

- A. **Mandatory Protection.** Measures to protect Significant and Heritage Trees must include:
 - 1. Installation of snow fencing, silt fence, or polyethylene laminate safety netting placed at the Critical Root Zone and any other areas identified by the City Forester for the protection of Significant and Heritage Trees to be preserved on or adjacent to the property for which a Tree Removal Permit has been issued.
 - 2. Trees proposed to be removed must be clearly tagged or otherwise marked on the site, in a non-permanent manner, as specified by the City Forester. Trees must be tagged or marked at least one week before they are removed.
 - 3. Identification of any oak trees requiring pruning between April 1 and July 15; any oak trees so pruned are required to have any cut areas sealed with an appropriate, non-petroleum based tree wound sealant, such as shellac.
- B. **Discretionary Protection.** Measures to preserve or protect Significant and Heritage Trees which may be required by the City include, but are not limited to:
 - 1. Installation of retaining walls or tree wells to preserve trees by eliminating the filling or cutting of soil within Critical Root Zones of Significant and Heritage Trees on or adjacent to the lot being developed.
 - 2. Placement of utilities in common trenches outside of the Critical Root Zone of Significant and Heritage Trees, or use of tunneled installation.
 - 3. Prevention of change in soil chemistry due to concrete washout and leakage or spillage of toxic materials, such as fuels or paints.
 - 4. Use of tree root aeration, fertilization, and irrigation systems when appropriate.

-
5. Transplanting of Significant Trees into a protected area for later moving into permanent location within the Construction Area.
 6. Safety pruning for people working within the construction limits and for the trees involved.
- C. **Construction Protection.** Three (3) years after construction has been completed on residential properties, and five (5) years after construction has been completed for commercial or institutional properties, the City Forester shall inspect trees on a project site for which a Tree Removal Permit has been issued to ensure the health of the trees. If the trees are determined to be dead, dying, or in general poor health because of the construction on the site, the same number of tree inches must be replaced on the site.
- In addition, the City Forester may require additional escrow for Heritage Trees that are proposed to be saved on a property undergoing construction and/or nearby property if, in the judgment of the City Forester, such Heritage Trees are in close proximity to a construction area or are in danger from construction in any way.

936.09 Tree Replacement.

- A. **Tree Replacement Formula.** Replacement of removed or disturbed trees in excess of the percentage allowed under Section 936.06 shall be according to the following ratios.
1. All Significant Trees shall be replaced at the ratio of one (1) caliper inch per one (1) inch of DBH removed.
 2. All Heritage Trees removed in connection with a project listed in Sections 936.06.A and 936.06.B shall be replaced at the ratio of two (2) caliper inches per one (1) inch of DBH removed. Heritage trees removed in connection with a project not listed in Sections 936.06.A and 936.06.B shall be replaced at a ratio of one (1) inch to one (1) inch DBH removed.
 3. The height of Coniferous Trees shall count towards the caliper inches of tree replacement or tree removal as follows:
 - a. A 4-6 foot tall coniferous tree shall be equivalent to 2 caliper inches of tree replacement. For every two-foot range in additional coniferous tree height, above six feet, one additional caliper inch shall be counted towards tree replacement (e.g., a 15 foot coniferous tree = 7 caliper inches of replacement).
- B. **Size, Types and Diversification of Replacement Trees.** A Tree Replacement plan must include a diversity of tree species that are suitable for the property given soil conditions, hydrology, topography, and tree pathogens. No more than twenty percent (20%) of the replacement trees planted may be of the same genus unless otherwise approved by the City Forester. If more than 20% of the same genus of trees are planted on the site, the tree inches of the same genus over 20% shall not be included in the total tree inch replacement calculations. The recommended tree replacement species shall be those found on the Hennepin County Recommended Tree List.
- D. **Prohibited Tree Replacement Species.** The tree replacement plan may not include any tree species included in the Minnesota Department of Natural Resources Terrestrial Invasive Plants List.
- E. **Tree Replacement Location.** Replacement trees must be located only on the property for which a Tree Replacement Permit has been issued unless the City Council approves tree replacement on neighboring properties with the consent of such property owner and findings that (i) all the options for planting trees on the project site have been exhausted and tree replacement on the site is impractical; and (ii) it will allow additional screening from the neighboring property.
- F. **Tree Replacement Reduction for Preserving Heritage Trees.** Heritage trees that are protected and saved during a construction process, that otherwise had a significant probability of removal or loss based on the construction project, and that are healthy after the construction process, all as determined by the City

Forester, may be used to reduce the total number of required tree replacement inches for the project associated with the construction. Such reduction will equate to the total DBH inches of the saved tree.

- G. **Other Replacement Tree Requirements.** Choice of replacement trees species and location of the trees should also take into account the following information:
1. **Soil Composition.** Comparisons should be made between soil conditions and the ecology of the proposed species to make sure they are compatible. This is particularly important for the existing and proposed soil composition for the root balls of spaded and B&B trees.
 2. **Spatial Requirements.** The potential height and crown spread of the proposed replacement trees should be known. Generally, half of the adult tree crown diameter is the amount of distance a tree should be planted from any aboveground objects.
- H. **Pathogen Problems.** Appropriate replacement choices shall also consider insect and disease problems that may be common with particular species in the part of the state in which the City of Wayzata is located.
- I. **Fee-In-Lieu of Tree Replacement or Replacement Trees Planted in Public Areas.** The City recognizes that there may be instances where the total amount of tree replacement required under this section cannot occur on site. In those instances, the City may, at its option, accept a fee-in-lieu of tree replacement or allow the planting of replacement trees in public areas. Tree replacement is encouraged to happen on site as much as possible and fee in lieu-of-tree replacement should be used only when replacement on site is not feasible. The amount of fee-in-lieu of tree replacement will be determined annually by the City Council through the City fee schedule.

936.10 Past Tree Removal.

Any trees removed on a property in the two years preceding the date of an application for issuance of a building permit, land disturbance permit, Tree Removal Permit or other approval request in connection with a project listed in Sections 936.06.A and 936.06.B for such property shall be included in the tree removal/replacement calculations of the current application Tree Removal Permit.

936.11 Financial Guarantee.

- A. **Financial Guarantee.** The City may, at its option, withhold a certificate of occupancy or require cash escrow or a letter of credit satisfactory to the City in the amount of 110 percent of the value of the tree removal and/or replacement, securing the full performance of Tree Preservation Plan and the tree replacement plan. The amount of such security shall be calculated by the fee-in-lieu of tree replacement schedules. The financial security shall be sufficient to cover the costs of the tree removal and/or replacement trees planted, including any needed replacement of the trees over a three-year period.
- B. **Use of Financial Guarantee.** If the property owner does not implement the approved Tree Preservation Plan or Site Plan, including the tree replacement plan, in accordance with the City Council or City Forester approval, the City may use the financial guarantee to correct or complete the work.
- C. **Release of Financial Guarantee.** At least once annually, the City Forester shall review the financial securities, inspect the applicable trees, and release the financial securities as necessary. The financial security shall be released based on the following schedule:
1. Upon installation of a healthy tree: 50 percent of the financial guarantee for that tree shall be released.
 2. First year inspection determining the installed tree is still healthy: 15 percent of the financial guarantee for that tree shall be released.

-
3. Second year inspection determining the installed tree is still healthy: 15 percent of the financial guarantee for that tree shall be released.
 4. Third year inspection determining the installed tree is still healthy: 20 percent of the financial guarantee for that tree shall be released.

936.12 Penalties.

- A. **Intentional or Deliberate Damage.** It shall be unlawful for any person(s) to intentionally damage, destroy or adversely alter any living tree, deciduous or coniferous, on private land within the limits of the City of Wayzata in violation of this Chapter. Minn. Stats. § 561.04 strictly prohibits intentional damage to trees on public property in any form and provides that whoever willfully and without lawful authority injures any tree, timber or shrub on City property is liable for treble the amount of damages which may be assessed therefore. The City Forester and other City Staff should not make any claims related to the structural integrity of any tree, and any assessments made related to a tree may not be relied upon by the property owner.
- B. **Violation.** Unless expressly provided otherwise, it shall be a misdemeanor for any person to violate any provision of the City Code including this Section, any rule or regulation adopted in pursuance of any such provision, or any order lawfully enforcing the City Code or this Section. The term "misdemeanor" shall be as defined in Minn. Stats. § 609.02, Subd. 3.
It shall also be a misdemeanor for any person to attempt to commit a misdemeanor or to cause, aid, assist, counsel or advise another to commit misdemeanor. Any person who commits a misdemeanor, upon conviction, shall be subject to the penalties therefore established by State Statute. Unless expressly provided otherwise, each act in violation of the City Code, including this Chapter, shall constitute a separate offense, and each and every day that such a violation occurs or continues shall constitute a separate offense.
- C. **Enforcement.** Violations of the provisions of this Chapter will be investigated and resolved in accordance with the provisions of Chapter 908. In responding to a suspected violation, the Zoning Administrator and City may utilize the full array of enforcement actions available to it including, but not limited to, prosecution and fines.

Attachment B

918.03 Required Fencing, Screening and Landscaping.

- A. **Fencing and Screening.** Where any townhouse, quadraminium, manor home, multiple family or non-residential use (i.e., structure, parking or storage) abuts property zoned for residential use, the higher density residential or the non-residential use shall provide screening along the boundary of the residential property. Screening shall also be provided where a non-residential use is across the street from a residential zone, but not on that side of a non-residential use considered to be the front (as determined by the Zoning Administrator). All the fencing and screening specifically required by this Ordinance shall be subject to Section 916.05 and shall consist of either a fence or a green belt planting strip as provided for below.
1. A green belt planting strip shall consist of evergreen trees and/or deciduous trees and plants and shall be of sufficient width and density to provide an effective visual screen. This planting strip shall be designed to provide complete visual screening to a minimum height of six feet. Earth mounding or berms may be used but shall not be used to achieve more than three feet of the required screen. The planting plan and type of plantings shall require the approval of the City Council.
 2. A required screening fence shall be constructed of masonry, brick, wood or metal. Such fence shall provide a solid screening effect of six feet in height. The design and materials used in constructing a required screening fence shall be subject to the approval of the City Council. Fences in excess of height limitations established in Section 918.01 shall require approval pursuant to procedures noted.
- B. **Landscaping—New Residential Subdivisions, Semi-Public and All Income Producing Property Uses.** (Excluding residential structures containing less than four dwelling units.) Prior to approval of a building permit, all above referenced uses shall be subject to mandatory landscape plan and specification requirements. Said landscape plan shall be developed with an emphasis upon the boundary or perimeter of the proposed site at points adjoining other property and the immediate perimeter of the structure. All landscaping incorporated in said plan shall conform to the following standards and criteria:
1. All plants must be at least equal the following minimum size:

	Potted/Bare Root-	Balled & Burlapped-
Shade Trees*	12 -inch diameter	2 -inch diameter
Half Trees (Flowering Crabs, Russian-Olive, Hawthorn, etc.)	6- to 7-foot high	1½ -inch diameter
Evergreen Trees	6- <u>top 7-foot high</u>	3- to 4 foot high-
Tall Shrubs and Hedge Material (Evergreen or Deciduous)	3- to 4-foot high	3- to 4 foot high-
Low Shrubs-Deciduous	18- to 24-inch	24- to 30 inch-
Evergreen	18- to 24-inch potted-	24- to 30 inch-
Spreading Evergreens	18- to 24-inch potted-	18- to 24 inch-

Type and mode are dependent upon time of planting season, availability, and site conditions (soils, climate, ground water, manmade irrigation, grading, etc.)

2. Spacing.
 - a) Plant material centers shall not be located closer than three feet from the fence line or property line and shall not be planted to conflict with public ~~plant~~ings based on the judgement of the Zoning Administrator.

- b) Where plant materials are planted in two or more rows, plantings shall be staggered in rows unless otherwise approved by the Zoning Administrator.
 - c) Where massing of plants or screening is intended, large deciduous shrubs shall not be planted more than four feet on center, and/or evergreen shrubs shall not be planted more than three feet on center.
3. Species listed by the Minnesota Department of Agriculture (MDA) as “prohibited” or “restricted” shall not be included in any landscape plan.
4. Species listed by the MDA as “regulated” may only be utilized according to their species-specific regulations.

Types of New Trees. Plantings, suitable trees include.

Quercus (varieties)	Oak
Acer platanoides (and varieties)	Norway Maple (and Schwedler, Emerald Queen, etc.)
Acer saccharum	Sugar Maple
Celtis occidentalis	Hackberry
Betula (varieties)	Birch
Gleditsia triacanthos	Honeylocust (Imperial, Majestic Skyline, Sunburst, and Thornless) Little Leaf Linden/Redmond Tilia cordata (and varieties) Greenspire, etc.
Tilia americana	Basswood (Am Linden)
Fraxinus Pennsylvania lanceolate	Green Ash (and Summit, Marshall's)
Ginkgo biloba (male tree only)	Ginkgo
Gymnocladus dioicus	Kentucky Coffee Tree

5.4- Design.

- a) The landscape plan shall show site amenities, (i.e., composition of plant materials, and/or creative grading, decorative lighting, exterior sculpture, etc.) which are largely intended for aesthetic purposes.
- b) All areas within the property lines (or beyond, if site grading extends beyond) shall be treated. All exterior areas not paved or designated as roads, parking, or storage must be planted into ornamental vegetation (lawns, ground covers, or shrubs) unless otherwise approved by the Zoning Administrator.
- c) Turf slopes in excess of 2:1 are prohibited.
- d) All ground areas under the building roof overhang must be treated with a decorative mulch and/or foundation planting.
- e) All buildings must have an exterior water spigot to ensure that landscape maintenance can be accomplished.

6.5- Landscape Guarantee. All new plants shall be guaranteed for two full years from the time planting has been completed. All plants shall be alive and in satisfactory growth at the end of the guarantee period or be replaced.

7.6- Existing Trees. All existing trees are to be managed in accordance with the standards described in Chapter 936. With respect to existing trees in new developments, all trees on the site are to be saved which do not have to be removed for street, buildings, parking, utilities, drainage or active recreational purposes. Trees over six inches in diameter that are to remain, are to be marked with a red band, and to be protected with-

~~snow fences or other suitable enclosure, prior to any excavation. The City may further require that the developer retain a professional forester to prepare a forest inventory and management plan for the development, in order to control and abate any existing or potential loss. In those instances where trees of over six inches in caliper will be lost due to construction, the City Council may require the planting of new trees in an amount equal to or greater than the total caliper inches which will be removed.~~



City of Wayzata Planning Commission Agenda Report

MEETING DATE: April 17, 2023	AGENDA ITEM: 5.c
TITLE: Consider Application for Conditional Use Permits for Municipal Solar at 600 Rice Street East and 747 Mill Street East	
PREPARED BY: Nick Kieser, Parks Planner	
REVIEWED BY: Emily Goellner, Community Development Director	
60 DAY DEADLINE: June 10, 2023	

BACKGROUND:

In December 2022, the City Council approved the Purchase and Installation Agreement with Blue Horizon to install rooftop municipal rooftop solar systems on City Hall, Fire Station, Library, Municipal Bar & Grill, Liquor Store, and Public Works. When the Agreement was approved, the proposed solar energy systems did not need any additional approvals from the City Council to install.

In March 2023, the City Council adopted a new Solar Ordinance that created regulations for solar installations throughout Wayzata. In this Ordinance, the proposed solar energy systems at City Hall, Fire Station, Library, Municipal Bar & Grill (Muni), and the Liquor Store require a Conditional Use Permit (CUP) due to their location in the Bluff Design District. The solar installation on the Public Works building does not require CUP approval. Therefore, the City is required to request a CUP for these properties before any building permit is issued for the solar energy systems.

ACTION REQUESTED:

After considering the items outlined in this report and the public hearing held at the meeting, the Planning Commission should direct staff to prepare a Planning Commission Report and Recommendation, with appropriate findings, reflecting a recommendation on the application for review and adoption at the next Planning Commission meeting.

ATTACHMENTS:

1. Municipal Solar Staff Report and Attachments



**Staff Report
Wayzata Planning Commission
April 17, 2023**

Project Name: Municipal Rooftop Solar
Request: Conditional Use Permits
Applicant: City of Wayzata
Location of Request: 600 Rice St E and 747 Mill St E
Prepared by: Nick Kieser, Parks Planner
“60 Day” Decision Deadline: June 10, 2023

Development Application Introduction

In December 2022, the City Council approved the Purchase and Installation Agreement with Blue Horizon to install rooftop municipal rooftop solar systems on City Hall, Fire Station, Library, Municipal Bar & Grill, Liquor Store, and Public Works. When the Agreement was approved, the proposed solar energy systems did not need any additional approvals from the City Council to install.

In March 2023, the City Council adopted a new Solar Ordinance that created regulations for solar installations throughout Wayzata. In this Ordinance, the proposed solar energy systems at City Hall, Fire Station, Library, Municipal Bar & Grill (Muni), and the Liquor Store require a Conditional Use Permit (CUP) due to their location in the Bluff Design District. The solar installation on the Public Works building does not require CUP approval. Therefore, the City is required to request a CUP for these properties before any building permit is issued for the solar energy systems.

The property identification numbers and owner of the properties are as follows:

Address	PID	Owner	Buildings
600 Rice Street East	06-117-22-13-0118	City of Wayzata	City Hall, Fire Station, Library
747 Mill Street East	06-117-22-42-0082	City of Wayzata	Municipal Bar & Grill, Liquor Store

The current zoning and comprehensive plan land use designation for 600 Rice Street East is as follows:

Current Zoning:	INS Institutional
Comprehensive Plan Designation:	Institutional/Public
Overlay Districts:	N/A
Design District:	Bluff Design District

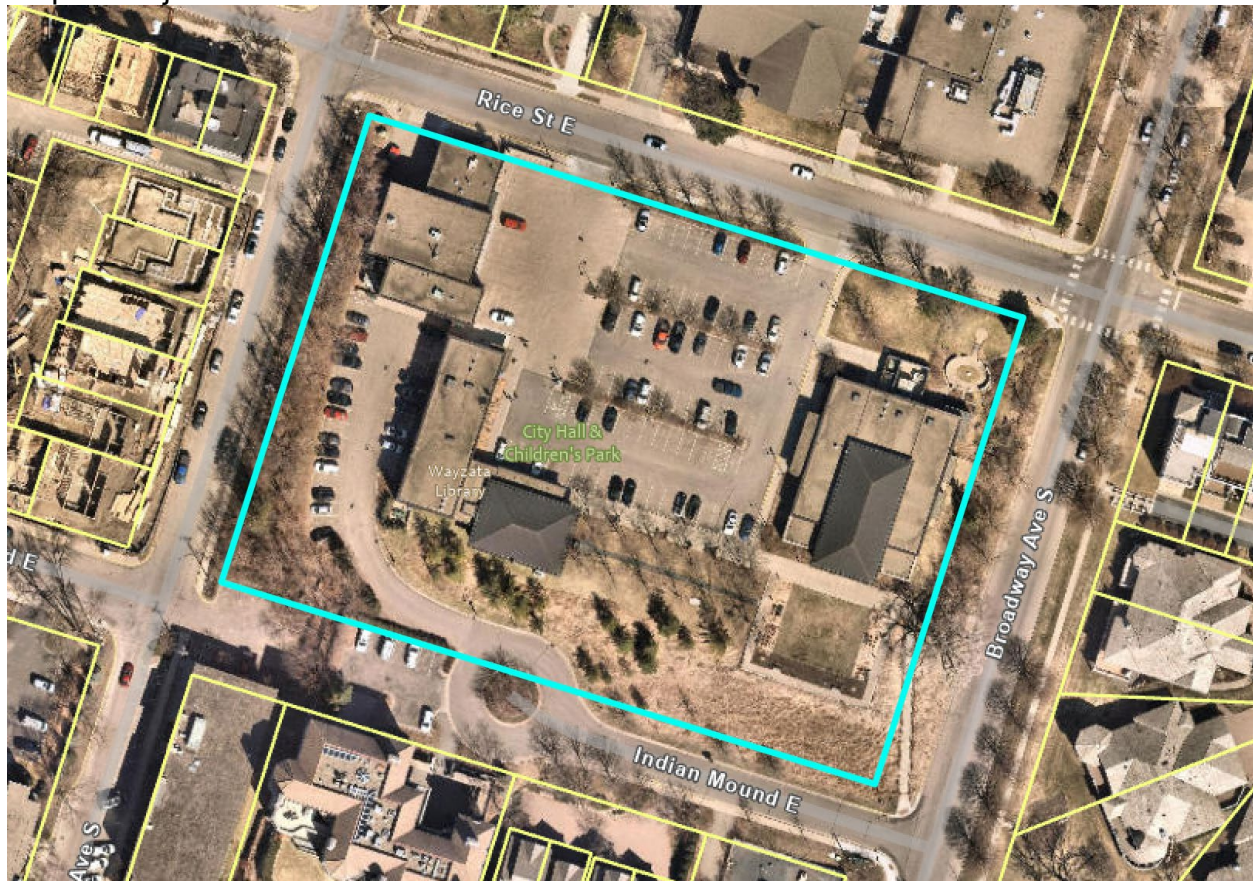
The current zoning and comprehensive plan land use designation for 747 Mill Street East is as follows:

Current Zoning:	C-4B Central Business District
Comprehensive Plan Designation:	Central Business District
Overlay Districts:	Shoreland Overlay District
Design District:	Bluff Design District

Project Locations

600 Rice Street East is bordered by Rice St to the north, Broadway Ave S to the east, Indian Mound to the south, and Walker Ave S to the west. 747 Mill Street is bordered by Superior Blvd to the east, Mill St E to the south, the public parking ramp to the west, and Widsten Townhomes to the north.

Map 1: Project location of 600 Rice Street East



Source: Hennepin County

Map 2: Project location of 747 Mill Street East



Source: Hennepin County

Application Requests

As part of the submitted development application, the applicant is requesting approval for the following items:

- A. Conditional Use Permit for Solar Energy System in the Bluff Design District (§938.02.C): A Conditional Use Permit from Chapter 938 is required to install solar systems on the buildings located at 600 Rice Street East.
- B. Conditional Use Permit for Solar Energy System in the Bluff Design District (§938.02.C): A Conditional Use Permit from Chapter 938 is required to install solar systems on the building located at 747 Mill Street East.

Public Hearing Notice

Notice of the public hearing on the Application was published in the *Sun Sailor* on April 6, 2023. The public hearing notice was mailed to all property owners located within 500 feet of the subject properties on April 4, 2023.

Background

The Energy and Environment (E&E) Committee has discussed and researched the potential for a municipal rooftop solar project for over two years. The reasons for pursuing this municipal solar project are to save money, produce sustainable energy,

reduce the City's carbon footprint, become a community leader in sustainability, and have the potential for educational opportunities.

Through a comprehensive selection process of solar installers, the E&E Committee recommended the Blue Horizon proposal to the City Council in the summer of 2022. The Purchase and Installation Agreement with Blue Horizon was approved by the Council on December 20, 2022. With the approval of the Solar Ordinance in March 2023, the approved project is now required to apply for CUPs.

Solar Energy Systems

The images below show the location of the proposed solar energy systems on the rooftops of City Hall, Fire Station, and Library at 600 Rice St E as well as the Muni/Liquor Store at 747 Mill St E. Each of these buildings are located in the Bluff Design District which is generally bounded on the west by Barry Avenue, on the east by the line of Grand/Superior Avenue, and extending from a half block north of Lake Street to a half block north of Wayzata Boulevard. Since this area includes a natural bluff above Lake Street that offers views of Lake Minnetonka, specific regulations regarding rooftop solar systems were included in the new Ordinance.

City Hall

City Hall is a two-story walk-out building with an entrance to the main level from the Rice Street parking lot and an entrance to the lower level from the lower parking lot accessed from Indian Mound St E. The Fire Station (north) and Library (east) are also located on this property. To the north of the property is St. Bartholomew Catholic Church and School, to the east are the Widsten Townhomes, to the west are the North Lake and Rice Street Townhomes, and to the south are condominiums.

The highest elevation of the property is at the northeast corner which is 986 feet and the lowest elevation is at the southwest corner at 948 feet. This shows that the property does have a significant topography change, but City Hall and the Fire Station are built at the elevation line of 980 feet and the Library is built at the elevation line of 986 feet. So, the rooftops are mainly at the higher points of the property. From the main parking lot, the flat roof of City Hall has a height of 14 feet.

The solar panels will be a ballasted system with a maximum height of 14 inches which complies with the 2-foot height maximum for the panels. Each system will have a setback of 3-4 feet from the roof edge. Each solar panel is approximately 7 feet in width and 3.5 feet in width and this system will hold approximately 58 panels. There will only be panels located on the flat section of the roof so there will not be any panels located on the rooftop of the Community Room.

Image 1: City Hall Solar Energy System Site Plan at 600 Rice St E

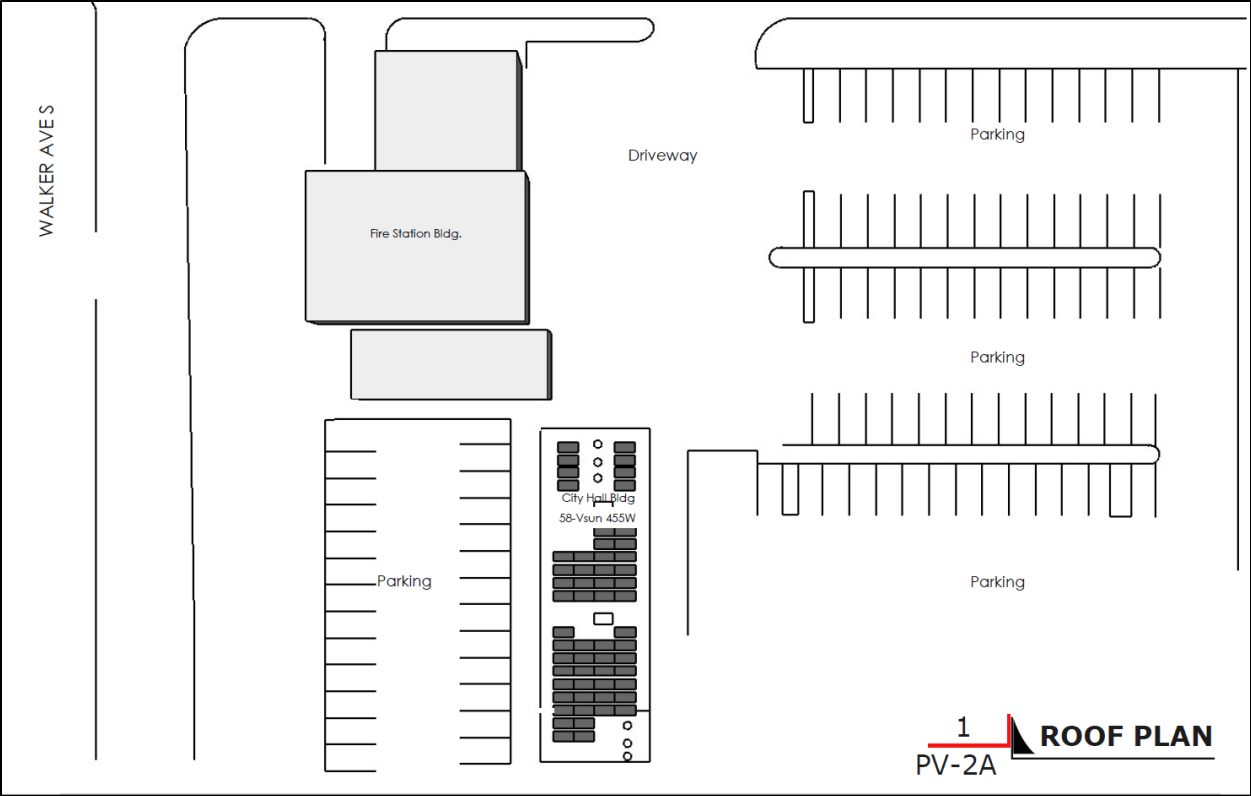


Image 2: City Hall from the main parking lot area.



Fire Station

The Fire Station is accessed from the main parking lot and from an entrance in the lower parking lot area. The solar panels will be a ballasted system with a maximum height of 14 inches which complies with the 2-foot height maximum for the panels. Each system will have a setback of 3-4 feet from the roof edge. From the main parking lot, the Fire Station has a height of 18 feet to the top of the highest rooftops which are labeled as building roofs 2 and 3 in the image above. Approximately 98 panels will be incorporated into this system.

Image 3: Fire Station Solar Energy System Site Plan at 600 Rice St E

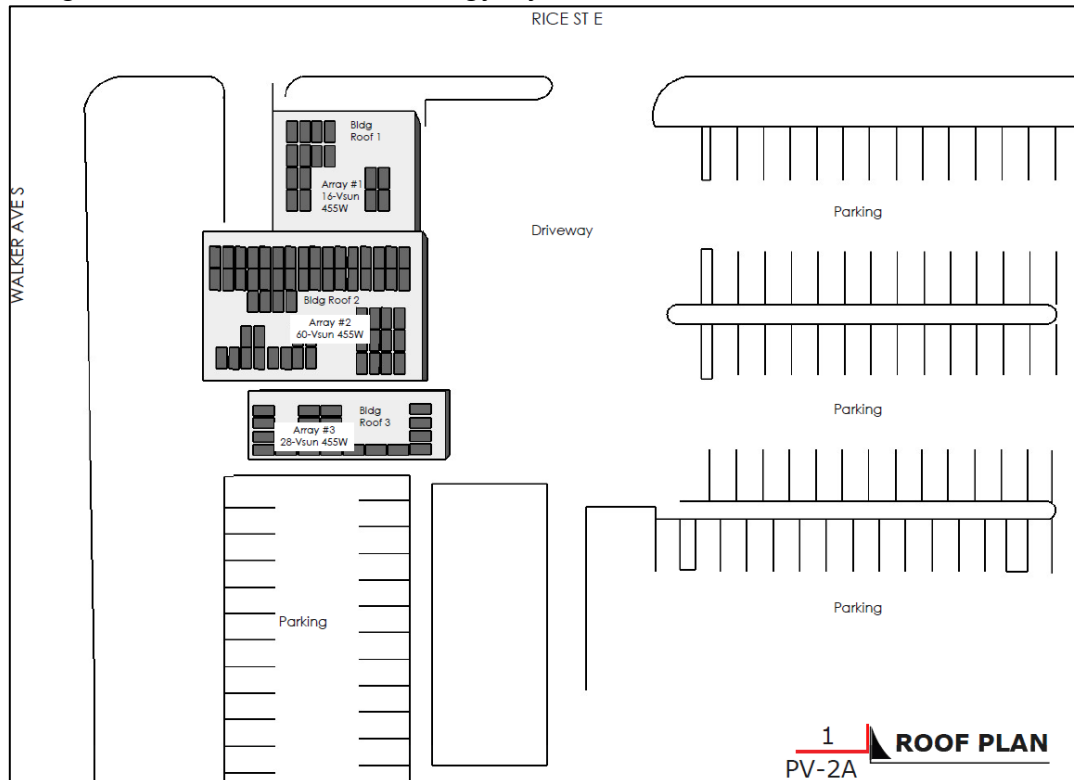


Image 4: Fire Station building from north side of Rice St E.



Library

Approximately 104 solar panels are proposed with this solar system. The solar panels will be a ballasted system with a maximum height of 14 inches which complies with the 2-foot height maximum for the panels. Each system will have a setback of 3-4 feet from the roof edge. The Library has a height of 16 feet to the top of the flat roof and 24 feet to the top of the sloped roof. Solar panels are proposed on both the flat and sloped roof areas.

Image 5: Library Solar Energy System Site Plan at 600 Rice St E

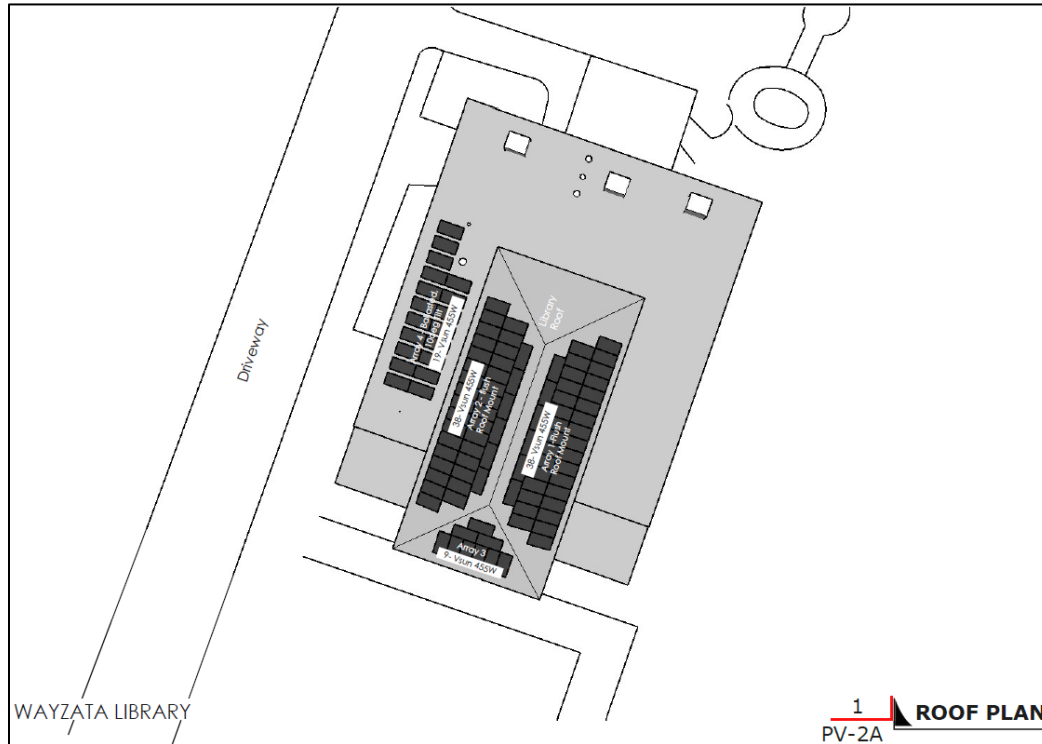


Image 6: Library from main parking lot area.



Municipal Bar & Grill/Wine & Spirits

The Municipal Grill & Bar and Wine & Spirits are bounded by Mill Street East and parking lot to the south, Superior Blvd and the Promenade to the east, Widsten Townhomes to the north, and the public parking ramp to the west. The height of this building varies, but the midpoint of the southernmost gabled roof is approximately 20 feet. Solar panels are proposed on all sections of the rooftop including the front gabled roof and the rear flat roof areas. The flat roof panels will continue to be 14 inches in height and the panels located on the pitched roofs will be flush with the roof. There are approximately 200 solar panels proposed with this system.

Image 7: Municipal Bar & Grill/Wine & Spirits Solar Energy System Site Plan at 747 Mill St E

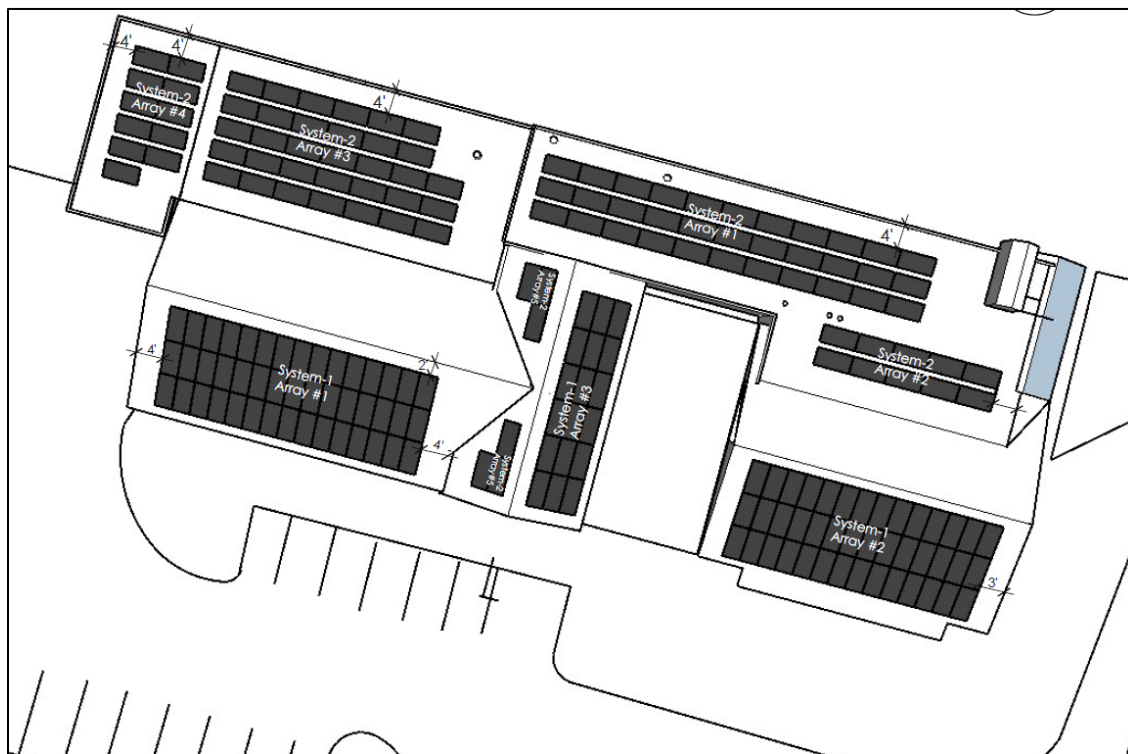


Image 8: Municipal Bar & Grill/Liquor Store from the south edge of Mill St E.



The total cost of the municipal rooftop solar project would be \$650,539 (including the Public Works solar system) with a net savings of \$853,918 and a net present value of \$330,538 based on approximately 32.9% (357,934 kWh) of the total energy usage from the buildings would be offset by solar production and other incentives.

Staff Recommendation

Staff recommends approval of the Conditional Use Permits for the rooftop municipal solar project at 600 Rice Street East and 747 Mill Street East. This project would advance the Guiding Principle of Environmental Sustainability listed in the 2040 Comprehensive Plan in which stated, Wayzata should take a lead on sustainability goals and objectives.

Standards of Planning Commission Review of Application Requests Primary Questions to Consider

- Do the Conditional Use Permits fit with the City's 2040 Comprehensive Plan?
- Do the proposed changes conform to the present and future land uses of the area?
- Does the project create any adverse effects on the area?

Action Steps

After considering the items outlined in this report, holding the public hearing on the application, and discussing the requests of the Application, the Planning Commission should direct staff to prepare a draft *Planning Commission Report and Recommendation for review and adoption at the next Planning Commission meeting*.

Attachments

- Plan sets

Applicable Code Provisions for Review

Staff has analyzed the facts provided by the applicant in comparison with the criteria for approval. While several criteria appear to be met, **staff has highlighted in bold** the criteria that may require additional discussion with the Planning Commission.

2040 Comprehensive Plan

Guiding Principles of the Comprehensive Plan

Environmental Sustainability

- As a prosperous and renowned destination suburb, **Wayzata has an opportunity to take the lead on sustainability goals and objectives. In the Vision Survey, 68 percent of respondents believe that Wayzata should ‘Aggressively pursue new sustainability actions and focus.’** The health of Lake Minnetonka’s ecosystem, a City free of visual and noise pollution, and a **City that cares about fostering a healthy, vibrant, and sustainable environment should be Wayzata’s priorities.** A process to streamline the permitting application of green energy sources such as residential solar systems and the encouragement of the use of **green sources of energy in large developments was highlighted by stakeholders as a key step in achieving a more sustainable Wayzata.** Wayzata could also reduce the number of City landscapes that have high consumption of water and instead opt for more sustainable options. The establishment and operation of a City of Wayzata commission on energy and environment creates an opportunity for Wayzata to determine its sustainability goals and take steps to achieve them. Stakeholders agreed on a balanced but progressive agenda in Wayzata’s sustainability efforts

Solar Energy Systems (§938) Applicable Sections

938.02.C - Bluff Street Design District (as defined in Chapter 909). Solar Energy Systems are permitted within the Bluff District only if (i) a Conditional Use Permit (CUP) is obtained for such use under the process and criteria of Chapter 904, or (ii) the Solar Energy System is a Roof-Mount system for a single-family or two-family residence.

938.03.A - Height – The maximum height of a Solar Energy System shall be calculated using the highest point for which the solar panels are oriented.

1. Pitched Roofs. Solar Energy Systems mounted on pitched roofs that are visible from the nearest edge of the right-of-way, other than an alley, shall not have a highest finished pitch steeper than the roof pitch on which the system is mounted and shall be no higher than one (1) foot above the roof.

2. Flat Roofs. Solar panels attached to a flat roof shall not exceed the maximum permitted zoning district height or variance approved height of the structure type by more than two (2) feet from the rooftop.

938.03.B - Design. The design of all Solar Energy Systems shall, to the extent reasonably possible, use materials, colors, textures, and favorable placement that will blend the facility into the natural setting and built environment.

Conditional Use Permit (§904)

The Planning Commission shall consider possible adverse effects of the proposed conditional use. Its judgment shall be based upon (but not limited to) the following factors:

1. The proposed action in relation to the specific policies and provisions of the official City Comprehensive Plan.

2. The proposed use's compatibility with present and future uses of the area.

3. The proposed use's conformity with all performance standards contained herein (i.e., parking, loading, noise, etc.).

4. The proposed use's effect on the area in which it is proposed.

5. The proposed use's impact upon property values in the area in which it is developed.

6. Traffic generated by the proposed use is in relation to capabilities of streets serving the property.

7. The proposed use's impact upon existing public services and facilities including parks, schools, streets and utilities, and the City's service capacity.

CONTACT INFORMATIONS

Owner/ Contact Person :
Nick Kieser
Project Location:
City Hall-600 Rice St. E
Wayzata, MN 55391
Phone Number: 952-404-5313
Email:nkieser@wayzata.org
Utility Company: Xcel Energy
Contact Name: SolarRewardsProgram
Phone Number:
State Inspector: David Hucky
Contact Number:952-442-2761
State Area Rep: John McNamara
Contact Number: 651-338-1766
City: Wayzata
County: Hennepin
Township:
Contact Person:
Phone Number:



PV-01 LOCATION PLAN

General Notes:

1.PID# 0611722240059

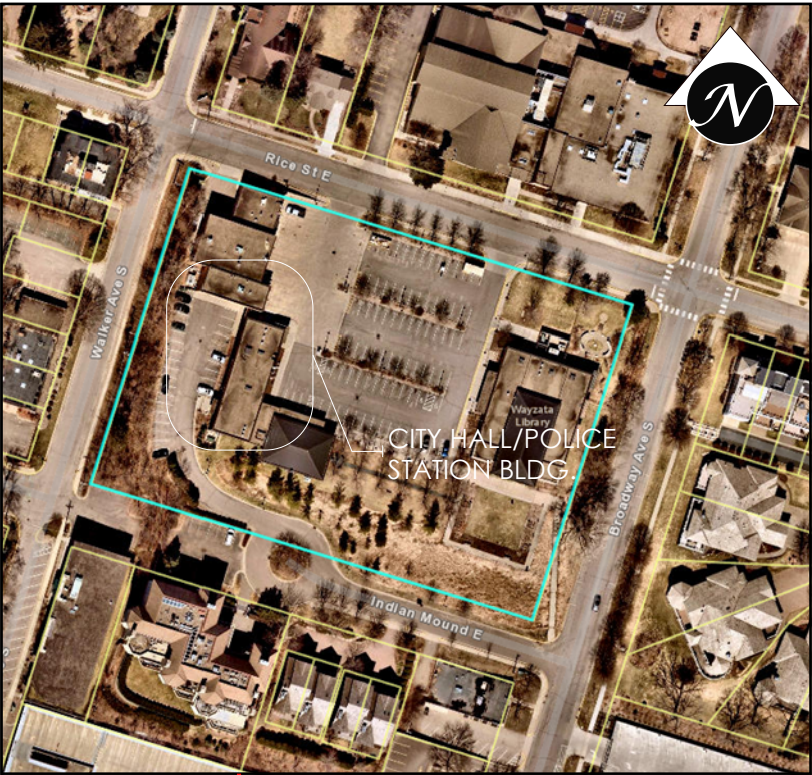
2. Acres : 3.5

3. Sect -, Twp-, Range-

4. Description: Blk Bounded On The N By Rice St On The S By Indian Mound St On The E By Broadway And On The W By Walker Ave

OF SE1/4.

5. Classification: Commercial



PV-02 LOT PLAN

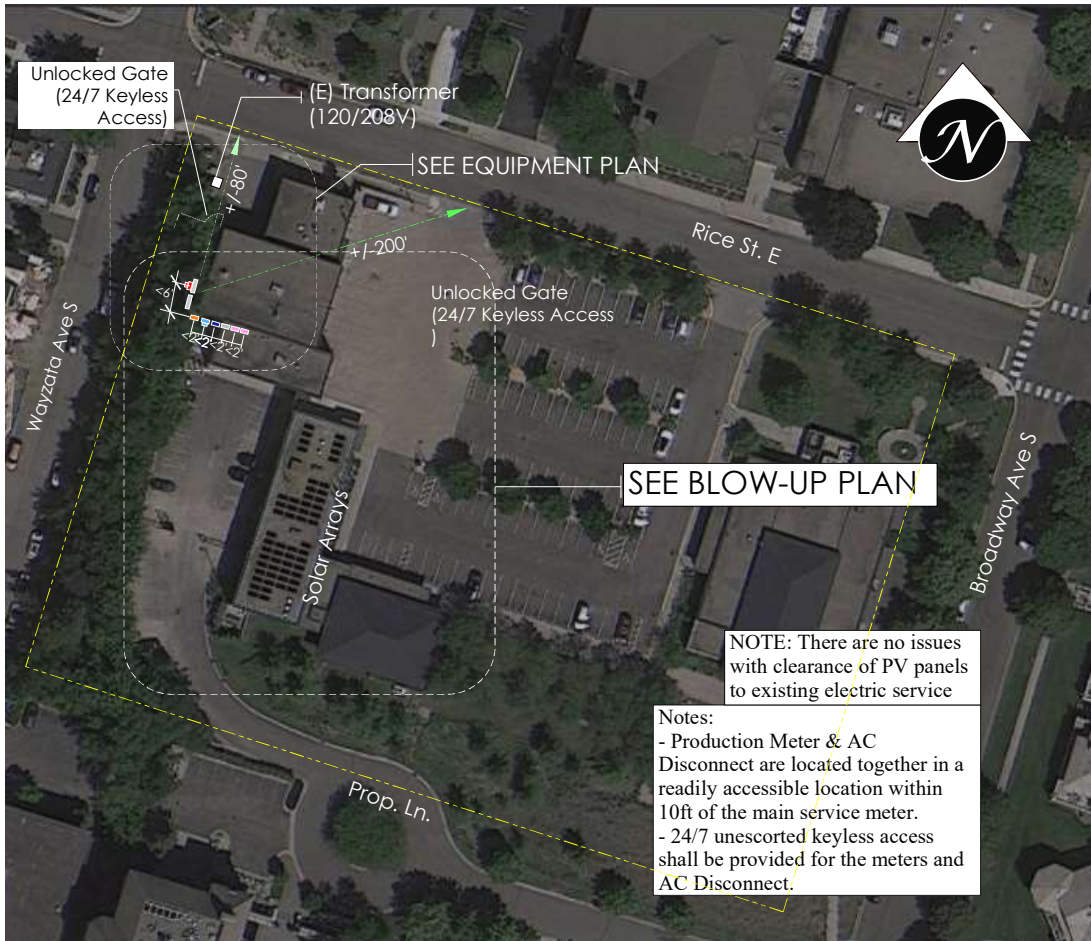
DESCRIPTION:
(1) - BALLASTED ROOF MOUNT SOLAR PV SYSTEM
(58) - VSUN 455W SOLAR PV MODULES
(1) - SOLAREEDGE 14.4KW,208V INVERTER
(1) - SOLAREEDGE 9KW,208V INVERTER

ACCOUNT NO.
4476469
METER NO.
4256092
PREMISE NO.
303025324

CLIENT:
101-41940-381
WAYZATA CITY OF
600 Rice St. E Wayzata MN 55391
Ph: 952-404-5313

PROJECT TITLE:
PROPOSED 26.39kW(DC) / 23.4kW(AC)
BALLASTED ROOF MOUNT SOLAR PV SYSTEM
LOCATION: 600 Rice St. E, Wayzata MN 55391

DRAWN BY:
Jessica A.
DATE DRAWN :
05-03-2022
REVISION:
052322-1

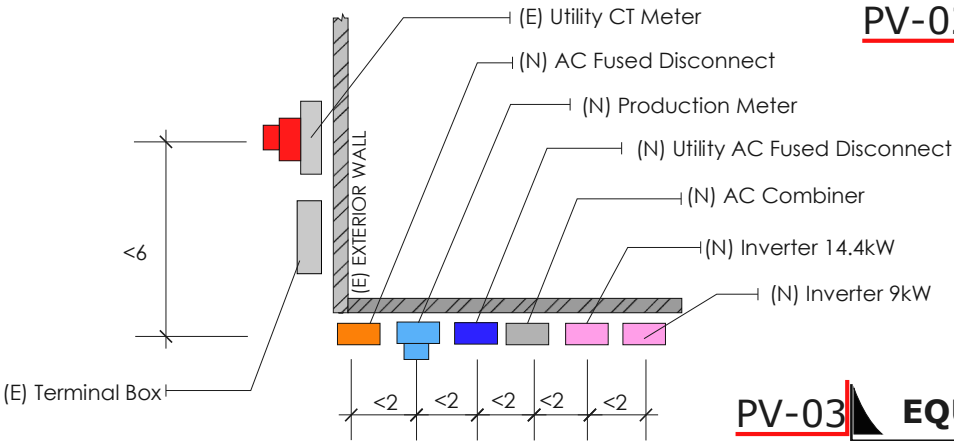


PV-01 SITE PLAN



PV-02 BLOW-UP PLAN

LEGEND:
(E) EXISTING
(N) NEW



PV-03 EQUIPMENT PLAN



Solar Installer

Blue Horizon Energy

121 Cheshire Lane, Ste 500, Minnetonka, MN 55305
PH: 952.944.590
info@bluehorizonenergy.com

ACCOUNT NO.

4476469

METER NO.

4256092

PREMISE NO.

303025324

CLIENT:

101-41940-381
WAYZATA CITY OF
600 Rice St. E Wayzata MN 55391
Ph: 952-404-5313

PROJECT TITLE:

PROPOSED 26.39kW(DC) / 23.4kW(AC)
BALLASTED ROOF MOUNT SOLAR PV SYSTEM

LOCATION:

600 Rice St. E, Wayzata MN 55391

DRAWN BY:

Jessica A.

DATE DRAWN :

05-03-2022

REVISION:

052322-1

SHEET #

PV-2

SCALE: NTS

Interconnection Application: 04989237

Page 206 of 234

⁽¹⁾ For 277/480V inverters refer to: <http://www.solaredge.com/files/pdf/products/inverters/he-three-phase-us-inverter-datasheet.pdf>
⁽²⁾ For other regional settings please contact SolarEdge support.
⁽³⁾ Rapid shutdown kit P/N: contact SolarEdge.
⁽⁴⁾ Field replacement kit for 1 pair of inputs P/N: DCD-3PH-1TBK.

/ Power Optimizer
For North America
P320 / P340 / P370 / P400 / P401 / P405 / P485 / P505

[illegible]

© SoliEdge Technologies Ltd. All rights reserved. SOLIEDGE, the SoliEdge logo, OPTIMIZED BY SOLIEDGE are trademarks or registered trademarks of SoliEdge Technologies, Inc. All other trademarks mentioned herein are trademarks of their respective owners. Date 04/05/2016/ENG-NMR Subject to change without notice.



Electrical Characteristics at Standard Test Conditions(STC)

PROJECT TITLE:

DATE DRAWN :
05-03-2022

#13 PV-5

SCALE: NTS

Page 207 of 234

CONTACT INFORMATION

Owner/ Contact Person :

Nick Kieser

Project Location:

Fire Station -600 Rice St. E

Wayzata, MN 55391

Phone Number: **952-404-5313**

Email: **nkieser@wayzata.org**

Utility Company: **Xcel Energy**

Contact Name: **SolarRewardsProgram**

Phone Number:

State Inspector: **David Hucky**

Contact Number: **952-442-2761**

State Area Rep: **John McNamara**

Contact Number: **651-338-1766**

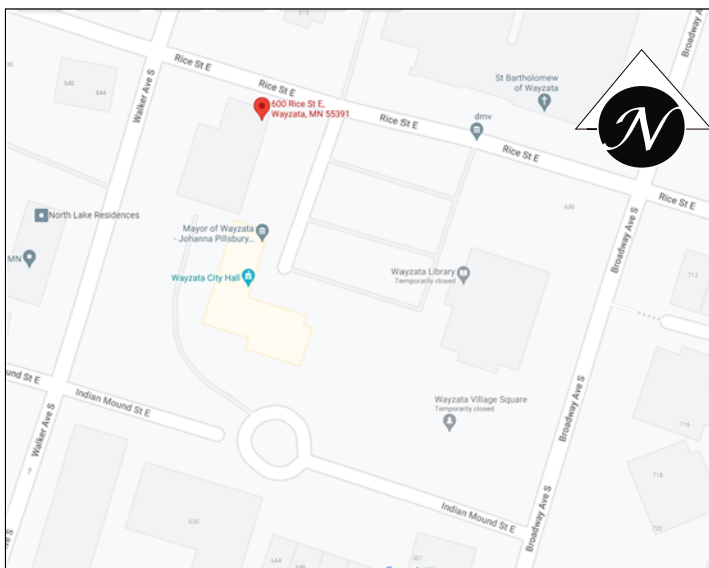
City: **Wayzata**

County: **Hennepin**

Township:

Contact Person:

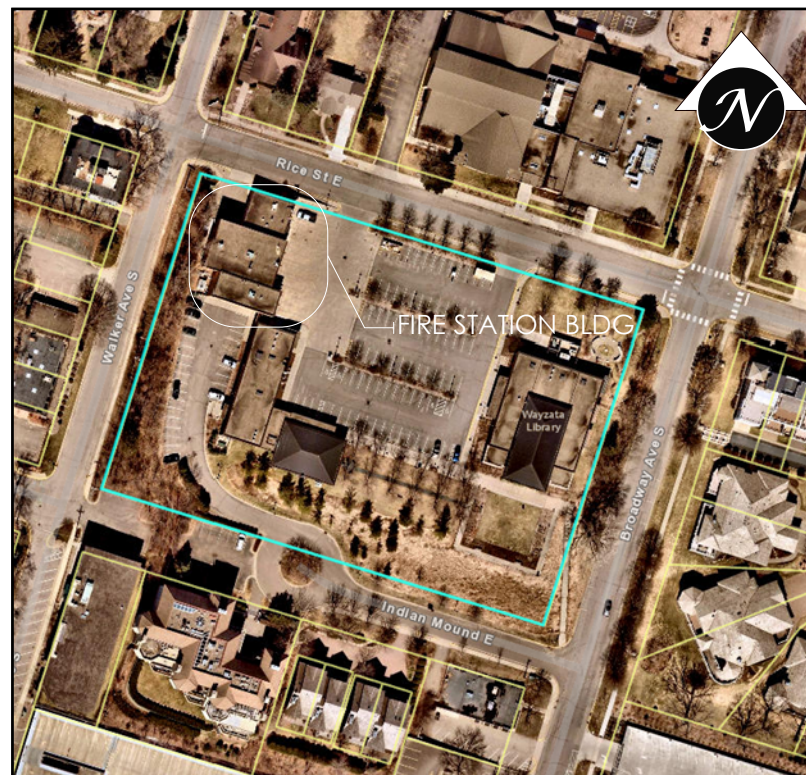
Phone Number:



PV-01 LOCATION PLAN

General Notes:

1. PID# 0611722240059
2. Acres : 3.5
3. Sect -, Twp-, Range-
4. Description: Blk Bounded On The N By Rice St On The S By Indian Mound St On The E By Broadway And On The W By Walker Ave OF SE1/4.
5. Classification: Commercial



PV-02 LOT PLAN

DESCRIPTION:

- (1) - BALLASTED ROOF MOUNT SOLAR PV SYSTEM
- (98) - VSUN 455W SOLAR PV MODULES
- (2) - SOLAREEDGE 17.3KW,208V INVERTER

ACCOUNT NO.

5015087

METER NO.

2716229

PREMISE NO.

303683458

CLIENT:

101-42200-381

WAYZATA CITY OF

600 Rice St. E Wayzata MN 55391

Ph: 952-404-5313

PROJECT TITLE:

**PROPOSED 44.59kW(DC) / 34.6kW(AC)
BALLASTED ROOF MOUNT SOLAR PV SYSTEM**

LOCATION: 600 Rice St. E, Wayzata MN 55391

DRAWN BY:
Jessica A.

DATE DRAWN :
05-03-2022

REVISION:
052322-1

SHEET #
PV-1
SCALE: NTS

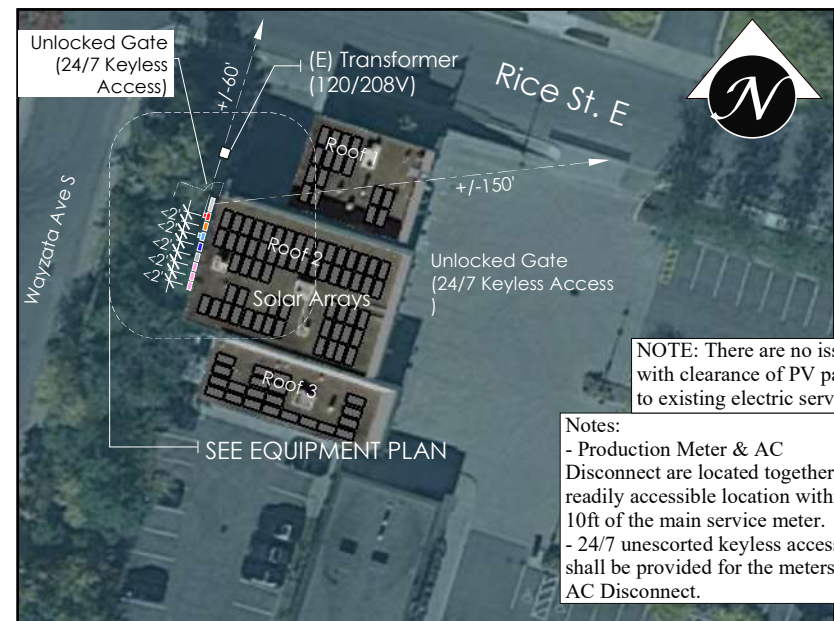
Interconnection Application: 04990753

Minnetonka Ave S

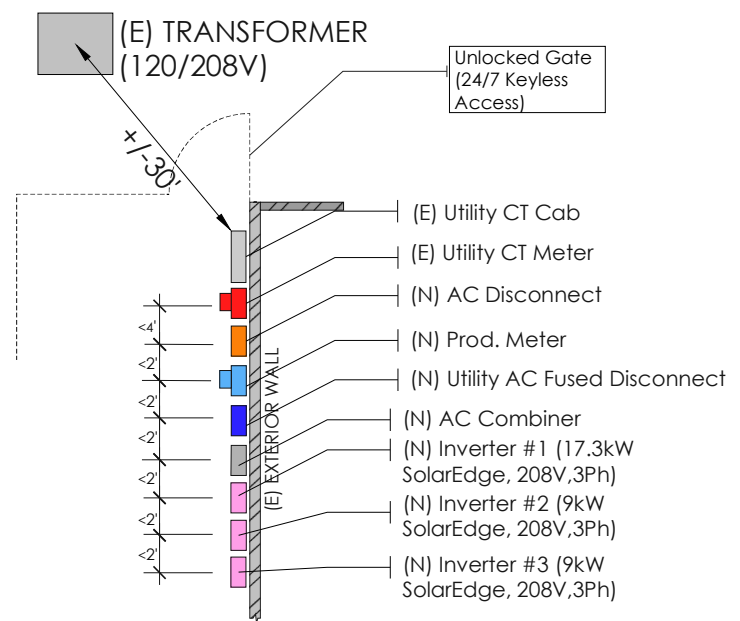


PV-01 SITE PLAN

LEGEND:
(E) EXISTING
(N) NEW



PV-02 BLOW-UP PLAN



NOTE: There are no issues with clearance of PV panels to existing electric service

Notes:
- Production Meter & AC Disconnect are located together in a readily accessible location within 10ft of the main service meter.
- 24/7 unescorted keyless access shall be provided for the meters and AC Disconnect.

Interconnection Application: 04990753

ACCOUNT NO.
5015087
METER NO.
2716229
PREMISE NO.
303683458

CLIENT:
101-42200-381
WAYZATA CITY OF
600 Rice St. E Wayzata MN 55391
Ph: 952-404-5313

PROJECT TITLE:
**PROPOSED 44.59kW(DC) / 34.6kW(AC)
BALLASTED ROOF MOUNT SOLAR PV SYSTEM**
LOCATION: 600 Rice St. E, Wayzata MN 55391

DRAWN BY:
Jessica A.
DATE DRAWN :
05-03-2022
REVISION:
052322-1
SHEET # **PV-2**
SCALE: NTS

SE14.4KUS / SE17.3KUS

MODEL NUMBER	SE14.4KUS		SE17.3KUS		UNITS
APPLICABLE TO INVERTERS WITH PART NUMBER					
SEXXX-USX2IXXXX					
OUTPUT					
Rated AC Power Output	14400		17300		W
Maximum apparent AC output power	14400		17300		VA
AC Output Line Connections	3W + PE, 4W + PE				
AC Output Voltage Minimum-Nominal-Maximum ⁽¹⁾ (L-N)	105-120-132.5				
AC Output Voltage Minimum-Nominal-Maximum ⁽¹⁾ (L-L)	183-208-229				
AC frequency Min-Nom-Max ⁽²⁾	59.3-60-60.5				
Continuous Output Current (per Phase)	40		48.25		A _{ac}
GFI Threshold	1				
Utility Monitoring, Islanding Protection, Country Configurable Set Points	Yes				
THD	≤ 3				
Power Factor Range	+/- 0.85 to 1				
INPUT					
Maximum DC Power (Module STC)	21600		26000		W
Transformer-less, Ungrounded	Yes				
Maximum Input Voltage DC+ to DC-	600				
Operating Voltage Range	370-600				
Maximum Input Current	40		48.25		A _{dc}
Maximum Input Short Circuit Current	55				
Reverse Polarity Protection	Yes				
Ground-Fault Isolation Detection	167kΩ Sensitivity ⁽³⁾				
CEC Weighted Efficiency	97.5				
Night-time Power Consumption	≤ 4				
ADDITIONAL FEATURES					
Supported Communication Interfaces	2 x RS485, Ethernet, Cellular (optional)				
Inverter Commissioning	With the SetApp mobile application using built-in Wi-Fi access point for local connection				
Rapid Shutdown	NEC2014, NEC2017 and NEC2020 compliant/certified				
RS485 Surge Protection Plug-in	Supplied with the inverter, Built-in				
AC, DC Surge Protection	Type II, field replaceable, Built-in				
DC Fuses (Single Pole)	25A, Built-in				
Smart Energy Management	Export Limitation				
DC SAFETY SWITCH					
DC Disconnect	Integrated				
STANDARD COMPLIANCE					
Safety	UL1741, UL1741 SA, UL1699B, CSA C22.2, Canadian AFCI according to T.L.L. M-07				
Grid Connection Standards	(IEEE1547, Rule 21, Rule 14 (H))				
Emissions	FCC part15 class A				
INSTALLATION SPECIFICATIONS					
AC output conduit size / AWG range	1/4" or 1" / 6-10 AWG				
DC input conduit size / AWG range	1/4" or 1" / 6-12 AWG				
Number of DC inputs pairs	4				
Dimensions with Safety Switch (H x W x D)	31.8 x 12.5 x 11.8 / 808 x 317 x 300				
Weight with Safety Switch	78.2 / 35.5				
Cooling	Fans (user replaceable)				
Noise	≤ 62				
Operating Temperature Range	-40 to +140 / -40 to +60*				
Protection Rating	NEMA 3R				
Mounting	Bracket provided				
(1) For 277/480V inverters refer to https://www.solaredge.com/sites/default/files/uc-three-phase-us-inverter-277-480v-setapp-datasheet.pdf					
(2) For other regional settings please contact SolarEdge support					
(3) Where permitted by local regulations					
(4) For power de-rating information refer to https://www.solaredge.com/sites/default/files/uc-temperature-derating-note-na.pdf					

SOLAREDGE 17.3KW, 208V,3PH

Power Optimizer For North America

P320 / P340 / P370 / P400 / P401 / P405 / P485 / P505

Optimizer model (typical module compatibility)	P320 (for 60-cell modules)	P340 (for high- power 60-cell modules)	P370 (for higher- power 60 and 72- cell modules)	P400 (for 72 & 96-cell modules)	P401 (for high- power 60 and 72-cell modules)	P405 (for high- voltage modules)	P485 (for high- voltage modules)	P505 (for higher- current modules)
INPUT								
Rated Input DC Power ⁽¹⁾	320	340	370	400	505	485	505	W
Absolute Maximum Input Voltage (Voc at least temperature)	48	50	50	50	50	50	50	Vdc
MPP Operating Range	8-48	8-60	8-60	8-60	12.5-55	12.5-55	12.5-55	Vdc
Maximum Short-Circuit Current (ISC)	11	10.1	10.25	11	16	16	16	Adc
Maximum DC Input Current	18.25	12.5	14.65	12.5				A
Maximum Efficiency	99.5		99.5		99.5		99.5	%
Overvoltage Category	II		II		II		II	
OUTPUT DURING OPERATION (POWER OPTIMIZER CONNECTED TO OPERATING SOLAREDEGE INVERTER)								
Maximum Output Current	15		15		15		15	Aac
Maximum Output Voltage	300		300		300		300	Vdc
Voltage Output Voltage per Phase	1 x 60V		1 x 60V		1 x 60V		1 x 60V	Vdc
OUTPUT DURING STANDBY (POWER OPTIMIZER DISCONNECTED FROM SOLAREDEGE INVERTER OR SOLAREDEGE INVERTER OFF)								
Maximum Output Voltage	300		300		300		300	Vdc
Voltage Output Voltage per Phase	1 x 60V		1 x 60V		1 x 60V		1 x 60V	Vdc
STANDARD COMPLIANCE								
UL	FCC Part15 Class B, IEC60950-1-2, IEC60950-1-3		UL1741, UL1741 SA, UL1699B, CSA C22.2, Canadian AFCI according to TLL M-07		IEEE1547, Rule 21, Rule 14 (H)		FCC part15 class A	
Safety	UL1741, UL1741 SA, UL1699B, CSA C22.2, Canadian AFCI according to TLL M-07		IEEE1547, Rule 21, Rule 14 (H)		FCC part15 class A		FCC part15 class A	
Material	UL94 V-0, ULW Resistant		UL94 V-0, ULW Resistant		UL94 V-0, ULW Resistant		UL94 V-0, ULW Resistant	
RoHS	RoHS		RoHS		RoHS		RoHS	
INSTALLATION SPECIFICATIONS								
Maximum Ambient System Voltage	1000		1000		1000		1000	Vdc
Compatible Inverters	All SolarEdge Single Phase and Three Phase inverters		All SolarEdge Single Phase and Three Phase inverters		All SolarEdge Single Phase and Three Phase inverters		All SolarEdge Single Phase and Three Phase inverters	
Dimensions W x H x D	129 x 153 x 27.5 / 3.1 x 4.9 x 1.1		129 x 153 x 27.5 / 3.1 x 4.9 x 1.1		129 x 153 x 27.5 / 3.1 x 4.9 x 1.1		129 x 153 x 27.5 / 3.1 x 4.9 x 1.1	in / mm
Weight (including cables)	600 / 1.4		600 / 1.4		600 / 1.4		600 / 1.4	lb / kg
Input Connector	MC4 ⁽¹⁾		MC4 ⁽¹⁾		MC4 ⁽¹⁾		MC4 ⁽¹⁾	
Input Wire Length	0.75 / 2.52		0.75 / 2.52		0.75 / 2.52		0.75 / 2.52	in / ft
Output Wire Type / Connector	Double Insulated / MC4		Double Insulated / MC4		Double Insulated / MC4		Double Insulated / MC4	
Output Wire Length	0.9 / 2.95		0.9 / 2.95		0.9 / 2.95		0.9 / 2.95	in / ft
Operating Temperature Range ⁽²⁾	-40 to +140 / -40 to +60*		-40 to +140 / -40 to +60*		-40 to +140 / -40 to +60*		-40 to +140 / -40 to +60*	°F / °C
Protection Rating	NEMA 3R / NEMA3P		NEMA 3R / NEMA3P		NEMA 3R / NEMA3P		NEMA 3R / NEMA3P	
Relative Humidity	0-100		0-100		0-100		0-100	%

(1) Rated power of the module at STC will not exceed the optimizer "Rated Input DC Power". Modules with up to +5% power tolerance are allowed.				
(2) NEC 2017 requires one wire change for one wire per 100V.				
(3) For other connector types please contact SolarEdge.				
(4) For full service for parallel connection of PV modules use P400-P405/M401 in the case of an odd number of PV modules in one string, installing one P400, full service power optimizer connected to one PV module. When connecting a single module add the second input connector with the matched part of cable.				
(5) For ambient temperature above +40°C / +104°F power derating is applied. Refer to Power Optimizer Temperature Derating Technical Note for more details.				

The rated power of the module at STC will not exceed the program "Rated Single-Phase" Modules with up to 48% power increase are allowed.				
The maximum temperature of the module at STC will not exceed the program "Rated Single-Phase" Modules with up to 48% power increase are allowed.				
For other connection types please consult SolarEdge.				
The maximum number of parallel strings per inverter is 10. The maximum number of PV modules per string is 20, implying one PV module per string.				
When connecting a single module and the smallest input connectors with the supplied grid cable, the maximum temperature should not exceed 40°C (104°F) and the voltage should be applied to the inverter. Temperature De-Rating Technical Note for more details.				

PV System Design Using a SolarEdge Inverter ⁽¹⁾	Single Phase HD-Wave	Single phase	Three Phase for 208V grid	Three Phase for 277/480V grid
Minimum String Length (Power Optimizing)	P320, P340, P370, P400, P401, P405	8	10	16
Maximum String Length (Power Optimizing)	5	5	5	5
Maximum Power per String	3200 (2000 with SE70024V, SE1400)	3200	4000 ⁽²⁾	12750 ⁽³⁾
Parallel Strings of Different Lengths or Orientations	Yes			

(1) For detailed string wiring information refer to <https://www.solaredge.com/sites/default/files/string-wiring.pdf>

(2) It is not allowed to mix HD-Wave/P320 with P320/P400/P370/P401 in one string.

(3) It is not allowed to mix HD-Wave/P320 with P320/P400/P370/P401 in one string.

(4) It is not allowed to mix HD-Wave/P320 with P320/P400/P370/P401 in one string.

(5) For 208V grid it is allowed to install up to 1200W per string when the maximum power difference between each string is 1000W.

(6) For 277/480V grid it is allowed to install up to 1200W per string when the maximum power difference between each string is 1000W.

© SolarEdge Technologies Ltd. All rights reserved. SOLAREDEGE, the SolarEdge logo, OPTIMIZER, HD-WAVE, and SolarEdge are trademarks or registered trademarks of SolarEdge Technologies Ltd. All other trademarks mentioned herein are trademarks of their respective owners. (Rev. 04/2020) (EN) (04/2020) Subject to change without notice.



SOLAREDGE Optimizer OP505

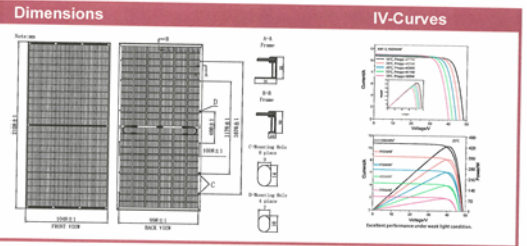
最も信頼出来る再エネパートナー				
Electrical Characteristics at Standard Test Conditions (STC)				
Module Type	VSUN455-144BMH	VSUN450-144BMH	VSUN445-144BMH	VSUN440-144BMH
Maximum Power - Pmax (W)	455	450	445	440
Open Circuit Voltage - Voc (V)	49.6	49.4	49.2	49
Short Circuit Current - Isc (A)	11.6	11.52	11.44	11.36
Maximum Power Voltage - Vmpg (V)	41.4	41.2	41	40.8
Maximum Power Current - Impg (A)	11	10.93	10.86	10.79
Module Efficiency	20.60%	20.37%	20.14%	19.92%

Electrical Characteristics with different rear side power gain (reference to 450 front)				
Pmax (W)	Voc (V)	Isc (A)	Vmpg (V)	Impg (A)
475	49.6	12.10	41.4	11.48
498	49.6	12.67	41.4	12.02
542	49.7	13.82	41.3	13.12
564	49.7	14.46	41.3	13.66

Temperature Characteristics		Maximum Ratings	
NOCT	45°C±2°C	Maximum System Voltage [V]	1500
Voltage Temperature Coefficient	-0.26%/°C	Series Fuse Rating [A]	20
Current Temperature Coefficient	+0.05%/°C	Bifaciality	70%/5%
Power Temperature Coefficient	-0.32%/°C		

Material Characteristics	
Dimensions	2108±10/48±35mm (LxWxH)
Weight	24.4kg
Frame	Silver anodized aluminum profile
Front Glass	White toughened safety glass, 3.2 mm
Cell Encapsulation	EVA (Ethylene-Vinyl-Acetate) or POE
Back Sheet	Transparent mesh backsheet
Cells	12x12 pieces bifacial monocrystalline solar cells series strings
Junction Box	IP68, 3 diodes
Cable&Connector	Potential: 500 mm (cable length can be customized), 1x4 mm 2, compatible with MC4

Packaging		System Design	
Dimensions (LxWxH)	2140±1125±1181mm	Temperature Range	-40°C to +85°C
Container 3P	155	Withstanding Wind	Maximum diameter of 25 mm with impact speed of 23 m/s
Container 4P	341	Maximum Surface Load	5.400 Pa
Container 4P1HC	682	Application class	class A



VSUN 455W SOLAR MODULE

TECHNICAL DATA SHEET

Interconnection Application: 049907053

Solar Installer
Blue Horizon Energy
121 Cheshire Lane, Ste
500, Minnetonka, MN 55305
PH.952.944.590
info@bluehorizonenergy.com

ACCOUNT NO.
5015087
METER NO.
2716229
PREMISE NO.
303683458

CLIENT:
101-42200-381
WAYZATA CITY OF
600 Rice St. E Wayzata MN 55391
Ph: 952-404-5313

PROJECT TITLE:
**PROPOSED 44.59kW(DC) / 34.6kW(AC)
BALLASTED ROOF MOUNT SOLAR PV SYSTEM**
LOCATION: 600 Rice St. E, Wayzata MN 55391

DRAWN BY:
Jessica A.
DATE DRAWN :
05-03-2022
REVISION:
052322-1

SHEET #
PV-5
SCALE: NTS

CONTACT INFORMATIONS

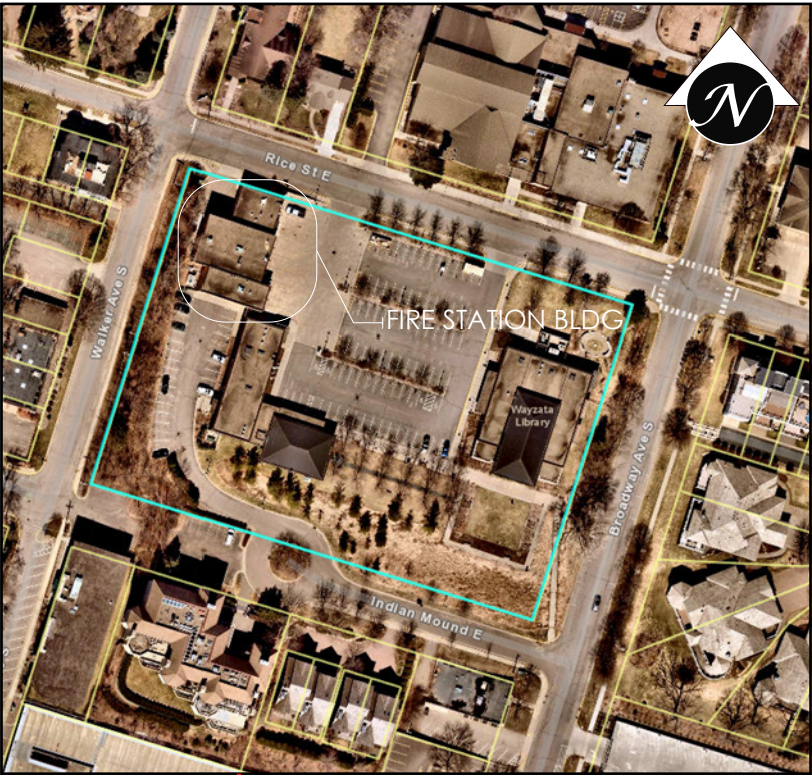
Owner/ Contact Person :
Nick Kieser
Project Location:
Fire Station -600 Rice St. E
Wayzata, MN 55391
Phone Number: 952-404-5313
Email:nkieser@wayzata.org
Utility Company: Xcel Energy
Contact Name: SolarRewardsProgram
Phone Number:
State Inspector: David Hucky
Contact Number:952-442-2761
State Area Rep: John McNamara
Contact Number: 651-338-1766
City: Wayzata
County: Hennepin
Township:
Contact Person:
Phone Number:



PV-01 LOCATION PLAN

General Notes:

- 1.PID# 0611722240059
- 2. Acres : 3.5
- 3. Sect -, Twp-, Range-
- 4. Description: Blk Bounded On The N By Rice St On The S By Indian Mound St On The E By Broadway And On The W By Walker Ave OF SE1/4.
- 5. Classification: Commercial



PV-02 LOT PLAN

DESCRIPTION:
(1) - BALLASTED ROOF MOUNT SOLAR PV SYSTEM
(98) - VSUN 455W SOLAR PV MODULES
(2) - SOLAREEDGE 17.3KW,208V INVERTER

Solar Installer

Blue Horizon

Energy

121 Cheshire Lane,Ste
500,Minnetonka,MN 55305
PH.952.944.590
info@bluehorizonenergy.com

ACCOUNT NO.
5015087
METER NO.
2716229
PREMISE NO.
303683458

CLIENT:
101-42200-381
WAYZATA CITY OF
600 Rice St. E Wayzata MN 55391
Ph: 952-404-5313

PROJECT TITLE:
PROPOSED 44.59kW(DC) / 34.6kW(AC)
BALLASTED ROOF MOUNT SOLAR PV SYSTEM
LOCATION: 600 Rice St. E, Wayzata MN 55391

DRAWN BY:
Jessica A.
DATE DRAWN :
05-03-2022
REVISION:
052322-1

SHEET #
PV-1
SCALE: NTS

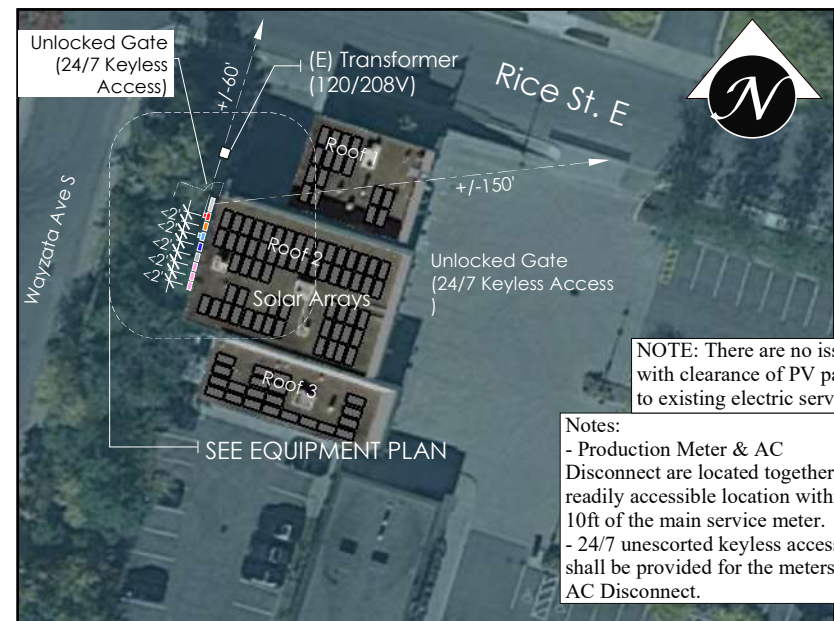
Interconnection Application: 04990753

Minnetonka Ave S

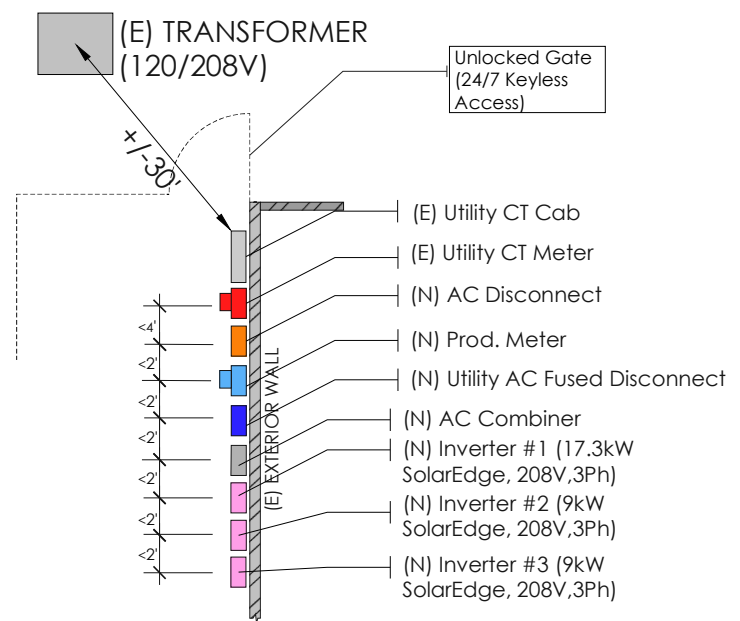


PV-01 SITE PLAN

LEGEND:
(E) EXISTING
(N) NEW



PV-02 BLOW-UP PLAN



NOTE: There are no issues with clearance of PV panels to existing electric service

Notes:
- Production Meter & AC Disconnect are located together in a readily accessible location within 10ft of the main service meter.
- 24/7 unescorted keyless access shall be provided for the meters and AC Disconnect.

Interconnection Application: 04990753

ACCOUNT NO.
5015087
METER NO.
2716229
PREMISE NO.
303683458

CLIENT:
101-42200-381
WAYZATA CITY OF
600 Rice St. E Wayzata MN 55391
Ph: 952-404-5313

PROJECT TITLE:
**PROPOSED 44.59kW(DC) / 34.6kW(AC)
BALLASTED ROOF MOUNT SOLAR PV SYSTEM**
LOCATION: 600 Rice St. E, Wayzata MN 55391

DRAWN BY:
Jessica A.
DATE DRAWN :
05-03-2022
REVISION:
052322-1
SHEET # **PV-2**
SCALE: NTS

SE14.4KUS / SE17.3KUS			
MODEL NUMBER	SE14.4KUS	SE17.3KUS	UNITS
APPLICABLE TO INVERTERS WITH PART NUMBER			
SEXXX-USX2IXXXX			
OUTPUT			
Rated AC Power Output	14400	17300	W
Maximum apparent AC output power	14400	17300	VA
AC Output Line Connections	3W + PE, 4W + PE		
AC Output Voltage Minimum-Nominal-Maximum ⁽¹⁾ (L-N)	105-120-132.5		Vac
AC Output Voltage Minimum-Nominal-Maximum ⁽¹⁾ (L-L)	183-208-229		Vac
AC frequency Min-Nom-Max ⁽²⁾	59.3-60-60.5		Hz
Continuous Output Current (per Phase)	40	48.25	A _{ac}
GFI Threshold	1		A
Utility Monitoring, Islanding Protection, Country Configurable Set Points	Yes		
THD	≤ 3		%
Power Factor Range	+/- 0.85 to 1		
INPUT			
Maximum DC Power (Module STC)	21600	26000	W
Transformer-less, Ungrounded	Yes		
Maximum Input Voltage DC+ to DC-	600		V _{dc}
Operating Voltage Range	370-600		V _{dc}
Maximum Input Current	40	48.25	A _{dc}
Maximum Input Short Circuit Current	55		A _{dc}
Reverse Polarity Protection	Yes		
Ground-Fault Isolation Detection	167kΩ Sensitivity ⁽³⁾		
CEC Weighted Efficiency	97.5		%
Night-time Power Consumption	≤ 4		W
ADDITIONAL FEATURES			
Supported Communication Interfaces	2 x RS485, Ethernet, Cellular (optional)		
Inverter Commissioning	With the SetApp mobile application using built-in Wi-Fi access point for local connection		
Rapid Shutdown	NEC2014, NEC2017 and NEC2020 compliant/certified		
RS485 Surge Protection Plug-in	Supplied with the inverter, Built-in		
AC, DC Surge Protection	Type II, field replaceable, Built-in		
DC Fuses (Single Pole)	25A, Built-in		
Smart Energy Management	Export Limitation		
DC SAFETY SWITCH			
DC Disconnect	Integrated		
STANDARD COMPLIANCE			
Safety	UL1741, UL1741 SA, UL1699B, CSA C22.2, Canadian AFCI according to T.L. M-07		
Grid Connection Standards	(IEEE1547, Rule 21, Rule 14 (H))		
Emissions	FCC part15 class A		
INSTALLATION SPECIFICATIONS			
AC output conduit size / AWG range	1/4" or 1" / 6-10 AWG		
DC input conduit size / AWG range	1/4" or 1" / 6-12 AWG		
Number of DC inputs pairs	4		
Dimensions with Safety Switch (H x W x D)	31.8 x 12.5 x 11.8 / 808 x 317 x 300		in / mm
Weight with Safety Switch	78.2 / 35.5		lb / kg
Cooling	Fans (user replaceable)		
Noise	≤ 62		dBA
Operating Temperature Range	-40 to +140 / -40 to +60*		°F / °C
Protection Rating	NEMA 3R		
Mounting	Bracket provided		
(1) For 277/480V inverters refer to https://www.solaredge.com/sites/default/files/uc-three-phase-us-inverter-277-480v-setapp-datasheet.pdf			
(2) For other regional settings please contact SolarEdge support			
(3) Where permitted by local regulations			
(4) For power de-rating information refer to https://www.solaredge.com/sites/default/files/uc-temperature-derating-note-na.pdf			

SOLAREDGE 17.3KW, 208V,3PH

Power Optimizer For North America

P320 / P340 / P370 / P400 / P401 / P405 / P485 / P505

Optimizer model (typical module compatibility)	P320 (for 60-cell modules)	P340 (for high- power 60-cell modules)	P370 (for higher- power 60 and 72- cell modules)	P400 (for 72 & 96-cell modules)	P401 (for high power 60 and 72-cell modules)	P405 (for high- voltage modules)	P485 (for high- voltage modules)	P505 (for higher current modules)
INPUT								
Rated Input DC Power ⁽¹⁾	320	340	370	400	50	405	485	505
Absolute Maximum Input Voltage (Voc at lowest temperature)	48	50	50	50	50	50	50	50
MPP Operating Range	8-48	8-60	8-60	8-60	8-60	12.5-55	12.5-55	12.5-55
Maximum Short Circuit Current (Isc)	11	12.1	12.75	11	16	16	16	16
Maximum DC Input Current	18.25	12.5	14.65	12.5	12.5	12.5	12.5	12.5
Maximum Efficiency	99.5						99.5	99.5
Overvoltage Category	II							
OUTPUT DURING OPERATION (POWER OPTIMIZER CONNECTED TO OPERATING SOLAREDEGE INVERTER)								
Maximum Output Current	15						15	15
Maximum Output Voltage	500						500	500
Voltage Output Voltage per Phase	1 x 50V						1 x 50V	1 x 50V
OUTPUT DURING STANDBY (POWER OPTIMIZER DISCONNECTED FROM SOLAREDEGE INVERTER OR SOLAREDEGE INVERTER OFF)								
Safety Output Voltage per Phase Discharge	1 x 60V						1 x 60V	1 x 60V
STANDARD COMPLIANCE								
UL	FCC Part 15 Class B, IEC60950-1-2, IEC60950-1-3						UL	UL
Safety	IEC60950-1 Class B, IEC60950-1-2, IEC60950-1-3						UL	UL
Material	UL94 V-0, ULW Resistant						UL	UL
RoHS	Yes						Yes	Yes
INSTALLATION SPECIFICATIONS								
Maximum Ambient System Voltage	1000						1000	1000
Compatible Inverters	All SolarEdge Single Phase and Three Phase inverters						All SolarEdge Single Phase and Three Phase inverters	All SolarEdge Single Phase and Three Phase inverters
Dimensions W x H x D	129 x 153 x 27.5 / 3.1 x 4.9 x 1.1						129 x 153 x 33.5 / 3.1 x 4.9 x 1.1	129 x 153 x 33.5 / 3.1 x 4.9 x 1.1
Weight (including cables)	600 / 1.4						600 / 1.4	600 / 1.4
Input Connector	MC4 ⁽²⁾						MC4 ⁽²⁾	MC4 ⁽²⁾
Input Wire Length	0.75 / 2.5						0.75 / 2.5	0.75 / 2.5
Output Wire Type / Connector	Double Insulated / MC4						Double Insulated / MC4	Double Insulated / MC4
Output Wire Length	0.75 / 2.5						0.75 / 2.5	0.75 / 2.5
Operating Temperature Range ⁽³⁾	-40 to +140 / -40 to +60*						-40 to +140 / -40 to +60*	-40 to +140 / -40 to +60*
Protection Rating	NEMA 3R / NEMA3P						NEMA 3R / NEMA3P	NEMA 3R / NEMA3P
Relative Humidity	0-100						0-100	0-100

(1) Rated power of the module at STC will not exceed the optimizer "Rated Input DC Power". Modules with up to +5% power tolerance are allowed.			
(2) NEC 2017 requires wire size change for low voltage PV.			
(3) For other connector types please contact SolarEdge.			
(4) For full service for parallel connection of PV modules use P400-P405/M401 in the case of an odd number of PV modules in one string, installing one P400. Full service power optimizer connected to one PV module. When connecting a single module and the second input connector with the matched pair of cables.			
(5) For ambient temperature above +40°C / +105°F power derating is applied. Refer to Power Optimizer Temperature Derating Technical Note for more details.			

PV System Design Using a SolarEdge Inverter ⁽¹⁾	Single Phase HD-Wave	Single phase	Three Phase for 208V grid	Three Phase for 277/480V grid
Minimum String Length (Power Optimizing)	P320, P340, P370, P400, P401, P405	8	10	16
Maximum String Length (Power Optimizing)	25	25	25	50*
Maximum Power per String	3200 (2000 with SE70024V) / SE14400	3200	4000*	12750*
Parallel Strings of Different Lengths or Orientations	Yes			

(1) For detailed string wiring information refer to <https://www.solaredge.com/sites/default/files/string-wiring.pdf>

(2) It is not allowed to mix HD-Wave/P320 with P320/P400/P370/P401/P405 in one string.

(3) At 4 string with more than 30 optimizers does not meet NEC rapid shutdown requirements, safety voltage will be above the 30V requirement.

(4) For 208V grid it is allowed to install up to 1200W per string when the maximum power difference between each string is 1000W.

(5) For 277/480V grid it is allowed to install up to 1200W per string when the maximum power difference between each string is 1000W.

© SolarEdge Technologies Ltd. All rights reserved. SOLAREDEGE, the SolarEdge logo, OPTIMIZER and SOLAREDEGE are trademarks or registered trademarks of SolarEdge Technologies Ltd. All other trademarks mentioned herein are trademarks of their respective owners. (Rev. 04/2020) (EN) (04/2020) Subject to change without notice.



SOLAREDGE Optimizer OP505

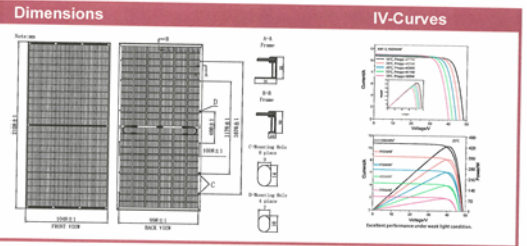
最も信頼出来る再エネパートナー				
Electrical Characteristics at Standard Test Conditions (STC)				
Module Type	VSUN455-144BMH	VSUN450-144BMH	VSUN445-144BMH	VSUN440-144BMH
Maximum Power - Pmax (W)	455	450	445	440
Open Circuit Voltage - Voc (V)	49.6	49.4	49.2	49
Short Circuit Current - Isc (A)	11.6	11.52	11.44	11.36
Maximum Power Voltage - Vmpo (V)	41.4	41.2	41	40.8
Maximum Power Current - Impo (A)	11	10.93	10.86	10.79
Module Efficiency	20.60%	20.37%	20.14%	19.92%

Electrical Characteristics with different rear side power gain (reference to 450 front)				
Pmax (W)	Voc (V)	Isc (A)	Vmpo (V)	Impo (A)
475	49.6	12.10	41.4	11.48
498	49.6	12.67	41.4	12.02
542	49.7	13.82	41.3	13.12
564	49.7	14.46	41.3	13.66

Temperature Characteristics		Maximum Ratings	
NOCT	45°C±2°C	Maximum System Voltage [V]	1500
Voltage Temperature Coefficient	-0.26%/°C	Series Fuse Rating [A]	20
Current Temperature Coefficient	+0.05%/°C	Bifaciality	70%/±5%
Power Temperature Coefficient	-0.32%/°C		

Material Characteristics	
Dimensions	2108±10/48±35mm (L×W×H)
Weight	24.4kg
Frame	Silver anodized aluminum profile
Front Glass	White toughened safety glass, 3.2 mm
Cell Encapsulation	EVA (Ethylene-Vinyl-Acetate) or POE
Back Sheet	Transparent mesh backsheet
Cells	12×12 pieces bifacial monocrystalline solar cells series strings
Junction Box	IP68, 3 diodes
Cable&Connector	Potential: 500 mm (cable length can be customized), 1×4 mm 2, compatible with MC4

Packaging		System Design	
Dimensions (L×W×H)	2140±1125±1181mm	Temperature Range	-40°C to +85°C
Container 3P	155	Withstanding Wind	Maximum diameter of 25 mm with impact speed of 23 m/s
Container 4P	341	Maximum Surface Load	5.400 Pa
Container 4P1HC	682	Application class	class A



VSUN 455W SOLAR MODULE

TECHNICAL DATA SHEET

Interconnection Application: 04990753

Solar Installer
Blue Horizon Energy
121 Cheshire Lane, Ste
500, Minnetonka, MN 55305
PH.952.944.590
info@bluehorizonenergy.com

ACCOUNT NO.
5015087
METER NO.
2716229
PREMISE NO.
303683458

CLIENT:
101-42200-381
WAYZATA CITY OF
600 Rice St. E Wayzata MN 55391
Ph: 952-404-5313

PROJECT TITLE:
**PROPOSED 44.59kW(DC) / 34.6kW(AC)
BALLASTED ROOF MOUNT SOLAR PV SYSTEM**
LOCATION: 600 Rice St. E, Wayzata MN 55391

DRAWN BY:
Jessica A.
DATE DRAWN :
05-03-2022
REVISION:
052322-1

SHEET #
PV-5
SCALE: NTS

CONTACT INFORMATIONS

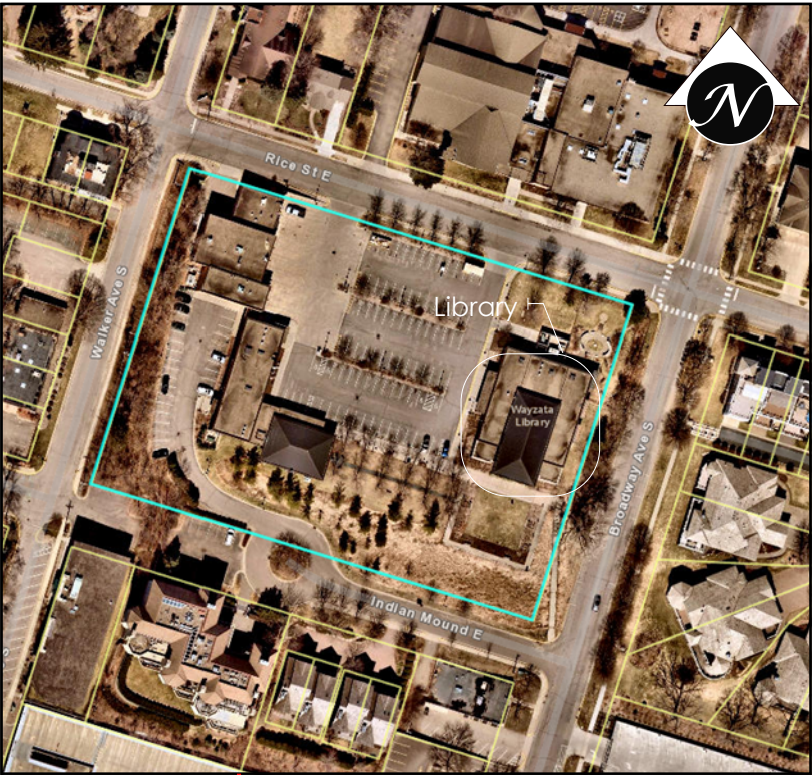
Owner/ Contact Person :
Nick Kieser
Project Location:
Library-600 Rice St. E
Wayzata, MN 55391
Phone Number: 952-404-5313
Email:nkieser@wayzata.org
Utility Company: Xcel Energy
Contact Name: SolarRewardsProgram
Phone Number:
State Inspector: David Hucky
Contact Number:952-442-2761
State Area Rep: John McNamara
Contact Number: 651-338-1766
City: Wayzata
County: Hennepin
Township:
Contact Person:
Phone Number:



PV-01 LOCATION PLAN

General Notes:

- 1.PID# 0611722240059
- 2. Acres : 3.5
- 3. Sect -, Twp-, Range-
- 4. Description: Blk Bounded On The N By Rice St On The S By Indian Mound St On The E By Broadway And On The W By Walker Ave OF SE1/4.
- 5. Classification: Commercial



PV-02 LOT PLAN

DESCRIPTION:
(1) - BALLASTED & FLUSH ROOF MOUNT
(104) - VSUN 455W SOLAR PV MODULES
(2) - SOLAREEDGE 17.3KW,208V INVERTER

Solar Installer

Blue Horizon

Energy

121 Cheshire Lane,Ste
500,Minnetonka,MN 55305
PH.952.944.590
info@bluehorizonenergy.com

ACCOUNT NO.
5167181
METER NO.
04256615
PREMISE NO.
303652071

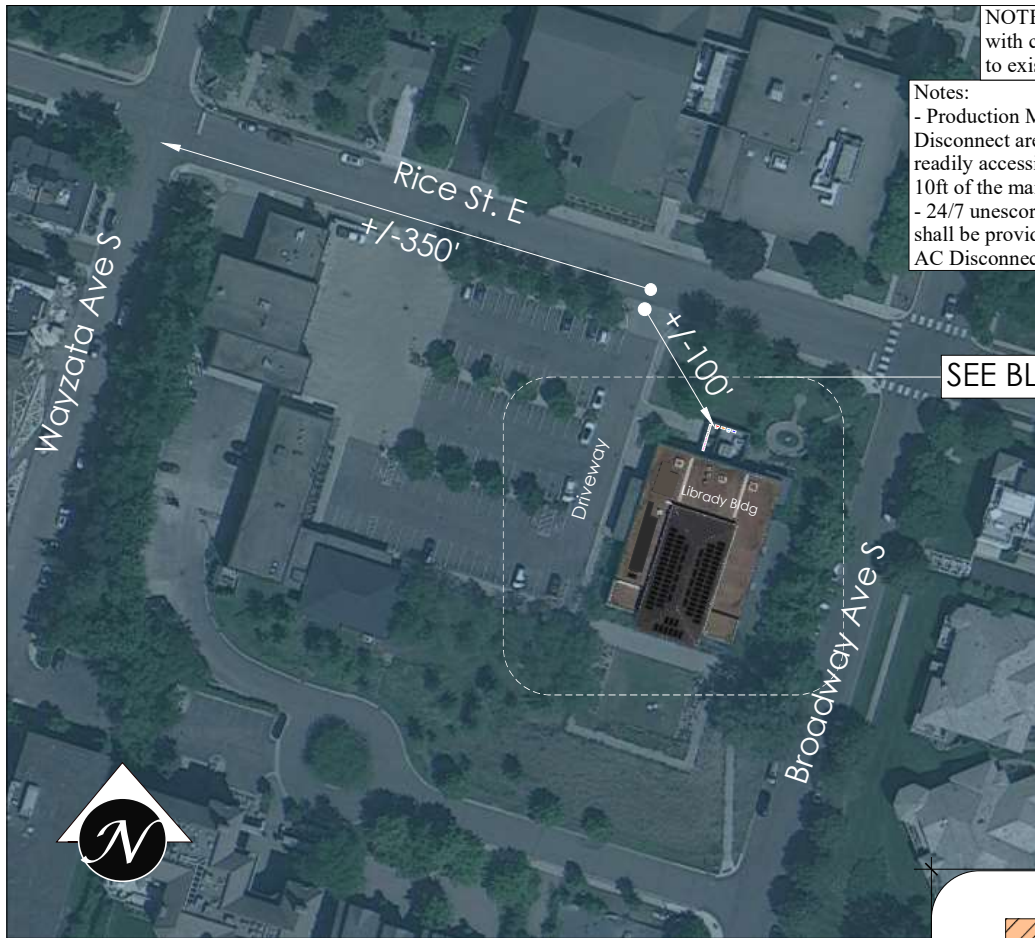
CLIENT:
HENN CTYLIB/COMML
HENNEPIN CNTY LIB
WAYZATA LIBRARY
600 Rice St. E Wayzata MN 55361
Ph: 952-404-5313

PROJECT TITLE:
PROPOSED 47.32kW(DC) / 34.6kW(AC)
BALLASTED & FLUSH ROOF MOUNT SOLAR
PV SYSTEM
LOCATION: 600 Rice St. E, Wayzata MN 55391

DRAWN BY:
Jessica A.
DATE DRAWN :
05-15-2022
REVISION:
031723-01

SHEET #
PV-1
SCALE: NTS

Interconnection Application: 05004113



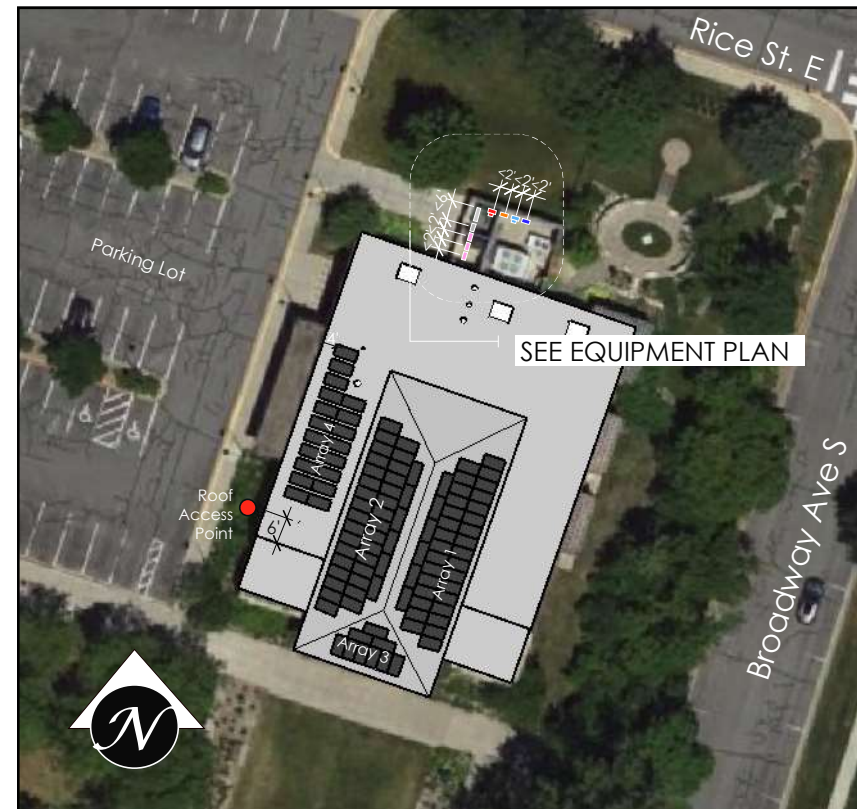
1 SITE PLAN
PV-2

LEGEND:
(E) EXISTING
(N) NEW

NOTE: There are no issues with clearance of PV panels to existing electric service

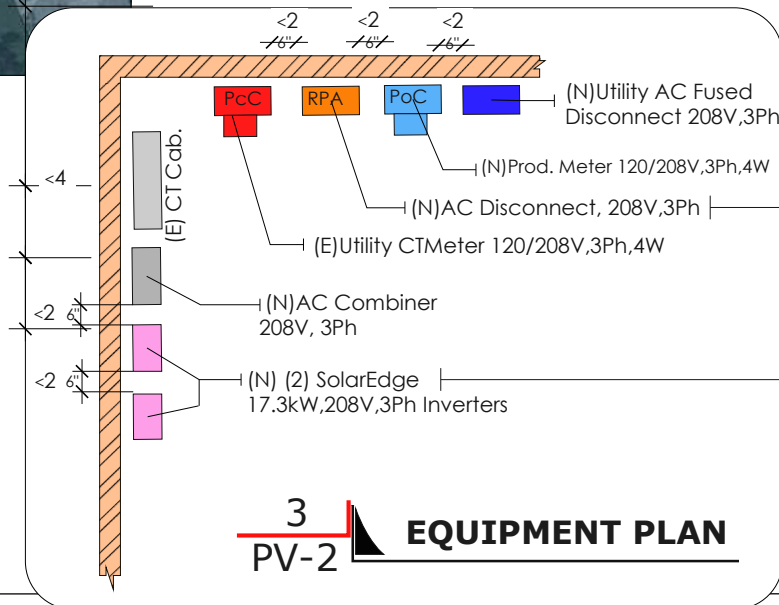
Notes:
- Production Meter & AC Disconnect are located together in a readily accessible location within 10ft of the main service meter.
- 24/7 unescorted keyless access shall be provided for the meters and AC Disconnect.

SEE BLOW-UP PLAN

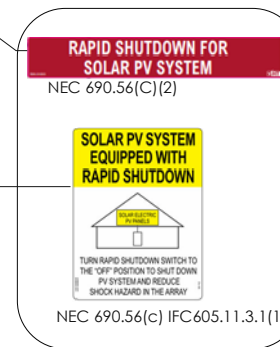


SEE EQUIPMENT PLAN

2 BLOW-UP PLAN
PV-2



3 EQUIPMENT PLAN
PV-2



ACCOUNT NO.
5167181
METER NO.
04256615
PREMISE NO.
303652071

CLIENT:
HENN CTYLIB/COMML
HENNEPIN CNTY LIB
WAYZATA LIBRARY
600 Rice St. E Wayzata MN 55361
Ph: 952-404-5313

PROJECT TITLE:
**PROPOSED 47.32kW(DC) / 34.6kW(AC)
BALLASTED & FLUSH ROOF MOUNT SOLAR
PV SYSTEM**
LOCATION: 600 Rice St. E, Wayzata MN 55391

DRAWN BY:
Jessica A.
DATE DRAWN :
05-15-2022
REVISION:
031723-01

SHEET #
PV-2
SCALE: NTS

Interconnection Application: 05004113

ACCOUNT NO.
5167181
METER NO.
04256615
PREMISE NO.
303652071

CLIENT:
HENN CTYLIB/COMM
HENNEPIN CNTY LIB
WAYZATA LIBRARY
600 Rice St. E Wayzata MN 55361
Ph: 952-404-5313

PROJECT TITLE:
**PROPOSED 47.32kW(DC) / 34.6kW(AC)
BALLASTED & FLUSH ROOF MOUNT SOLAR
PV SYSTEM**

LOCATION: 600 Rice St. E, Wayzata MN 55391

DRAWN BY:
Jessica A.

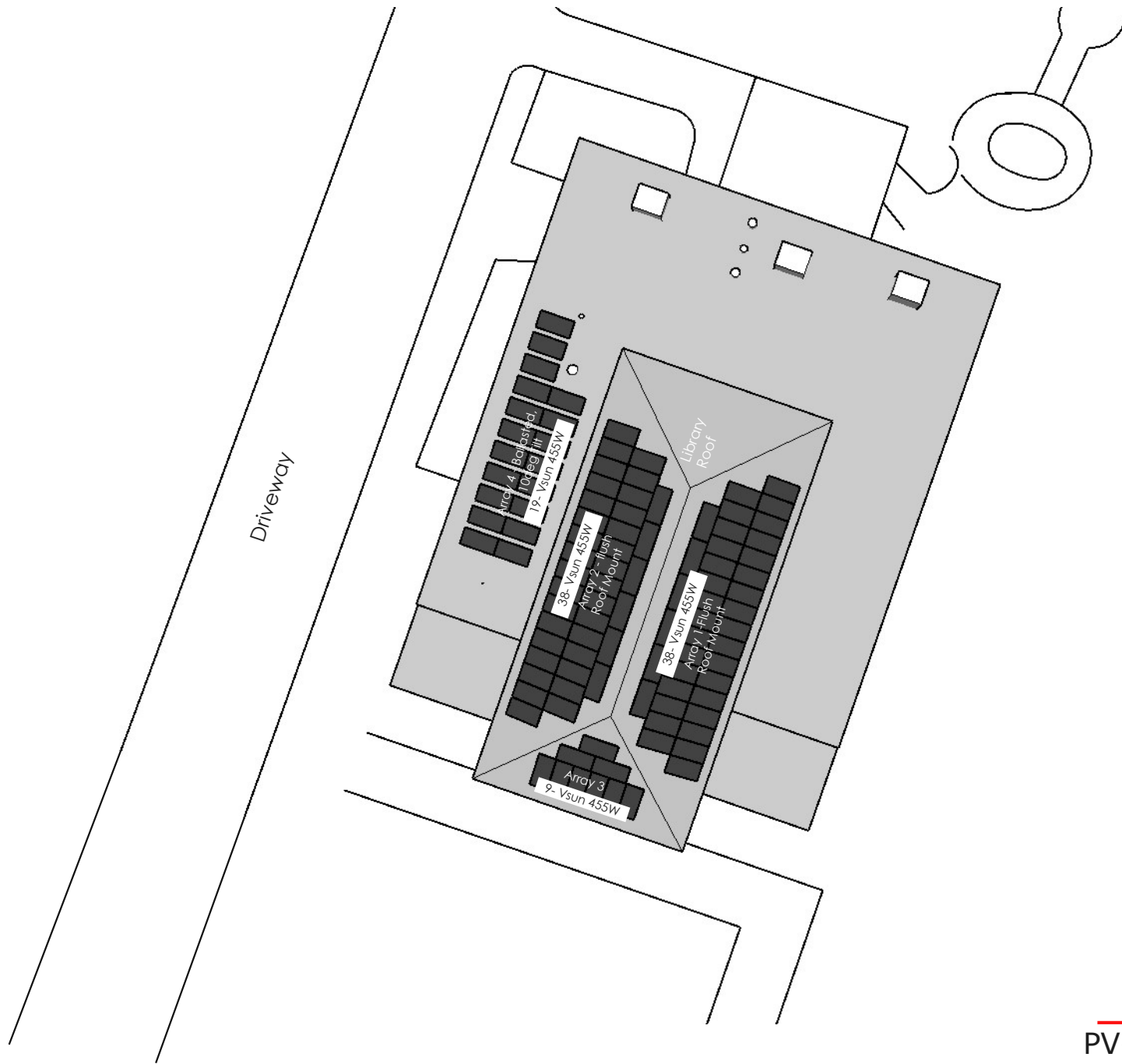
DATE DRAWN :
05-15-2022

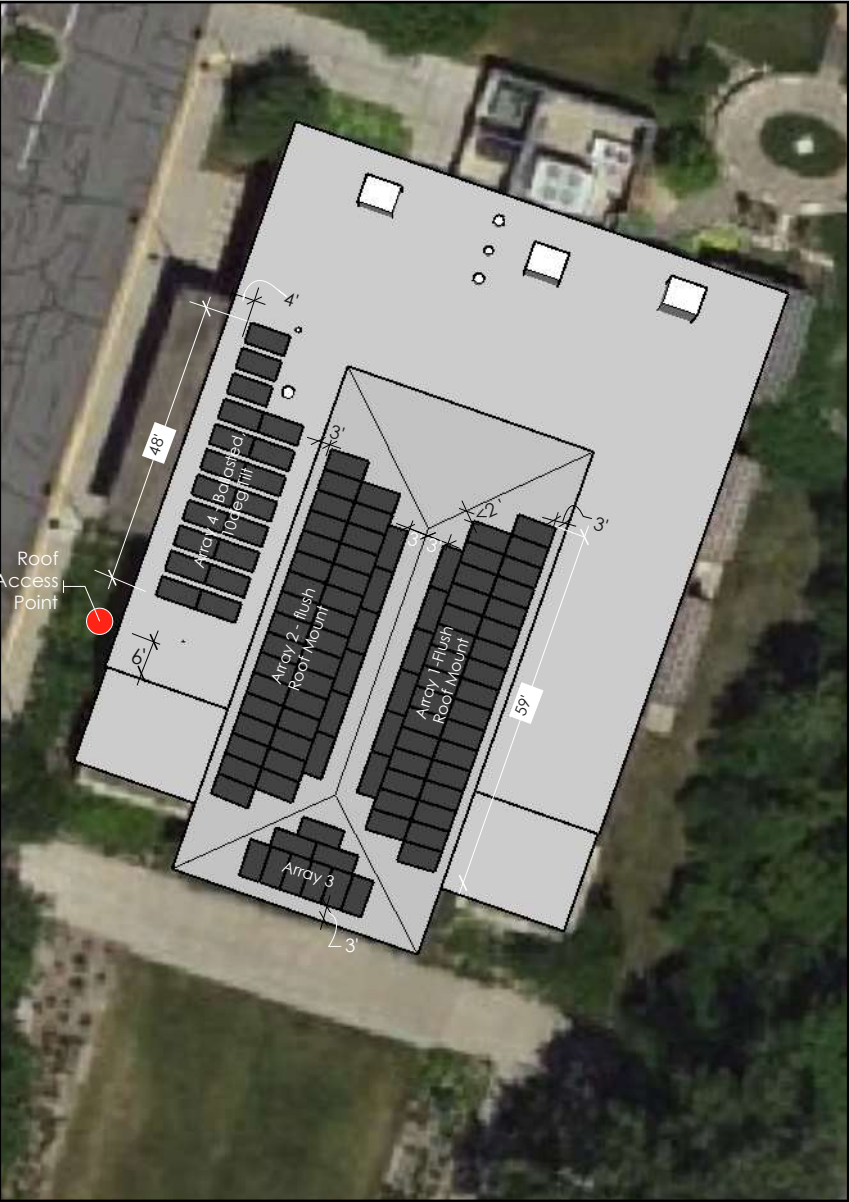
REVISION:
031723-01

SHEET #
PV-2A
SCALE: NTS

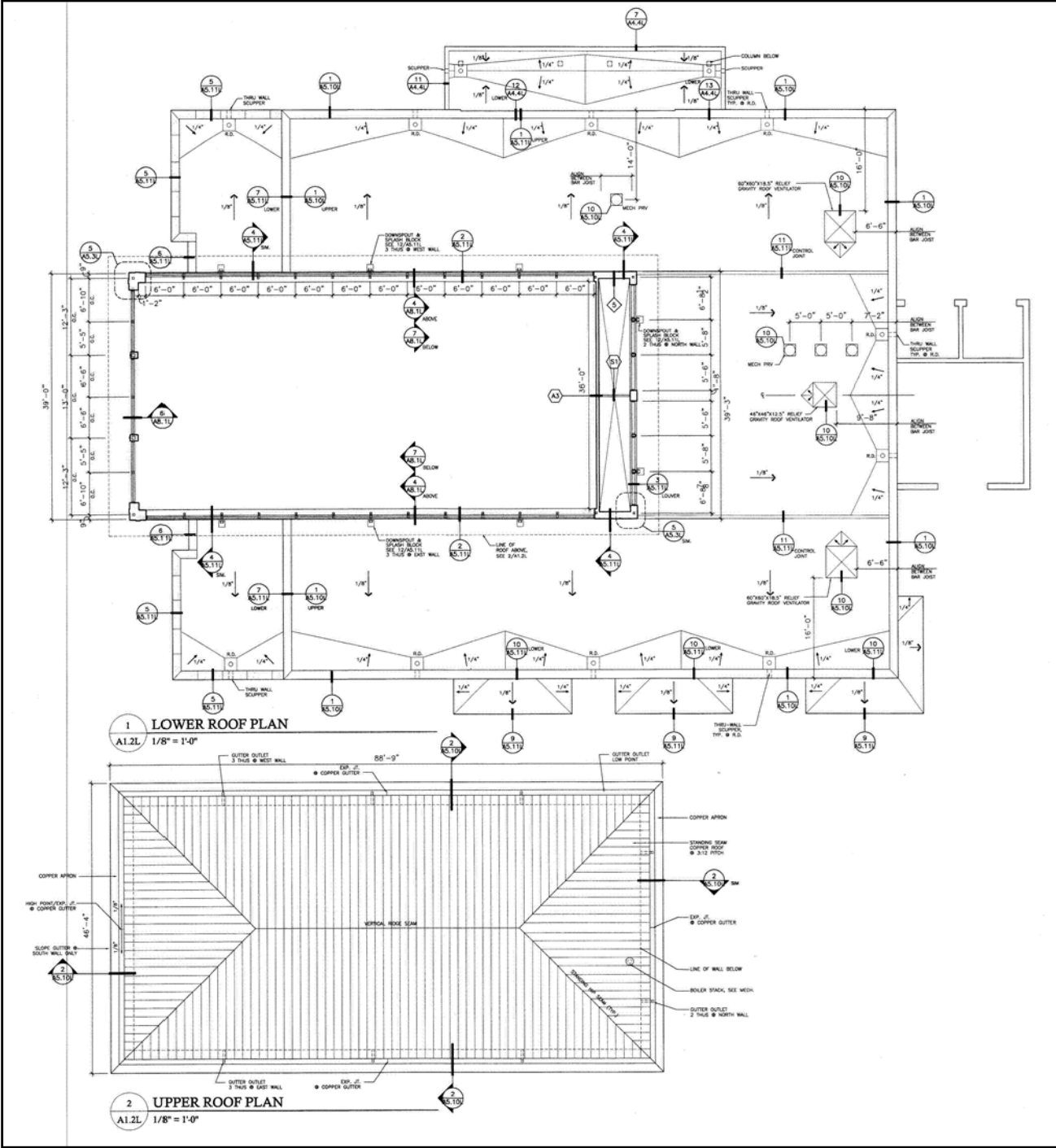
Interconnection Application: 05004113

1
PV-2A **ROOF PLAN**





1
PV-3
MODULE LAYOUT PLAN



Interconnection Application: 05004113

Solar Installer
Blue Horizon Energy
121 Cheshire Lane, Ste
500, Minnetonka, MN 55305
PH: 952.944.590
info@bluehorizonenergy.com

ACCOUNT NO.
5167181
METER NO.
04256615
PREMISE NO.
303652071

CLIENT:
HENN CTYLIB/COMML
HENNEPIN CNTY LIB
WAYZATA LIBRARY
600 Rice St. E Wayzata MN 55361
Ph: 952-404-5313

PROJECT TITLE:
**PROPOSED 47.32kW(DC) / 34.6kW(AC)
BALLASTED & FLUSH ROOF MOUNT SOLAR
PV SYSTEM**

LOCATION: 600 Rice St. E, Wayzata MN 55391

DRAWN BY:
Jessica A.
DATE DRAWN :
05-15-2022
REVISION:
031723-01

SHEET #
PV-3
SCALE: NTS

/ Power Optimizer
For North America

P320 / P340 / P370 / P400 / P401 / P405 / P485 / P505

Optimizer model (typical module compatibility)	P320 (for 60-cell modules)	P340 (for high- power 60-cell modules)	P370 (for higher- power 60 and 72- cell modules)	P400 (for 72 & 96-cell modules)	P401 (for high- power 60 and 72-cell modules)	P405 (for high- voltage modules)	P485 (for high- voltage modules)	P505 (for higher current modules)
INPUT								
Rated Input DC Power ⁽¹⁾	220	340	370	400	400	405	485	505
Maximum Input Voltage (No. at based temperature)	48	50	50	50	50	50 ⁽²⁾	50 ⁽²⁾	50 ⁽²⁾
MPPT Operating Range	8 ~ 48	8 ~ 60	8 ~ 60	8 ~ 60	8 ~ 60	12.5 ~ 55	12.5 ~ 55	12.5 ~ 55
Maximum Short-Circuit Current	10	10	10	10	10	11	16	16
Maximum DC Input Current	18.75	18.75	18.75	18.75	18.75	12.5	16	16
Maximum Efficiency								
Weighted Efficiency								
Overvoltage Category								
OUTPUT DURING OPERATION (POWER OPTIMIZER CONNECTED TO OPERATING SOLAREEDGE INVERTER)								
Maximum Output Current								
Maximum Output Voltage								
OUTPUT DURING STANDBY (POWER OPTIMIZER DISCONNECTED FROM SOLAREEDGE INVERTER OR SOLAREEDGE INVERTER OFF)								
Standy Output Voltage per Power Optimizer								
STANDARD COMPLIANCE								
TLC								
Safety								
Material								
RoHS								
INSTALLATION SPECIFICATIONS								
Maximum Ambient System Voltage								
Compatible Inverters								
Dimensions (H x L x W)								
Weight (including cables)								
Input Connector								
Input Wire Length								
Output Wire Type / Connector								
Output Wire Length								
Operating Temperature Range ⁽³⁾								
Protection Rating								
Relative Humidity								

PV System Design Using a SolarEdge Inverter ⁽¹⁾				
	Single Phase HD-Wave	Single phase	Three Phase for 208V grid	Three Phase for 277/480V grid
Minimum String Length (Power Optimizer)	P320, P340, P370, P400, P401	8	31	36
Maximum String Length (Power Optimizer)	P400, P401, P405	5	3	14
Maximum Power per String	5100 (2000 with SE7400-40V ~ SE7400- 100)	5270	6000 ⁽²⁾	12750 ⁽²⁾
Parallel Strings of Different Lengths or Orientations			Yes	

(1) For detailed string design information refer to <https://www.solaredge.com/sites/default/files/string-design-guide.pdf>
(2) It is not allowed to mix HD-WAVE/P320 with P370/P400/P401/P405/P485/P505 in one string.
(3) It is not allowed to mix HD-WAVE/P320 with P370/P400/P401/P405/P485/P505 in one string.
(4) A string with more than 10 optimizers does not meet NEC rapid shutdown requirements, safety voltage will be above the 120V requirement.
(5) For 208V grid, it is allowed to install up to 1100W per string when the maximum power difference between each string is 1000W.
(6) For 277/480V grid, it is allowed to install up to 1500W per string when the maximum power difference between each string is 1000W.

SOLAREEDGE Optimizer OP505

/ Three Phase Inverters for the 120/208V Grid⁽¹⁾
For North America
SE14.4KUS / SE17.3KUS

MODEL NUMBER APPLICABLE TO INVERTERS WITH PART NUMBER	SE14.4KUS	SEXXX-USX2XXXXX	SE17.3KUS	UNITS
OUTPUT				
Rated AC Power Output	14400		17300	W
Maximum apparent AC output power	14400		17300	VA
AC Output Line Connections		3W = PE, 4W = PE		
AC Output Voltage Minimum-Nominal-Maximum ⁽¹⁾ (L-N)		105-120-132.5		Vac
AC Output Voltage Minimum-Nominal-Maximum ⁽¹⁾ (L-L)		183-208-229		Vac
AC frequency Min-Nom-Max ⁽²⁾		59.3 - 60 - 60.5		Hz
Continuous Output Current (per Phase)	40		48.25	Aac
GND Threshold		1		A
Utility Monitoring, Islanding Protection, Country Configurable Set Points		Yes		
TiND		+/- 0.85 to 1		%
Power Factor Range				
INPUT				
Maximum DC Power (Module STC)	21600		26000	W
Transformer-less, Ungrounded		Yes		
Maximum Input Voltage DC to DC-		600		Vdc
Operating Voltage Range		370 - 600		Vdc
Maximum Input Current	40		48.25	Aac
Maximum Input Short-Circuit Current		55		Aac
Reverse-Polarity Protection		Yes		
Ground-Fault Isolation Detection		167kV Sensitivity ⁽³⁾		
CEC Weighted Efficiency				%
Night time Power Consumption		< 4		W
ADDITIONAL FEATURES				
Supported Communication Interfaces		2 x RS485, Ethernet, Cellular (optional)		
Inverter Commissioning		With the SetApp mobile application using built-in Wi-Fi access point for local connection		
Rapid Shutdown		NEC2014, NEC2017 and NEC2020 compliant/certified		
RS485 Surge Protection Plug-in		Supplied with the inverter, built-in		
AC DC Surge Protection		Type II, field replaceable, built-in		
DC Fuses (Single Pole)		25A, Built-in		
Smart Energy Management		Export Limitation		
DC SAFETY SWITCH				
DC Disconnect		Integrated		
STANDARD COMPLIANCE				
Safety		UL1741, UL1741 SA, UL1699B, CSA C22.2, Canadian AFC) according to T.L.L. M-07		
Grid Connection Standards		IEEE1547, Rule 21, Rule 14 (H)		
Emissions		FCC part15 class A		
INSTALLATION SPECIFICATIONS				
AC output conduit size /AWG range		1/2" or 1" / 6 - 10 AWG		
DC input conduit size / AWG range		1/2" or 1" / 6 - 12 AWG		
Number of DC inputs pairs		4		
Dimensions with Safety Switch (H x W x D)		31.8 x 12.5 x 11.8 / 808 x 317 x 300		in / mm
Weight with Safety Switch		78.2 / 35.5		lb / kg
Cooling		Fans (user replaceable)		
Noise		< 62		dBA
Operating Temperature Range		-40 to +140 / -40 to +60 ⁽⁴⁾		°F / °C
Protection Rating		NEMA 3R		
Mounting		Bracket provided		

(1) For 277/480V inverters refer to: <https://www.solaredge.com/sites/default/files/for-three-phase-us-inverter-277-480v-setapp-datasheet.pdf>
(2) For other regional settings please contact SolarEdge support.
(3) Where permitted by local regulations.
(4) For power derating information refer to: <https://www.solaredge.com/sites/default/files/for-temperature-derating-note-us.pdf>

© SolarEdge Technologies, Inc. All rights reserved. SOLAREEDGE, the SolarEdge logo, OPTIMIZED BY SOLAREEDGE are trademarks or registered trademarks of SolarEdge Technologies, Inc. All other trademarks mentioned herein are trademarks of their respective owners. Date: 04/2021 US-000008-01-NA. Subject to change without notice.

SOLAREEDGE 17.3KW, 208V,3PH

最も信頼出来る再エネパートナー
Electrical Characteristics at Standard Test Conditions (STC)

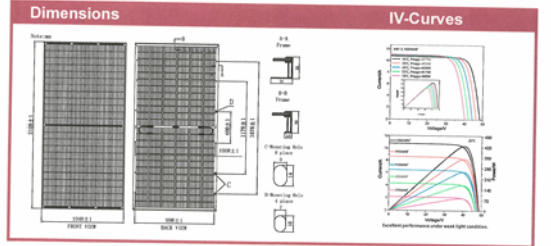
Module Type	VSUN455-144BMH	VSUN450-144BMH	VSUN445-144BMH	VSUN440-144BMH
Maximum Power - Pmax (W)	455	450	445	440
Open Circuit Voltage - Voc (V)	49.6	49.4	49.2	49
Short Circuit Current - Isc (A)	11.6	11.52	11.44	11.36
Maximum Power Voltage - Vmpg (V)	41.4	41.2	41	40.8
Maximum Power Current - Impg (A)	11	10.93	10.86	10.79
Module Efficiency	20.60%	20.37%	20.14%	19.92%

Electrical Characteristics with different rear side power gain (reference to 450 front)					
Pmax (W)	Voc (V)	Isc (A)	Vmpg (V)	Impg (A)	Pmax gain
475	49.6	12.10	41.4	11.48	5%
498	49.6	12.67	41.4	12.02	10%
542	49.7	13.82	41.3	13.12	20%
564	49.7	14.46	41.3	13.66	25%

Temperature Characteristics		Maximum Ratings	
NOCT	45°C±2°C	Maximum System Voltage [V]	1500
Voltage Temperature Coefficient	-0.26%/°C	Series Fuse Rating [A]	20
Current Temperature Coefficient	+0.056%/°C	Bifaciality	70%/5%
Power Temperature Coefficient	-0.32%/°C		

Material Characteristics	
Dimensions	2108±1048±35mm (LxWxH)
Weight	24.4kg
Frame	Silver anodized aluminum profile
Front Glass	White toughened safety glass, 3.2 mm
Cell Encapsulation	EVA (Ethylene-Vinyl-Acetate) or POE
Back Sheet	Transparent mesh backsheet
Cells	12x12 pieces bifacial monocrystalline solar cells series strings
Junction Box	IP68, 3 diodes
Cable&Connector	Potential: 500 mm (cable length can be customized), 1x4 mm 2, compatible with MC4

Packaging		System Design	
Dimensions (LxVxW)	2140±1125±1181mm	Temperature Range	-40 °C to + 85 °C
Container 3P	155	Withstanding hail	Maximum diameter of 25 mm with impact speed of 23 m/s
Container 4P	341	Maximum surface load	5400 Pa
Container 4P1HC	682	Application class	class A



VSUN 455W SOLAR MODULE

TECHNICAL DATA SHEET

Interconnection Application: 050041113

Solar Installer
Blue Horizon Energy
121 Cheshire Lane, Ste 500, Minnetonka, MN 55305
PH: 952.944.590
info@bluehorizonenergy.com

ACCOUNT NO.
5167181
METER NO.
04256615
PREMISE NO.
303652071

CLIENT:
HENN CTYLIB/COMML
HENNEPIN CNTY LIB
WAYZATA LIBRARY
600 Rice St. E Wayzata MN 55361
PH: 952-404-5313

PROJECT TITLE:
**PROPOSED 47.32kW(DC) / 34.6kW(AC)
BALLASTED & FLUSH ROOF MOUNT SOLAR
PV SYSTEM**

LOCATION: 600 Rice St. E, Wayzata MN 55391

DRAWN BY:
Jessica A.
DATE DRAWN :
05-15-2022
REVISION:
031723-01

SHEET #
PV-4
SCALE: NTS

CONTACT INFORMATIONS

Owner/ Contact Person :
Nick Kieser
Project Location:
747 Mills St. E
Wayzata, MN 55391
Phone Number: 952-404-5313
Email:nkieser@wayzata.org
Utility Company: Xcel Energy
Contact Name: SolarRewardsProgram
Phone Number:
State Inspector: David Hucky
Contact Number:952-442-2761
State Area Rep: John McNamara
Contact Number: 651-338-1766
City: Wayzata
County: Hennepin
Township:
Contact Person:
Phone Number:



PV-01 LOCATION PLAN

General Notes:

- 1.PID# 0611722420082
- 2. Acres : 0.51
- 3. Sect -, Twp-, Range-
- 4. Description:
- 5. Lot: 001 Block: 001
- 6. Classification: Commercial



PV-02 LOT PLAN

DESCRIPTION:
(1) - FLUSH ROOF MOUNT SOLAR PV SYSTEM
(200) - VSUN 455W SOLAR PV MODULES
(2) - SOLAREEDGE 17.3KW,208V INVERTER
(1) - SOLAREEDGE 42.3KW,208V INVERTER

ACCOUNT NO.
5168095
METER NO.
4511957
PREMISE NO.
304221670

CLIENT:
WAYZATA CITY OF
600 Rice St. E Wayzata MN 55391
Ph: 952-404-5313

PROJECT TITLE:
PROPOSED 91kW(DC) / 76.9kW(AC) BALLASTED
& FLUSH ROOF MOUNT SOLAR PV SYSTEM
LOCATION: 747 Mill St. E, Wayzata MN 55391

DRAWN BY:
Jessica A.
DATE DRAWN :
05-03-2022
REVISION:
052322-1

ACCOUNT NO.
 5168095
 METER NO.
 4511957
 PREMISE NO.
 304221670

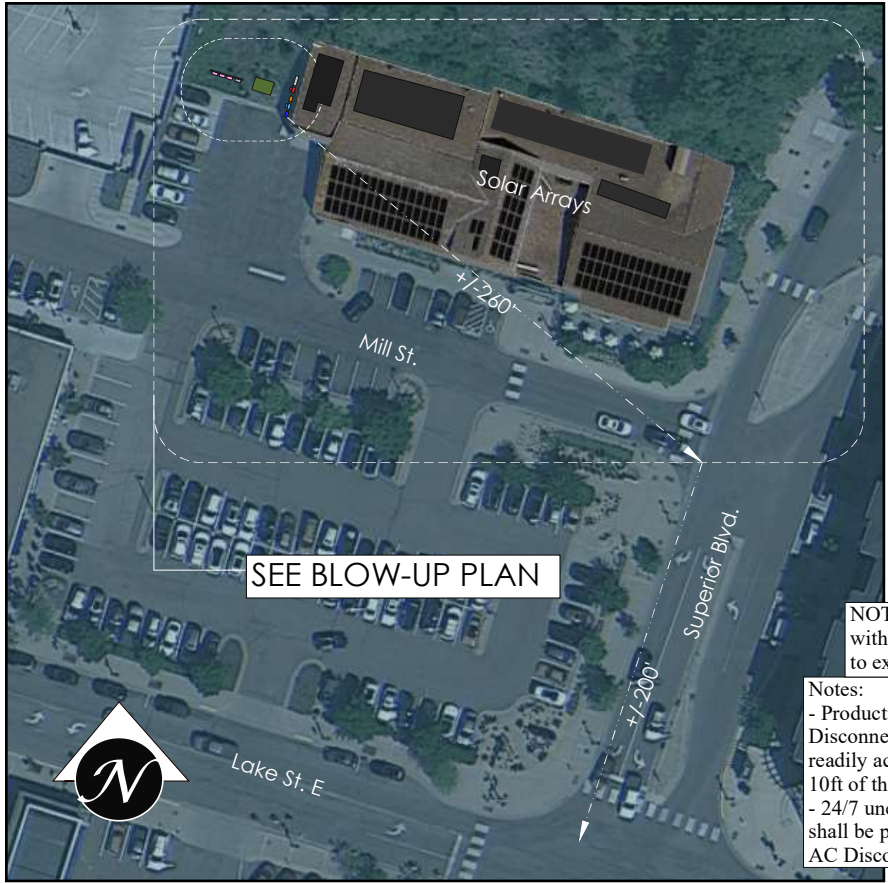
CLIENT:
WAYZATA CITY OF
 600 Rice St. E Wayzata MN 55391
 Ph: 952-404-5313

PROJECT TITLE:
PROPOSED 91kW(DC) / 76.9kW(AC) BALLASTED & FLUSH ROOF MOUNT SOLAR PV SYSTEM
 LOCATION: 747 Mill St. E, Wayzata MN 55391

DRAWN BY:
 Jessica A.
 DATE DRAWN :
 05-03-2022
 REVISION:
 052322-1

SHEET #
PV-2
 SCALE: NTS

Interconnection Application: 04990696



PV-01 SITE PLAN

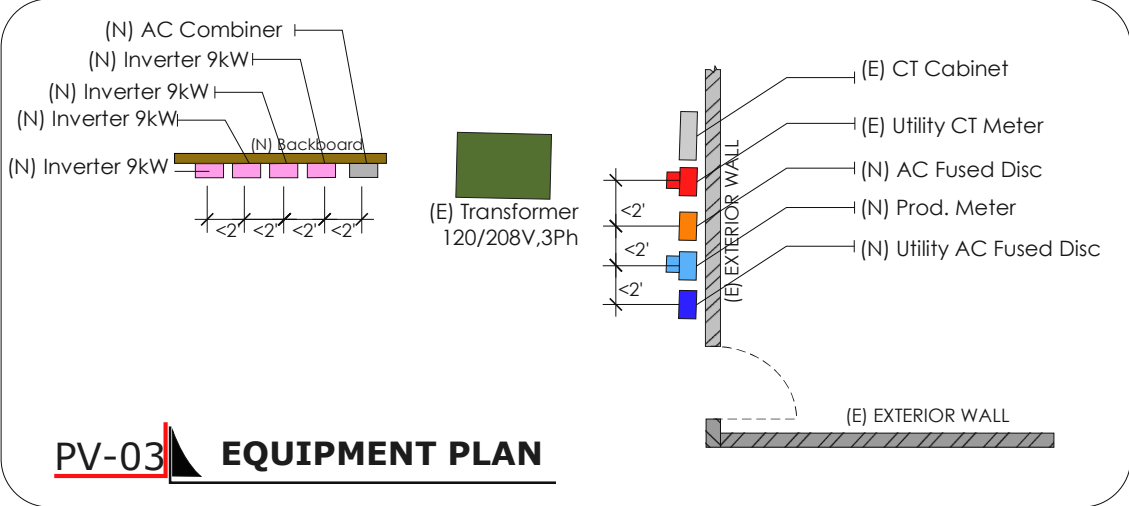


PV-02 BLOW-UP PLAN

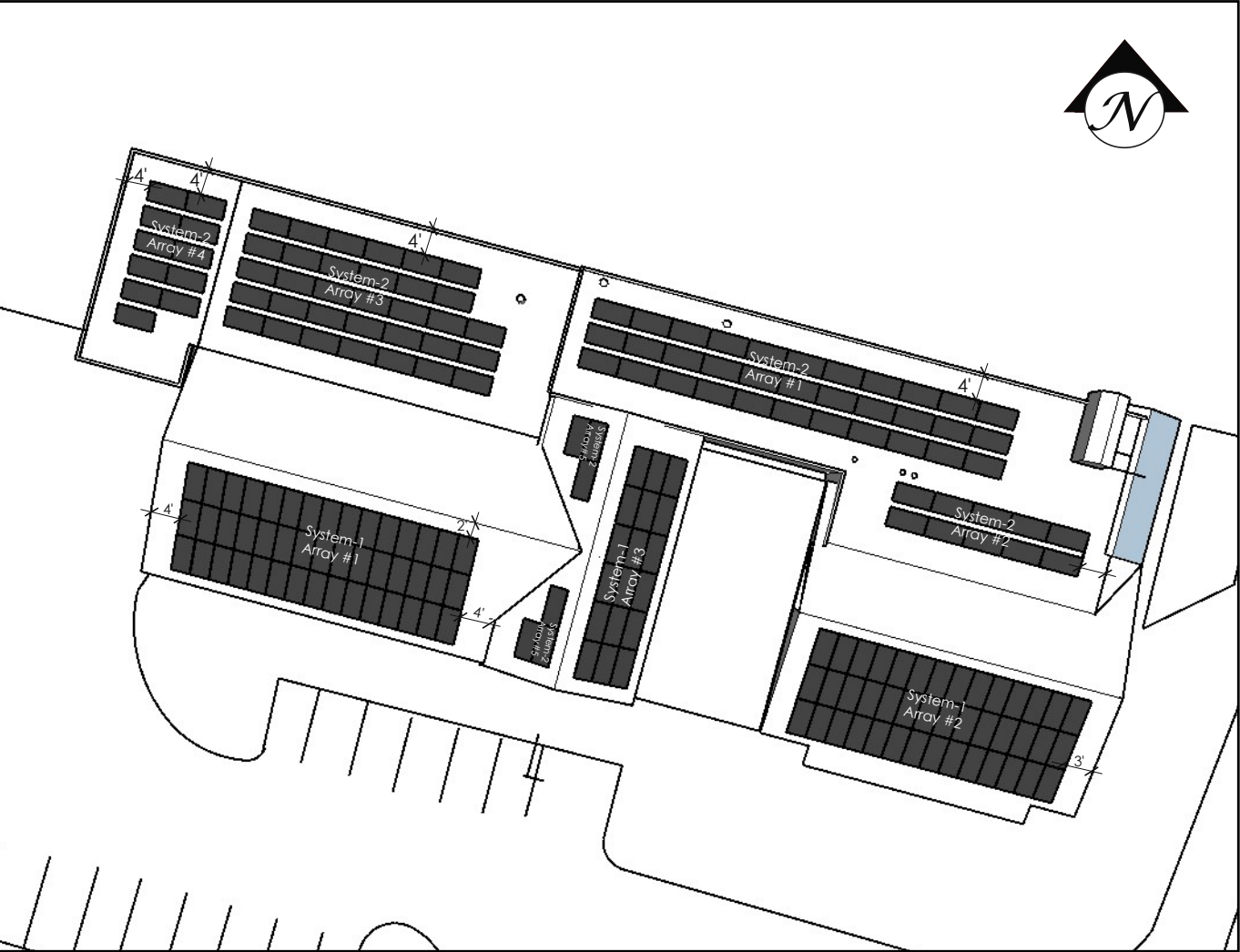
NOTE: There are no issues with clearance of PV panels to existing electric service

Notes:
 - Production Meter & AC Disconnect are located together in a readily accessible location within 10ft of the main service meter.
 - 24/7 unescorted keyless access shall be provided for the meters and AC Disconnect.

LEGEND:
 (E) EXISTING
 (N) NEW



PV-03 EQUIPMENT PLAN



MODULE LAYOUT PLAN

SUMMARY:

SYSTEM 1

TOTAL INVERTER	TOTAL MODULE	TOTAL SIZE
(2) SOLAREEDGE 17.3, 208V INVERTER	(104) VSUN 455W	47.320

SYSTEM 2

TOTAL INVERTER	TOTAL MODULE	TOTAL SIZE
(1) SOLAREEDGE 42.3,208V INVERTER	(96) VSUN 455W	43,680

NO. OF MODULE

SYSTEM 1	Array 1	45 Modules
	Array 2	42 Modules
	Array 3	18 Modules
	Total:	104 Modules

SYSTEM 2	Array 1	33 Modules
	Array 2	10 Modules
	Array 3	36 Modules
	Array 4	11 Modules
	Array 5	6 Modules

ACCOUNT NO.
5168095
METER NO.
4511957
PREMISE NO.
304221670

CLIENT:
WAYZATA CITY OF
600 Rice St. E Wayzata MN 55391
Ph: 952-404-5313

PROJECT TITLE:
PROPOSED 91kW(DC) / 76.9kW(AC) BALLASTED & FLUSH ROOF MOUNT SOLAR PV SYSTEM
LOCATION: 747 Mill St. E, Wayzata MN 55391

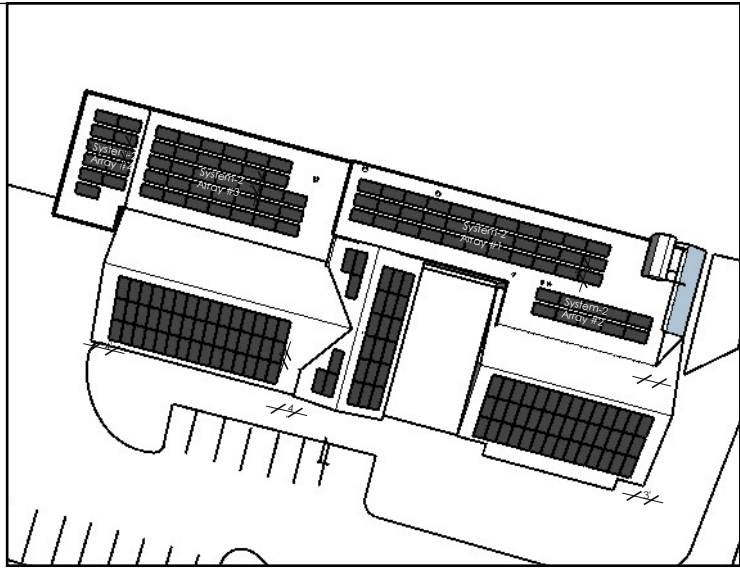
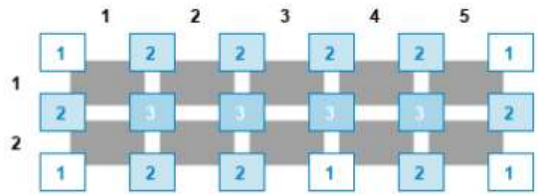
DRAWN BY:
Jessica A.
DATE DRAWN :
05-03-2022
REVISION:
052322-1

Summary

Plan review		Inspection	
AVERAGE PSF	3.75 psf	PRODUCT	RM10 EVO
TOTAL NUMBER OF MODULES	84	MODULE MANUFACTURER	VSUN
TOTAL KW	38.22 KW	MODEL	VSUN455-144BMH
TOTAL MODULE AREA	~2807 ft²	MODULE WATTS	455 watts
TOTAL WEIGHT ON ROOF	10528 lbs	MODULE LENGTH	82.99"
RACKING WEIGHT	314 lbs	MODULE WIDTH	41.26"
MODULE WEIGHT	4518 lbs	MODULE THICKNESS	1.38"
BALLAST WEIGHT	5696 lbs	MODULE WEIGHT	53.79 lbs
MAX BAY LOAD (DEAD)	152 lbs	HALF BLOCK ALLOWED	No
TOTAL BALLAST BLOCK COUNT	178	ADD CENTRAL SUPPORT	No
Loads Used for Design		SETBACK DISTANCE	3 ft
BUILDING CODE	ASCE 7-10	HALF BLOCK ALLOWED	No
BASIC WIND SPEED	115.00 mph	BALLAST BLOCK (CMU) WEIGHT	32.0 lbs
GROUND SNOW LOAD	50.00 psf	MAX BLOCKS PER NORTH BAY	4
SEISMIC (S)	0.048	MAX BLOCKS PER NON NORTH BAY	3
ELEVATION	946.00 ft	BUILDING HEIGHT	18.00 ft
WIND EXPOSURE	B	LONGEST BUILDING LENGTH	110.00 ft
MRI	25	ROOF TYPE	OTHER
RISK CATEGORY	II	SHORTEST BUILDING LENGTH	38.00 ft
VELOCITY PRESSURE, QZ	15.04 psf	PARAPET HEIGHT	24.00"
		DEAD LOAD FACTOR	1.000

System-2 Array #2

AVERAGE PSF	4.85 psf	MINIMUM SEISMIC SEPARATION (UNATTACHED ARRAYS) *	
TOTAL NUMBER OF MODULES:	10	ARRAY TO ARRAY:	3.6"
TOTAL KW:	4.55 KW	TO FIXED OBJECT ON ROOF:	7.3"
TOTAL AREA:	351 ft²	TO ROOF EDGE WITH QUALIFYING PARAPET:	7.3"
TOTAL WEIGHT ON ROOF:	1702 lbs	TO ROOF EDGE WITHOUT QUALIFYING PARAPET:	10.9"
RACKING WEIGHT:	44 lbs	MAX ARRAY (SEISMIC) (FOR UNATTACHED ARRAYS) *	
MODULE WEIGHT:	538 lbs	MAX NUMBER OF NORTH-SOUTH ROWS:	19
MODIFIED DEAD LOAD FACTOR	1.0	MAX NUMBER OF EAST-WEST COLUMNS:	32
BALLAST WEIGHT:	1120 lbs	*In jurisdictions that follow SEAO PV-1 methodology.	
MID SUPPORT KIT WEIGHT:	0 lbs		

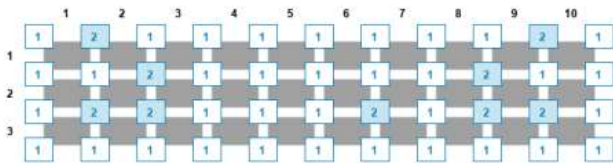


LEGEND

- Module
- 1 Standard corner bay with CMU block count
- 4 Supplemental bay with CMU block count

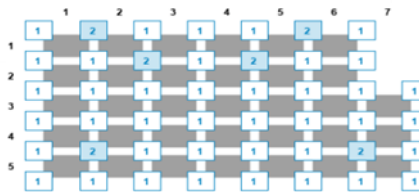
System-2 Array #1

AVERAGE PSF	3.37 psf	MINIMUM SEISMIC SEPARATION (UNATTACHED ARRAYS) *	
TOTAL NUMBER OF MODULES:	30	ARRAY TO ARRAY:	3.6"
TOTAL KW:	13.65 KW	TO FIXED OBJECT ON ROOF:	7.3"
TOTAL AREA:	1014 ft²	TO ROOF EDGE WITH QUALIFYING PARAPET:	7.3"
TOTAL WEIGHT ON ROOF:	3418 lbs	TO ROOF EDGE WITHOUT QUALIFYING PARAPET:	10.9"
RACKING WEIGHT:	108 lbs	MAX ARRAY (SEISMIC) (FOR UNATTACHED ARRAYS) *	
MODULE WEIGHT:	1614 lbs	MAX NUMBER OF NORTH-SOUTH ROWS:	24
MODIFIED DEAD LOAD FACTOR	1.0	MAX NUMBER OF EAST-WEST COLUMNS:	40
BALLAST WEIGHT:	1696 lbs	*In jurisdictions that follow SEAO PV-1 methodology.	
MID SUPPORT KIT WEIGHT:	0 lbs		



System-2 Array #3

AVERAGE PSF	3.28 psf	MINIMUM SEISMIC SEPARATION (UNATTACHED ARRAYS) *	
TOTAL NUMBER OF MODULES:	33	ARRAY TO ARRAY:	3.6"
TOTAL KW:	15.02 KW	TO FIXED OBJECT ON ROOF:	7.3"
TOTAL AREA:	1084 ft²	TO ROOF EDGE WITH QUALIFYING PARAPET:	7.3"
TOTAL WEIGHT ON ROOF:	3552 lbs	TO ROOF EDGE WITHOUT QUALIFYING PARAPET:	10.9"
RACKING WEIGHT:	113 lbs	MAX ARRAY (SEISMIC) (FOR UNATTACHED ARRAYS) *	
MODULE WEIGHT:	1775 lbs	MAX NUMBER OF NORTH-SOUTH ROWS:	25
MODIFIED DEAD LOAD FACTOR	1.0	MAX NUMBER OF EAST-WEST COLUMNS:	41
BALLAST WEIGHT:	1664 lbs	*In jurisdictions that follow SEAO PV-1 methodology.	
MID SUPPORT KIT WEIGHT:	0 lbs		



Interconnection Application: 04990696

ACCOUNT NO.
5168095
METER NO.
4511957
PREMISE NO.
304221670

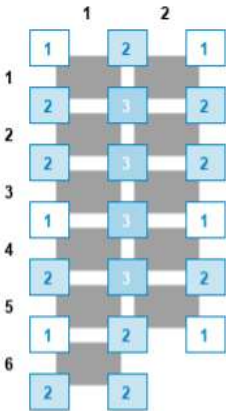
CLIENT:
WAYZATA CITY OF
600 Rice St. E Wayzata MN 55391
Ph: 952-404-5313

PROJECT TITLE:
**PROPOSED 91kW(DC) / 76.9kW(AC) BALLASTED
& FLUSH ROOF MOUNT SOLAR PV SYSTEM**
LOCATION: 747 Mill St. E, Wayzata MN 55391

DRAWN BY:
Jessica A.
DATE DRAWN :
05-03-2022
REVISION:
052322-1

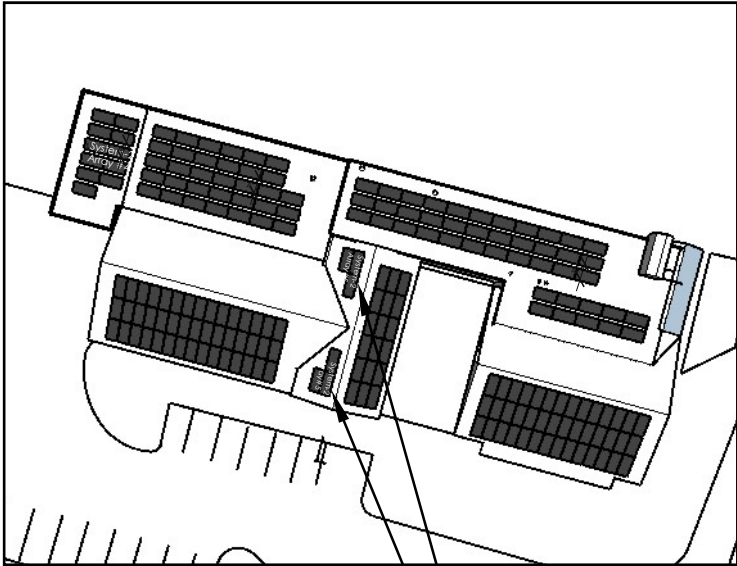
SHEET #
PV-4
SCALE: NTS

System-2 Array #4



AVERAGE PSF	
5.18 psf	
TOTAL NUMBER OF MODULES:	11
TOTAL KW:	5.00 KW
TOTAL AREA:	359 ft ²
TOTAL WEIGHT ON ROOF:	1857 lbs
RACKING WEIGHT:	49 lbs
MODULE WEIGHT:	592 lbs
MODIFIED DEAD LOAD FACTOR	1.0
BALLAST WEIGHT:	1216 lbs
MID SUPPORT KIT WEIGHT:	0 lbs

MINIMUM SEISMIC SEPARATION (UNATTACHED ARRAYS) *	
ARRAY TO ARRAY:	3.6"
TO FIXED OBJECT ON ROOF:	7.3"
TO ROOF EDGE WITH QUALIFYING PARAPET:	7.3"
TO ROOF EDGE WITHOUT QUALIFYING PARAPET:	10.9"
MAX ARRAY (SEISMIC) (FOR UNATTACHED ARRAYS) *	
MAX NUMBER OF NORTH-SOUTH ROWS:	19
MAX NUMBER OF EAST-WEST COLUMNS:	32
*In jurisdictions that follow SEAO PV-1 methodology.	



System-2 Array #5

Group 1 Rail Length	Group 2 Rail Length	Group 3 Rail Length	Group 4 Rail Length	Group 5 Rail Length	Rail Qty	Row Mid Clamps	Row End Clamps	Row Splices	Attach- ments	Module Bonding	Rail Bonding
83.35	-	-	-	-	1	2	4	0	8	0	1
41.3	-	-	-	-	1	0	4	0	4	1	2
Sub-Array Totals:						2	2	8	12	1	3

Orientation	Rows	Columns	Array Pitch	Mean Roof Height
Portrait	2	2	26 degrees	18 feet

Engineering Bin	
Type	Number
72-cell	Bin 5

Structural Engineering Report					
Maximum Rail Span			Maximum Rail Cantilever		
Zone 1	Zone 2	Zone 3	Zone 1	Zone 2	Zone 3
50 inches	49 inches	45 inches	17 inches	16 inches	15 inches

Attachment Spacing Adjusted for Override					
Rafter Spacing	Max Attachment Spacing			Max Cantilever	
	Zone 1	Zone 2	Zone 3	Zone 1	Zone 2
24 inches	24 inches	24 inches	24 inches	17 inches	16 inches

Sub-Array Modules	Edge Screen	Array Power
3	0 ft	1.305 kW

Maximum Reaction Forces				Design Reaction Forces			
Zone	per inch of Span (lbs)			Zone	per Attachment (lbs)		
	Down	Up	Lateral		Down	Up	Lateral
Interior (Zone 1)	8.12	4.82	4.22	Interior (Zone 1)	194.88	115.68	101.28
Edge Zone (Zone 2)	8.12	8.27	4.22	Edge Zone (Zone 2)	194.88	198.48	101.28
Corner Zone (Zone 3)	8.13	8.93	4.22	Corner Zone (Zone 3)	195.12	214.32	101.28

ACCOUNT NO.
5168095
METER NO.
4511957
PREMISE NO.
304221670
CLIENT:
WAYZATA CITY OF
600 Rice St. E Wayzata MN 55391
Ph: 952-404-5313

PROJECT TITLE:
PROPOSED 91kW(DC) / 76.9kW(AC) BALLASTED & FLUSH ROOF MOUNT SOLAR PV SYSTEM
LOCATION: 747 Mill St. E, Wayzata MN 55391

DRAWN BY:
Jessica A.
DATE DRAWN :
05-03-2022
REVISION:
052322-1

Interconnection Application: 04990696

System 1- Array 1 (3x15)

The maximum recommended Rail Span for this sub-array is 24 inches.

Group 1 Rail Length	Group 2 Rail Length	Group 3 Rail Length	Group 4 Rail Length	Group 5 Rail Length	Rail Qty	Row Mid Clamps	Row End Clamps	Row Splices	Attach- ments	Module Bonding	Rail Bonding
630	-	-	-	-	8	28	4	6	54	0	1
630	-	-	-	-	8	28	4	6	54	0	1
630	-	-	-	-	8	28	4	6	54	0	1
Sub-Array Totals:					24	84	12	18	162	0	3

Orientation	Rows	Columns	Array Pitch	Mean Roof Height
Portrait	3	15	26 degrees	18 feet

Engineering Bin	
Type	Number
72-cell	Bin 5

Structural Engineering Report					
Maximum Rail Span			Maximum Rail Cantilever		
Zone 1	Zone 2	Zone 3	Zone 1	Zone 2	Zone 3
50 inches	49 inches	45 inches	17 inches	16 inches	15 inches

Attachment Spacing Adjusted for Override					
Rafter Spacing	Max Attachment Spacing			Max Cantilever	
	Zone 1	Zone 2	Zone 3	Zone 1	Zone 2
24 inches	24 inches	24 inches	24 inches	17 inches	16 inches

Sub-Array Modules	Edge Screen	Array Power
45	0 ft	20.475 kW

Maximum Reaction Forces				Design Reaction Forces			
per inch of Span (lbs)				per Attachment (lbs)			
Zone	Down	Up	Lateral	Zone	Down	Up	Lateral
Interior (Zone 1)	8.12	4.82	4.22	Interior (Zone 1)	194.88	115.68	101.28
Edge Zone (Zone 2)	8.12	8.27	4.22	Edge Zone (Zone 2)	194.88	198.48	101.28
Corner Zone (Zone 3)	8.13	8.93	4.22	Corner Zone (Zone 3)	195.12	214.32	101.28

System 1- Array 1 (3x14)

Group 1 Rail Length	Group 2 Rail Length	Group 3 Rail Length	Group 4 Rail Length	Group 5 Rail Length	Rail Qty	Row Mid Clamps	Row End Clamps	Row Splices	Attach- ments	Module Bonding	Rail Bonding
587.95	-	-	-	-	7	26	4	6	50	0	1
587.95	-	-	-	-	7	26	4	6	50	0	1
587.95	-	-	-	-	7	26	4	6	50	0	1
Sub-Array Totals:					21	78	12	18	150	0	3

Orientation	Rows	Columns	Array Pitch	Mean Roof Height
Portrait	3	14	26 degrees	18 feet

Engineering Bin	
Type	Number
72-cell	Bin 5

Structural Engineering Report					
Maximum Rail Span			Maximum Rail Cantilever		
Zone 1	Zone 2	Zone 3	Zone 1	Zone 2	Zone 3
50 inches	49 inches	45 inches	17 inches	16 inches	15 inches

Attachment Spacing Adjusted for Override					
Rafter Spacing	Max Attachment Spacing			Max Cantilever	
	Zone 1	Zone 2	Zone 3	Zone 1	Zone 2
24 inches	24 inches	24 inches	24 inches	17 inches	16 inches

Sub-Array Modules	Edge Screen	Array Power
42	0 ft	19.11 kW

Maximum Reaction Forces				Design Reaction Forces			
per inch of Span (lbs)				per Attachment (lbs)			
Zone	Down	Up	Lateral	Zone	Down	Up	Lateral
Interior (Zone 1)	8.12	4.82	4.22	Interior (Zone 1)	194.88	115.68	101.28
Edge Zone (Zone 2)	8.12	8.27	4.22	Edge Zone (Zone 2)	194.88	198.48	101.28
Corner Zone (Zone 3)	8.13	8.93	4.22	Corner Zone (Zone 3)	195.12	214.32	101.28

System 1- Array 3 (3x6)

Group 1 Rail Length	Group 2 Rail Length	Group 3 Rail Length	Group 4 Rail Length	Group 5 Rail Length	Rail Qty	Row Mid Clamps	Row End Clamps	Row Splices	Attach- ments	Module Bonding	Rail Bonding
125.4	-	-	-	-	2	4	4	0	12	0	1
125.4	-	-	-	-	2	4	4	0	12	0	1
125.4	-	-	-	-	2	4	4	0	12	0	1
125.4	-	-	-	-	2	4	4	0	12	0	1
125.4	-	-	-	-	2	4	4	0	12	0	1
125.4	-	-	-	-	2	4	4	0	12	0	1
Sub-Array Totals:					12	24	24	0	72	0	6

Orientation	Rows	Columns	Array Pitch	Mean Roof Height
Portrait	6	3	26 degrees	18 feet

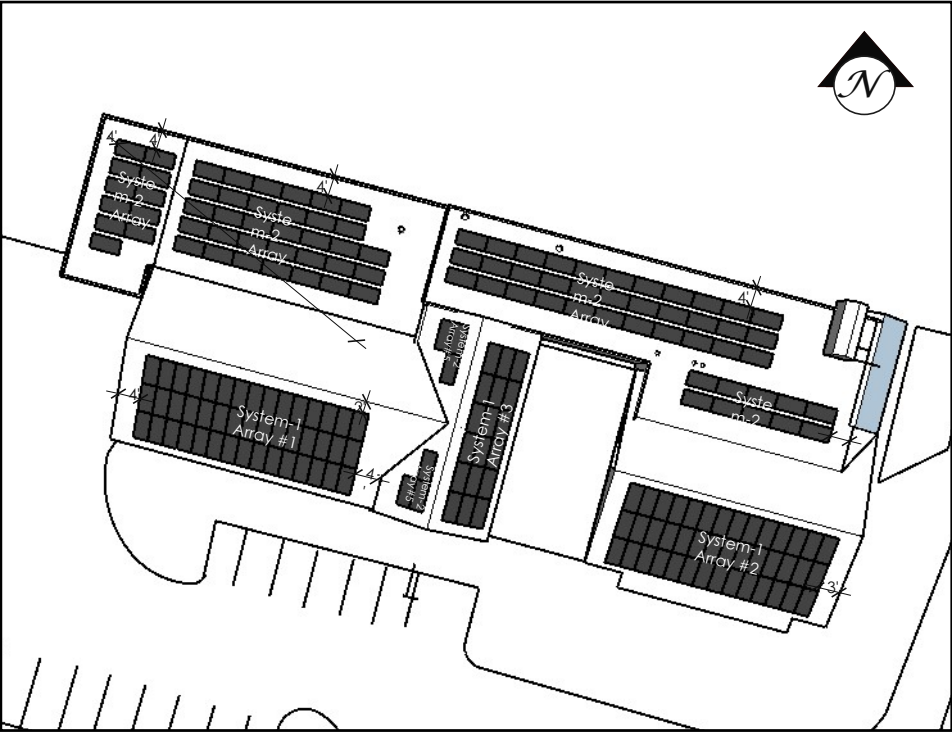
Engineering Bin	
Type	Number
72-cell	Bin 5

Structural Engineering Report					
Maximum Rail Span			Maximum Rail Cantilever		
Zone 1	Zone 2	Zone 3	Zone 1	Zone 2	Zone 3
50 inches	49 inches	45 inches	17 inches	16 inches	15 inches

Attachment Spacing Adjusted for Override					
Rafter Spacing	Max Attachment Spacing			Max Cantilever	
	Zone 1	Zone 2	Zone 3	Zone 1	Zone 2
24 inches	24 inches	24 inches	24 inches	17 inches	16 inches

Sub-Array Modules	Edge Screen	Array Power
18	0 ft	8.19 kW

Maximum Reaction Forces				Design Reaction Forces			
per inch of Span (lbs)				per Attachment (lbs)			
Zone	Down	Up	Lateral	Zone	Down	Up	Lateral
Interior (Zone 1)	8.12	4.82	4.22	Interior (Zone 1)	194.88	115.68	101.28
Edge Zone (Zone 2)	8.12	8.27	4.22	Edge Zone (Zone 2)	194.88	198.48	101.28
Corner Zone (Zone 3)	8.13	8.93	4.22	Corner Zone (Zone 3)	195.12	214.32	101.28



MODULE LAYOUT PLAN

Interconnection Application: 04990696

ACCOUNT NO.
5168095
METER NO.
4511957
PREMISE NO.
304221670

CLIENT:
WAYZATA CITY OF
600 Rice St. E Wayzata MN 55391
Ph: 952-404-5313

PROJECT TITLE:
**PROPOSED 91kW(DC) / 76.9kW(AC) BALLASTED
& FLUSH ROOF MOUNT SOLAR PV SYSTEM**
LOCATION: 747 Mill St. E, Wayzata MN 55391

DRAWN BY:
Jessica A.
DATE DRAWN :
05-03-2022
REVISION:
052322-1

SHEET #
PV-6
SCALE: NTS

STRUCTURAL NOTES

These notes are provided for typical conditions. See plans and details for specific requirements in other areas.

EXISTING CONDITIONS

Verify all dimensions, elevations, and detail of existing structure where they affect this construction.
Notify engineer if there are any deviations from the contract documents.

COORDINATION -- ARCHITECTURAL, MECHANICAL AND ELECTRICAL ITEMS

Verify all depressions, dimensions, elevations, openings, equipment supports, and details and coordinate by reference to architectural, mechanical and electrical drawings.

OPENINGS

Structural drawings do not necessarily show all openings. Verify size and location with architectural, mechanical and electrical drawings.
Contact the Structural Engineer prior to making any openings through structural members not shown on the Drawings.

DESIGN CODES AND STANDARDS

International Building Code (2006) - As amended by the 2007 Minnesota State Building Code
American Concrete Institute (ACI) 318-05 - Building Code Requirements for Structural Concrete
American Institute of Steel Construction (AISC) - Steel Construction Manual - Thirteenth Edition
American Welding Society - Structural Welding Code - Steel (2004)
American Forest and Paper Association - National Design Specification for Wood Construction - 2005 Edition

DESIGN STRESSES

Reinforcing Steel (Fy)
60,000 psi (A615, Grade 60)
Concrete (fc - 28 day compressive strength)
4,000 psi unless noted
4,000 psi for interior slab on grade
4,000 psi for footings, caissons and topping
3,000 psi (pre-mixed grout) for masonry cores, lintels, and bond beams
Masonry (28 day compressive strength)
1,500 psi prism strength (fm) unless noted
3,000 psi grout strength
Structural Steel (Fy)
50,000 psi (A992 or A572 Grade 50) for W shapes
36,000 psi (A36) for bars, plates, angles and other shapes
46,000 psi (A500, Grade B) for structural tubing
35,000 psi (A53, Type E or S, Grade B) for pipes
Wood (Base Design Values subject to modification per 2005 NDS)
Spruce-Pine-Fir No. 2 for 2x8 Studs
 Bending: 875 psi
 Compression (parallel to grain): 1150 psi
 Shear: 135 psi
 E: 1,400,000 psi
Laminated Veneer Lumber (LVL)
 Bending: 2,600 psi
 Shear: 285 psi
 Compression (parallel to grain): 2,550 psi
 E: 1,900,000 psi
Parallel Strand Lumber (PSL)
 Bending: 2,900 psi
 Shear: 290 psi
 Compression (parallel to grain): 2,900 psi
 E: 2,000,000 psi
Laminated Strand Lumber (LSL)
 Bending: 2,250 psi
 Shear: 400 psi
 Compression (parallel to grain): 1,950 psi
 E: 1,500,000 psi

LATERAL LOAD RESISTING SYSTEM FOR STRUCTURAL

The following elements comprise the primary lateral load resisting system:
Roof Diaphragm: Plywood Sheathing. Precast plank at loading dock.
Floor Diaphragm: Precast plank at mezzanine.
Collector elements/drag struts: Various members.
Lateral load resisting system: Masonry and wood shear walls.

PRE-FABRICATED STRUCTURAL WOOD

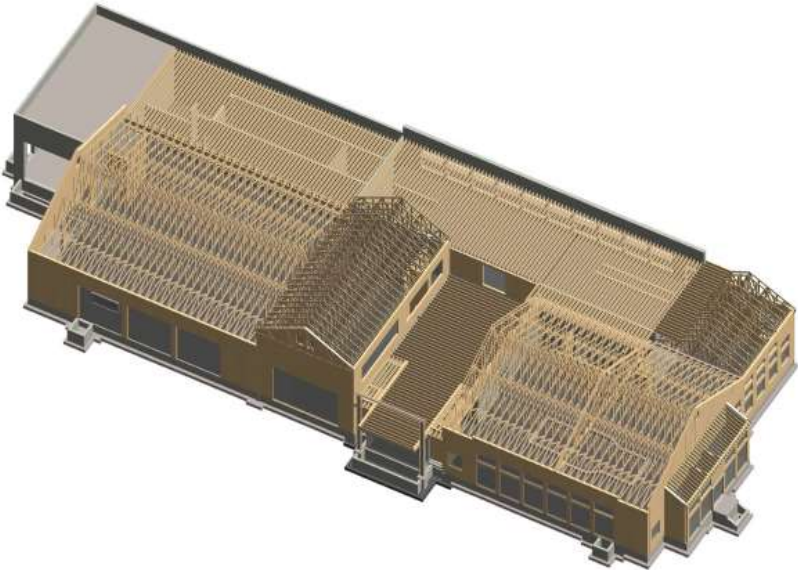
Provide manufacturer's recommended lumber for wood roof trusses.
Design roof trusses for the following loads:
 Wind Loads - See Design Loads Section
 Top chord dead load of 10 psf
 Top chord snow load of 35 psf
 Bottom chord dead load of 15 psf.
Provide roof truss bridging as required by manufacturer. See details for permanent truss bracing. Provide necessary temporary bracing to maintain truss stability during erection.
Provide design of metal plate connected wood trusses, plywood web joists, open web wood joists, and connections prepared by an Engineer licensed in the State of Minnesota. Indicate design loadings on shop drawings.
Submit complete shop drawings to Architect/Engineer for review, showing the erection plan, bearing conditions, and anchorage details.

DIMENSION LUMBER

All member sizes given on drawings are nominal dimensions.
Provide joist bridging at 8'-0" maximum oc.
Provide 3" minimum bearing each end for wood lintels and headers.
Double all joists under parallel partitions.
Frame all beams and joists not bearing on supporting members with joist hangers. Joist hangers shown are Simpson Strong-Tie Products. Alternative products shall have equal or greater capacity. Submit manufacturer's information with shop drawings.
Bear wood joists the full width of supporting members (stud walls, beams, etc.) unless otherwise noted.
Fasten wood beams made of 2 or more 2" x's with 3/8" diameter through bolts at 2'-0" oc or equivalent nails.
Bolt sill plates to foundation wall with 1/2" dia bolts at 4'-0" maximum oc unless noted otherwise. Extend bolts 12" min into grouted masonry. Each sill plate is to have a minimum of 2 bolts with one bolt located within 12" of each end of each piece. Nail in accordance with IBC Table 2304.9.1 unless noted otherwise on details.

GLUED LAMINATED TIMBER

Beam reactions are noted on plan where connections are required.
Provide design of glued laminated beams and beam connections not detailed on structural drawings prepared by an Engineer licensed in the State of Minnesota. Indicate design loadings used on the shop drawings.
Submit complete shop drawings to Architect/Engineer for review, showing erection plan, bearing conditions, and anchorage details.



ACCOUNT NO.

5168095
METER NO.
4511957

PREMISE NO.
304221670

CLIENT:
WAYZATA CITY OF
600 Rice St. E Wayzata MN 55391
Ph: 952-404-5313

PROJECT TITLE:
PROPOSED 91kW(DC) / 76.9kW(AC) BALLASTED
& FLUSH ROOF MOUNT SOLAR PV SYSTEM

LOCATION: 747 Mill St. E, Wayzata MN 55391

DRAWN BY:
Jessica A.

DATE DRAWN :
05-03-2022

REVISION:
052322-1

SHEET #
PV-7
SCALE: NTS

Interconnection Application: 04990696

ACCOUNT NO.
5168095
METER NO.
4511957
PREMISE NO.
304221670

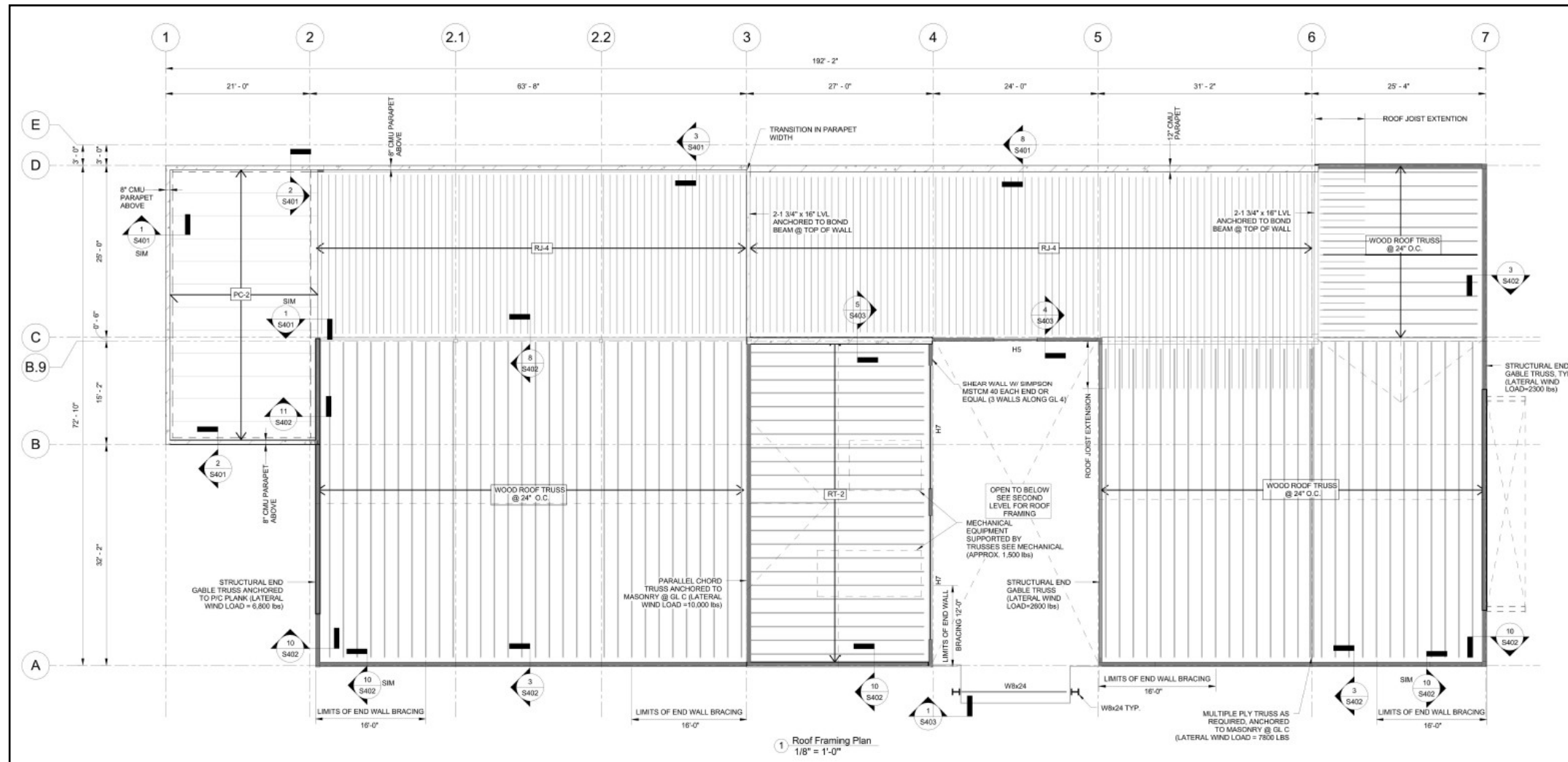
CLIENT:
WAYZATA CITY OF
600 Rice St. E Wayzata MN 55391
Ph: 952-404-5313

PROJECT TITLE:
**PROPOSED 91kW(DC) / 76.9kW(AC) BALLASTED
& FLUSH ROOF MOUNT SOLAR PV SYSTEM**
LOCATION: 747 Mill St. E, Wayzata MN 55391

DRAWN BY:
Jessica A.
DATE DRAWN :
05-03-2022
REVISION:
052322-1

SHEET #
PV-8
SCALE: NTS

Interconnection Application: 04990696



ROOF AND FLOOR TRUSS BRACING NOTES

- ALL BRACING SHOWN OR DESCRIBED SHALL BE A MINIMUM 2x4 WITH 2-16d IN EVERY TRUSS IT CROSSES.
- ALL TRUSS TOP CHORDS SHALL BE CONTINUOUSLY BRACED BY THE ROOF OR FLOOR DECKING.
- ALL TRUSS TOP CHORDS SHALL BE BRACED @ 4'-0" O.C. UNLESS CALCULATIONS SHOW OTHERWISE.
- ALL ROOF TRUSS HORIZONTAL BRACING SHALL BE STIFFEND @ 20'-0" O.C. WITH EITHER:
A. DIAGONAL BRACING EXTEND TO A SHEAR WALL PARALLEL TO THE ORIGINAL BRACING.
B. 1/2" APA RATED SHEATHING EXTENDED TO ROOF DECK OR SHEAR WALL.
- ALL TRUSS BOTTOM CHORDS SHALL BE BRACED @ 6'-0" O.C. UNLESS CALCULATIONS SHOW OTHERWISE. CONTINUOUS SHEATHING APPLIED TO BOTTOM CHORD WILL SATISFY THIS REQUIREMENT.

ROOF TRUSS DESIGN NOTES

ROOF TRUSS DESIGNER TO VERIFY MINIMUM DESIGN LOADS. SEE SHEET S001 FOR GENERAL REQUIREMENTS.

DESIGN UPLIFT ON ROOF TRUSSES AS INDICATED IN THE DESIGN DATA. PROVIDE A TIE DOWN CLIP AT EACH TRUSS, AT EVERY POINT OF BEARING.

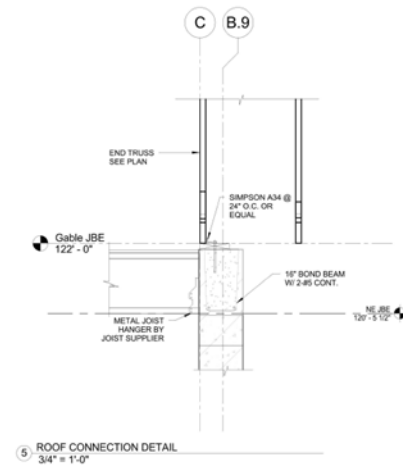
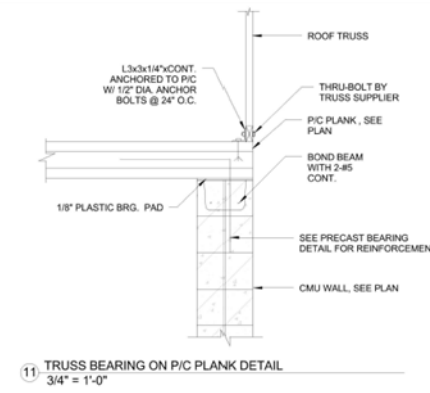
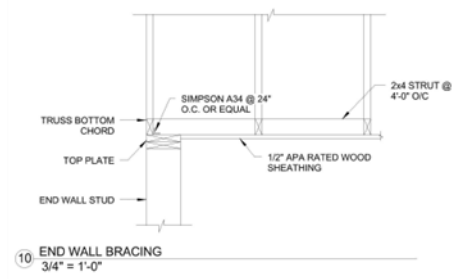
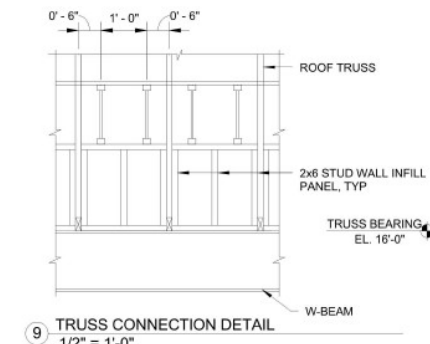
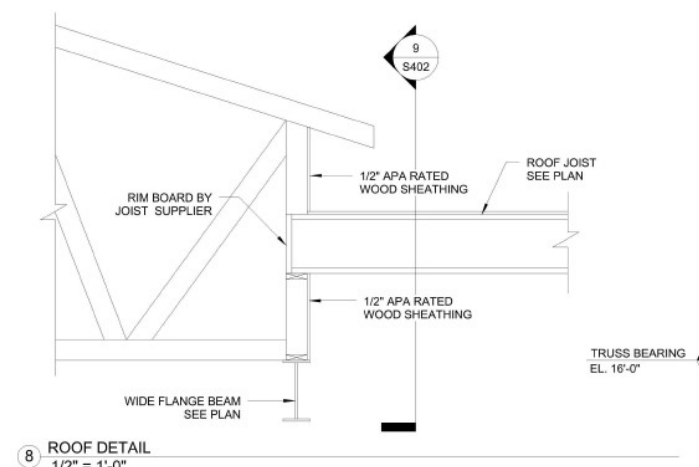
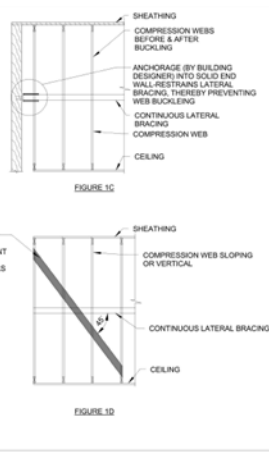
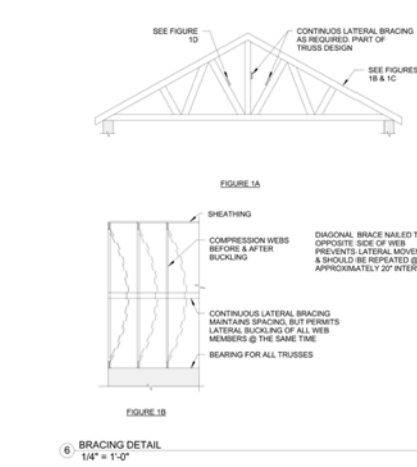
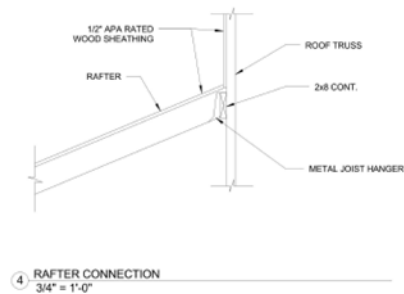
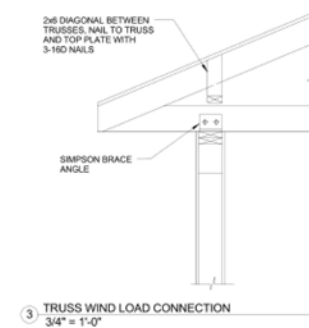
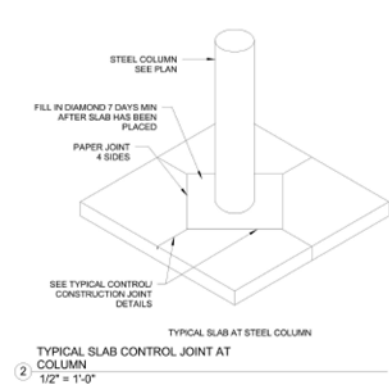
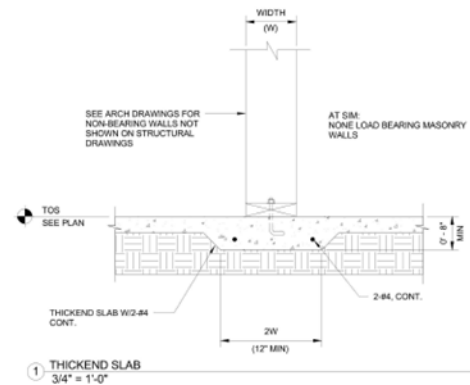
DEFLECTION LIMITS:
LIVE LOAD L/360
TOTAL LOAD L/240

PRECAST SCHEDULE				
MARK	PLANK DEPTH	NON-STRUCTURAL TOPPING W/8x6 W/ 1.4xW/1.4 WWF	LOAD INFORMATION	
			DL (PSF)	LL (PSF)
PC-1	8"	2" NOMINAL	SELF WT. + TOPPING + 20 PSF.	125
PC-2	6"	NONE	SELF WT. + 20 PSF.	SNOW

ADDITIONAL NOTES:
SEE GENERAL STRUCTURAL NOTES FOR REQUIREMENTS.
→ INDICATES SPAN DIRECTION
1. PROVIDE WELD PLATES AT ALL STEEL BEAM SUPPORTS. MIN 4" WIDE x 1/2" PLATE PER PANEL.

ROOF JOIST SCHEDULE							
MARK	NOM. DEPTH	SPACING	LL PSF	DL PSF	H-DRIFT	W-DRIFT	NOTES
RJ-1	16"	12" O.C.	39	20	3.6	15'	③
RJ-2	16"	12" O.C.	39	20	2.6	11'	
RJ-3	16"	12" O.C.	39	20	3.6	N/A	
RJ-4	16"	16" O.C.	39	20	2.8	12'	

NOTES:
1. ROOF JOIST SCHEDULE DENOTES JOIST SPACING, DEPTH, BEARING CONDITIONS AND LOADING. INDIVIDUAL JOIST LENGTH TO BE VERIFIED BY JOIST MANUFACTURER.
2. SEE PLAN FOR VARIATIONS IN JOIST BEARING CONDITIONS.
③ DRIFT LOAD TO BE APPLIED SYMMETRICALLY ON EACH END OF JOIST.
4. SEE SHEET S001 FOR WIND LOADING REQUIREMENTS.



Interconnection Application: 04990696

Solar Installer
Blue Horizon Energy
 121 Cheshire Lane, Ste 500, Minnetonka, MN 55305
 PH: 952.944.590
 info@bluehorizonenergy.com

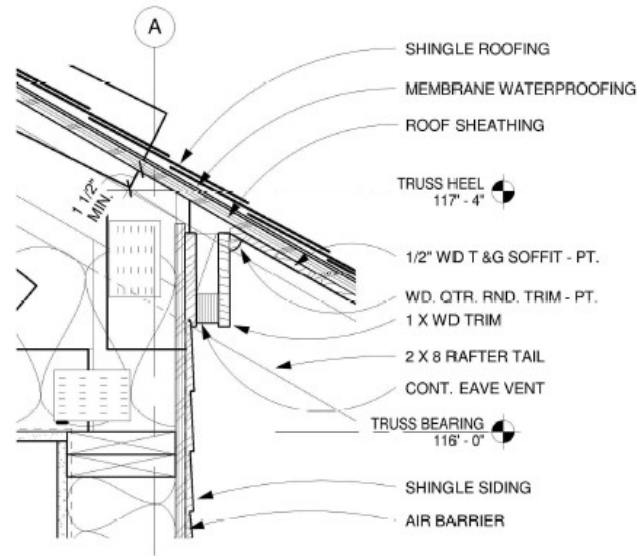
ACCOUNT NO.
 5168095
 METER NO.
 4511957
 PREMISE NO.
 304221670

CLIENT:
WAYZATA CITY OF
 600 Rice St. E Wayzata MN 55391
 Ph: 952-404-5313

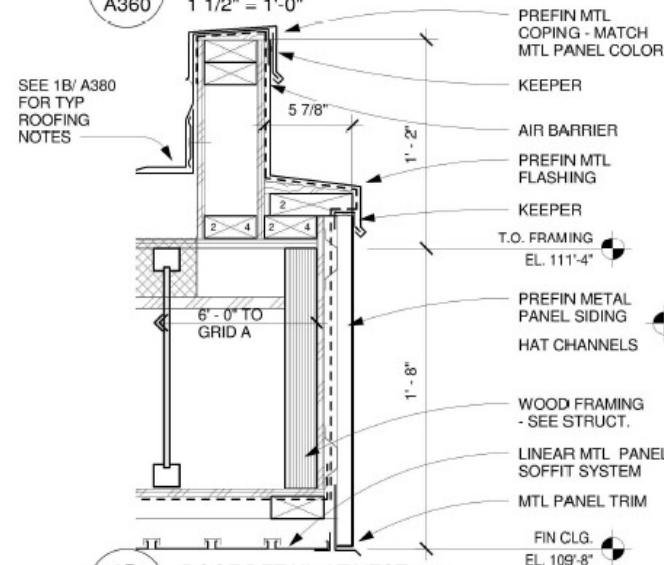
PROJECT TITLE:
PROPOSED 91kW(DC) / 76.9kW(AC) BALLASTED & FLUSH ROOF MOUNT SOLAR PV SYSTEM
 LOCATION: 747 Mill St. E, Wayzata MN 55391

DRAWN BY:
 Jessica A.
 DATE DRAWN :
 05-03-2022
 REVISION:
 052322-1

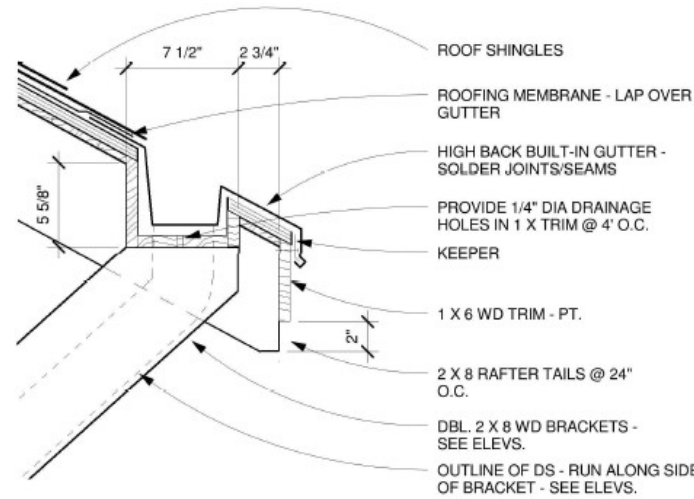
SHEET #
PV-9
 SCALE: NTS



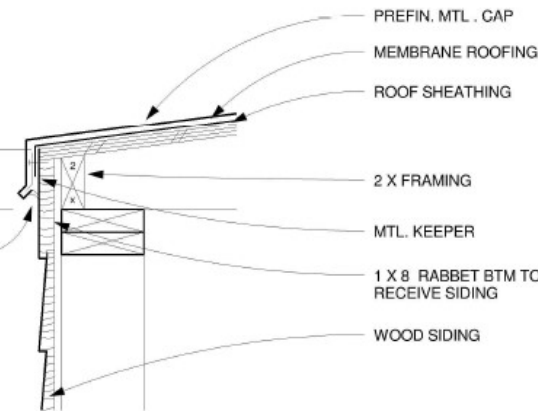
3A
 A360
 ROOF DETAIL AT CANOPY
 1 1/2" = 1'-0"



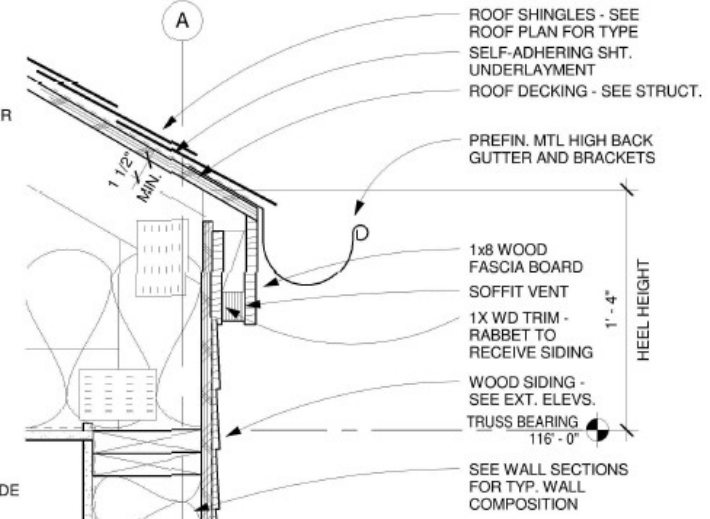
3B
 A360
 ROOF DETAIL AT VEST 100
 1 1/2" = 1'-0"



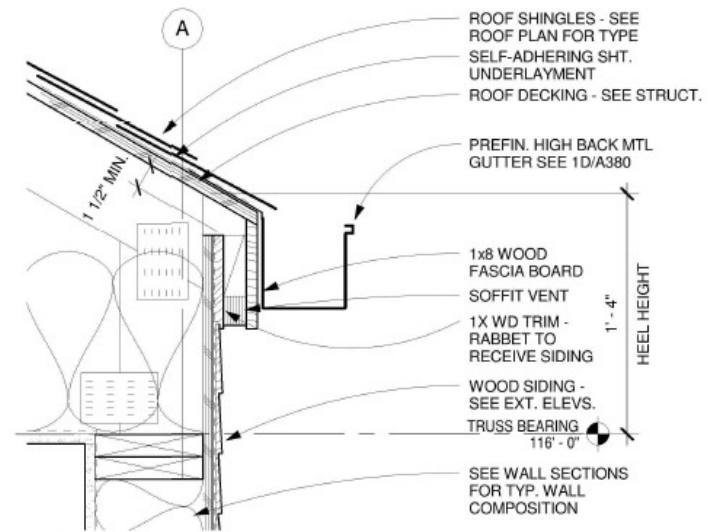
2A
 A360
 ROOF DETAIL AT CANOPY EDGE - BAR / RESTAURANT
 1 1/2" = 1'-0"



2B
 A360
 ROOF DETAIL AT STACK PARAPET
 1 1/2" = 1'-0"



1A
 A360
 ROOF DETAIL AT SLOPED - BAR / RESTAURANT
 1 1/2" = 1'-0"



1B
 A360
 ROOF DETAIL AT SLOPED ROOF - LIQUOR RETAIL
 1 1/2" = 1'-0"

Interconnection Application: 04990696

ACCOUNT NO.
 5168095
 METER NO.
 4511957
 PREMISE NO.
 304221670

CLIENT:
 WAYZATA CITY OF
 600 Rice St. E Wayzata MN 55391
 Ph: 952-404-5313

PROJECT TITLE:
PROPOSED 91kW(DC) / 76.9kW(AC) BALLASTED & FLUSH ROOF MOUNT SOLAR PV SYSTEM
 LOCATION: 747 Mill St. E, Wayzata MN 55391

DRAWN BY:
 Jessica A.
 DATE DRAWN :
 05-03-2022
 REVISION:
 052322-1

SHEET #
PV-10
 SCALE: NTS

ACCOUNT NO.
5168095
METER NO.
4511957
PREMISE NO.
304221670

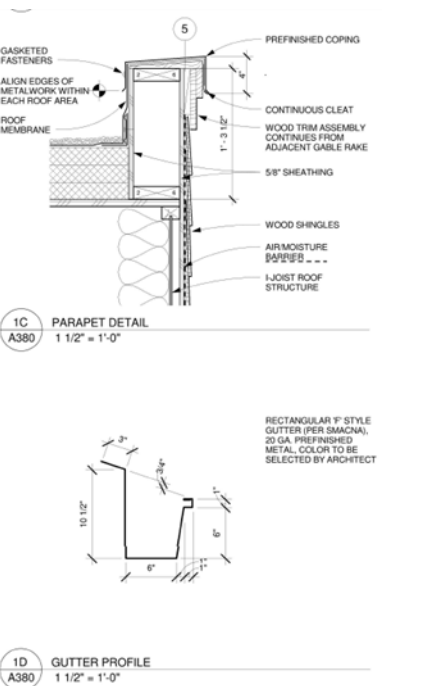
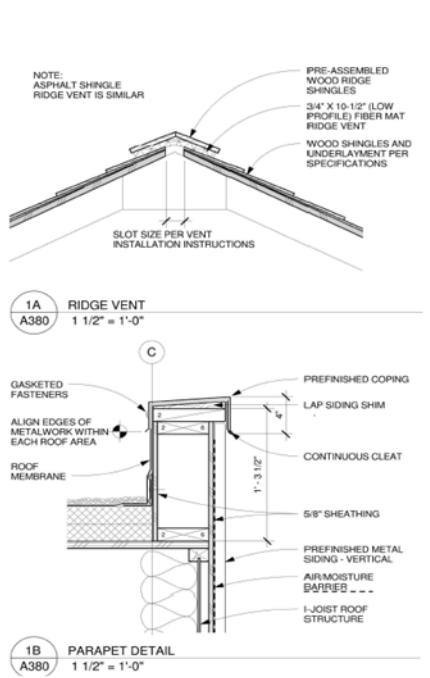
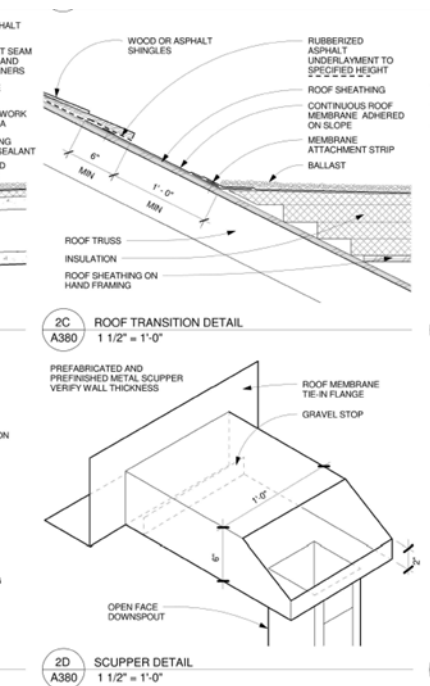
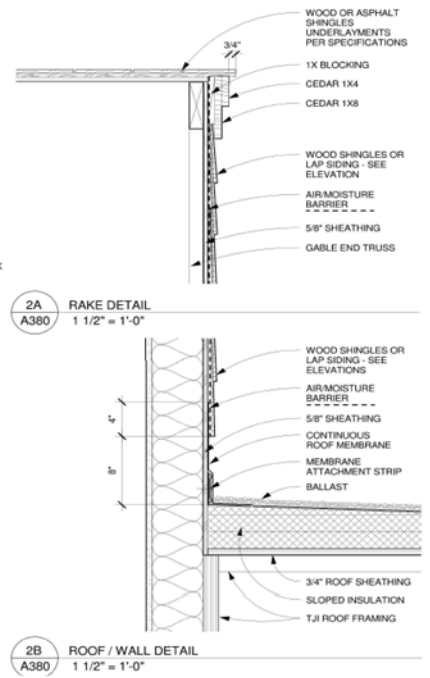
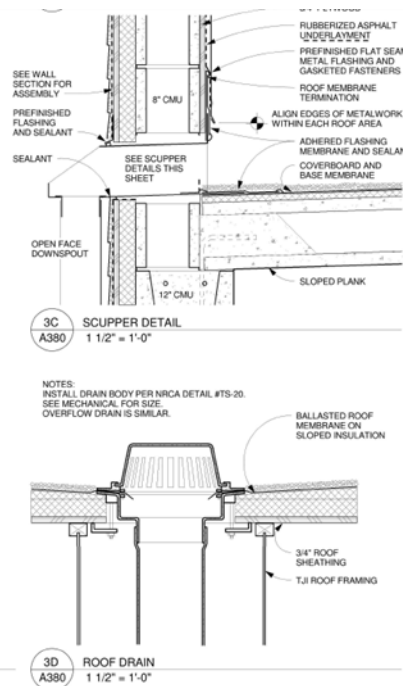
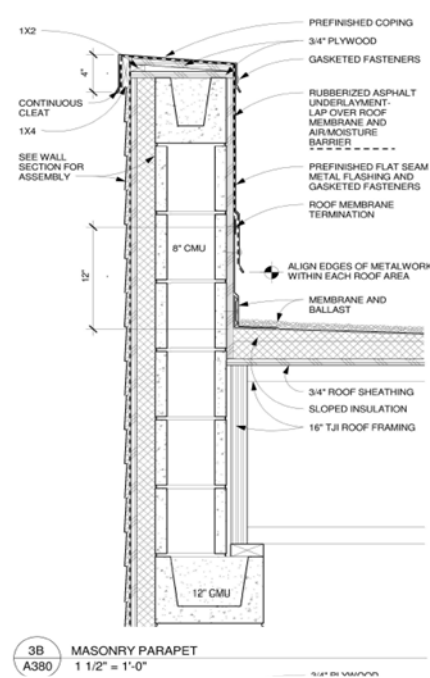
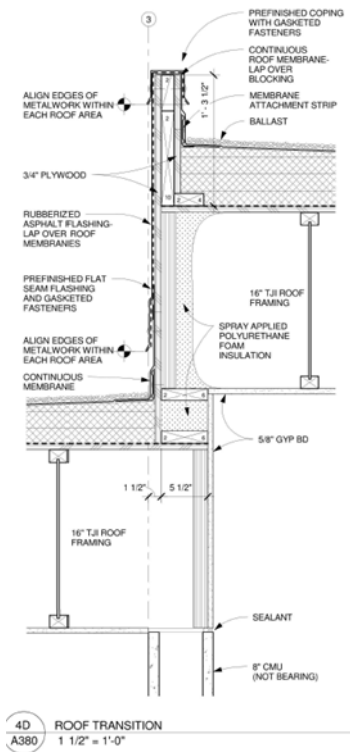
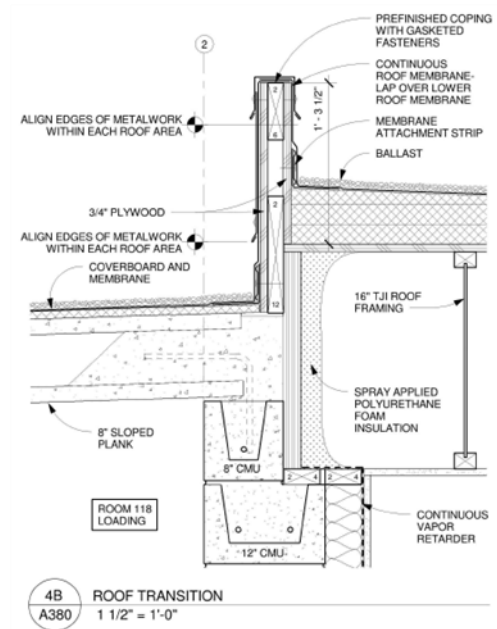
CLIENT:
WAYZATA CITY OF
600 Rice St. E Wayzata MN 55391
Ph: 952-404-5313

PROJECT TITLE:
**PROPOSED 91kW(DC) / 76.9kW(AC) BALLASTED
& FLUSH ROOF MOUNT SOLAR PV SYSTEM**
LOCATION: 747 Mill St. E, Wayzata MN 55391

DRAWN BY:
Jessica A.
DATE DRAWN :
05-03-2022
REVISION:
052322-1

SHEET #
PV-11
SCALE: NTS

Interconnection Application: 04990696



/ Power Optimizer
For North America

P320 / P340 / P370 / P400 / P401 / P405 / P485 / P505

Optimizer model (typical module compatibility)	P320 (for 60-cell modules)	P340 (for high- power 60-cell modules)	P370 (for higher- power 60 and 72- cell modules)	P400 (for 72 & 96-cell modules)	P401 (for high- power 60 cell modules)	P405 (for high- voltage modules)	P485 (for high- voltage modules)	P505 (for higher current modules)
INPUT								
Rated Input DC Power ⁽¹⁾	220	340	370	400	405	485		505
Absolute Maximum Input Voltage (No. at rated temperature)	48	48	50	50	50	50 ⁽²⁾	50 ⁽²⁾	50 ⁽²⁾
MPP Operating Range	8 ~ 48	8 ~ 60	8 ~ 60	8 ~ 60	8 ~ 60	12.5 ~ 55	12.5 ~ 60	12.5 ~ 60
Maximum Short-Circuit Current	10	10	10	10	10	11	11	11
Maximum DC Input Current	18.75	18.75	18.75	18.75	18.75	18.75	18.75	18.75
Maximum Efficiency						99.5		99.5
Weighted Efficiency						99.8		99.8
Overvoltage Category						II		II
OUTPUT DURING OPERATION (POWER OPTIMIZER CONNECTED TO OPERATING SOLAREEDGE INVERTER)								
Maximum Output Current						15		15
Maximum Output Voltage						60		60
OUTPUT DURING STANDBY (POWER OPTIMIZER DISCONNECTED FROM SOLAREEDGE INVERTER OR SOLAREEDGE INVERTER OFF)								
Standy Output Voltage per Power Optimizer						1 ~ 0.1		1 ~ 0.1
STANDARD COMPLIANCE								
TLC						IEC Part11 Class B, IEC61010-1, IEC61010-2-1		
Safety						UL1741, UL1741 SA, UL1699B, CSA C22.2, Canadian AFI1 according to T.I.L. M-07		
Material						UL94 V-0, UV Resistant		
RoHS						Yes		Yes
INSTALLATION SPECIFICATIONS								
Maximum Ambient System Voltage						1000		1000
Compatible Inverters						All SolareEdge Single Phase and Three Phase inverters		
Dimensions (H x W x L)						129 x 104 x 27.5 / 5.1 x 4.1 x 1.1	129 x 104 x 27.5 / 5.1 x 4.1 x 1.1	129 x 104 x 27.5 / 5.1 x 4.1 x 1.1
Weight (including cables)						600 g / 1.4	600 g / 1.4	600 g / 1.4
Input Connector						MC4 ⁽³⁾		MC4 ⁽³⁾
Input Wire Length						0.75 / 2.5		0.75 / 2.5
Output Wire Type / Connector						Double Insulated / MC4		Double Insulated / MC4
Output Wire Length						0.9 / 2.95		0.9 / 2.95
Operating Temperature Range ⁽⁴⁾						-40 ~ +85 / -40 ~ +193		-40 ~ +85 / -40 ~ +193
Protection Rating						IP68 / NEMA4P		IP68 / NEMA4P
Relative Humidity						0 ~ 100		0 ~ 100

PV System Design Using a SolareEdge Inverter ⁽¹⁾				
	Single Phase HD-Wave	Single phase	Three Phase for 208V grid	Three Phase for 277/480V grid
Minimum String Length (Power Optimizer)	P320, P340, P370, P400, P401	8	31	36
Maximum String Length (Power Optimizer)	P400, P401, P405	5	3	14
Maximum Power per String	5300 (2000 with SE7002-40V ~ SE7400-1)	5370	6000 ⁽²⁾	12750 ⁽²⁾
Parallel Strings of Different Lengths, or Orientations			Yes	

(1) For detailed string design information refer to <https://www.solareedge.com/sites/default/files/for-three-phase-us-inverter-277-480V-string-design-guide.pdf>
(2) It is not allowed to mix HD-WAVE and P320/P340/P370/P400/P401 in one string.
(3) It is not allowed to mix HD-WAVE and P400/P401 in one string.
(4) For 208V grid, it is allowed to install up to 1500W per string when the maximum power difference between each string is 1500W.
(5) For 277/480V grid, it is allowed to install up to 1500W per string when the maximum power difference between each string is 1500W.



SOLAREEDGE Optimizer OP505,
208V,3PH

/ Three Phase Inverters for the 120/208V Grid⁽¹⁾
For North America
SE14.4KUS / SE17.3KUS

MODEL NUMBER APPLICABLE TO INVERTERS WITH PART NUMBER	SE14.4KUS	SE17.3KUS	UNITS
OUTPUT			
Rated AC Power Output	14400	17300	W
Maximum apparent AC output power	14400	17300	VA
AC Output Line Connections	3W + PE, 4W + PE		
AC Output Voltage Minimum-Nominal-Maximum ⁽²⁾ (L-N)	105-120-132.5		Vac
AC Output Voltage Minimum-Nominal-Maximum ⁽²⁾ (L-L)	183-208-229		Vac
AC Frequency Min-Nom-Max ⁽³⁾	59.3 - 60 - 60.5		Hz
Continuous Output Current (per Phase)	40	48.25	Aac
GFDI Threshold		1	A
Utility Monitoring, Islanding Protection, Country Configurable Set Points	Yes		
THD		≤ 3	%
Power Factor Range		+/- 0.85 to 1	
INPUT			
Maximum DC Power (Module STC)	21600	26000	W
Transformer-less, Ungrounded	Yes		
Maximum Input Voltage DC to DC ⁽⁴⁾	600		Vdc
Operating Voltage Range	370 - 600		Vdc
Maximum Input Current	40	48.25	Aac
Maximum Input Short Circuit Current	55		Aac
Reverse-Polarity Protection	Yes		
Ground Fault Isolation Detection	167kΩ Sensitivity ⁽⁵⁾		
CEC Weighted Efficiency	97.5		%
Night-time Power Consumption	< 4		W
ADDITIONAL FEATURES			
Supported Communication Interfaces	2 x RS485, Ethernet, Cellular (optional)		
Inverter Commissioning	With the SetApp mobile application using built-in Wi-Fi access point for local connection		
Rapid Shutdown	NEC2014, NEC2017 and NEC2020 compliant/certified		
RS485 Surge Protection Plug-in	Supplied with the inverter, Built-in		
AC DC Surge Protection	Type II, field replaceable, Built-in		
DC Fuses (Single Pole)	25A, Built-in		
Smart Energy Management	Export Limitation		
DC SAFETY SWITCH			
DC Disconnect	Integrated		
STANDARD COMPLIANCE			
Safety	UL1741, UL1741 SA, UL1699B, CSA C22.2, Canadian AFI1 according to T.I.L. M-07		
Grid Connection Standards	IEEE1547, Rule 21, Rule 14 (H)		
Emissions	FCC part15 class A		
INSTALLATION SPECIFICATIONS			
AC output conduit size / AWG range	1/2" or 1" / 6 - 10 AWG		
DC input conduit size / AWG range	1/2" or 1" / 6 - 12 AWG		
Number of DC inputs pairs	4		
Dimensions with Safety Switch (H x W x D)	31.8 x 12.5 x 11.8 / 808 x 317 x 300		In / mm ft / kg
Weight with Safety Switch	38.2 / 35.5		
Cooling	Fans (user replaceable)		
Noise	< 62		dBA
Operating Temperature Range	-40 to +140 / -40 to +60 ⁽⁶⁾		°F / °C
Protection Rating	NEMA 3R		
Mounting	Bracket provided		

(1) For 277/480V inverters refer to: <https://www.solareedge.com/sites/default/files/for-three-phase-us-inverter-277-480V-string-design-guide.pdf>
(2) For other regional settings please contact SolareEdge support
(3) Where permitted by local regulations
(4) For power de-rating information refer to: <https://www.solareedge.com/sites/default/files/for-temperature-de-rating-note-na.pdf>

© SolareEdge Technologies, Inc. All rights reserved. SOLAREEDGE, the SolareEdge logo, OPTIMIZER by SOLAREEDGE are trademarks or registered trademarks of SolareEdge Technologies, Inc. All other trademarks mentioned herein are trademarks of their respective owners. Date: 06/2021 05-000009-2.0-NA. Subject to change without notice.



SOLAREEDGE 17.3KW, 208V,3PH

最も信頼出来る再エネパートナー
Electrical Characteristics at Standard Test Conditions (STC)

Module Type	VSUN455-144BMH	VSUN450-144BMH	VSUN445-144BMH	VSUN440-144BMH
Maximum Power - Pmax (W)	455	450	445	440
Open Circuit Voltage - Voc (V)	49.6	49.4	49.2	49
Short Circuit Current - Isc (A)	11.6	11.52	11.44	11.36
Maximum Power Voltage - Vmpg (V)	41.4	41.2	41	40.8
Maximum Power Current - Impg (A)	11	10.93	10.86	10.79
Module Efficiency	20.60%	20.37%	20.14%	19.92%

Standard Test Conditions (STC): Irradiance 1000 W/m², AM 1.5, module temperature 25°C, Pmax Sorting: 0-SW, Measuring Tolerance: ±3%
Remark: Electrical data do not refer to a single module and they are not part of the offer. They only serve for comparison among different module types.

Electrical Characteristics with different rear side power gain (reference to 450 front)

Pmax (W)	Voc (V)	Isc (A)	Vmpg (V)	Impg (A)	Pmax gain
475	49.6	12.10	41.4	11.48	5%
498	49.6	12.67	41.4	12.02	10%
542	49.7	13.82	41.3	13.12	20%
564	49.7	14.46	41.3	13.66	25%

Temperature Characteristics

NOCT	45°C±2°C
Voltage Temperature Coefficient	-0.26%/°C
Current Temperature Coefficient	+0.054%/°C
Power Temperature Coefficient	-0.32%/°C

Maximum Ratings

Maximum System Voltage [V]	1500
Series Fuse Rating [A]	20
Bifaciality	70%/5%

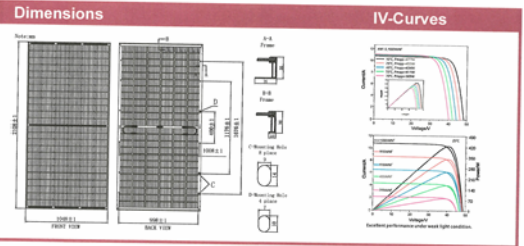
Material Characteristics

Dimensions	2108±10/48±35mm (LxWxH)
Weight	24.4kg
Frame	Silver anodized aluminum profile
Front Glass	White toughened safety glass, 3.2 mm
Cell Encapsulation	EVA (Ethylene-Vinyl-Acetate) or POE
Back Sheet	Transparent mesh backsheet
Cells	12x12 pieces bifacial monocrystalline solar cells series strings
Junction Box	IP68, 3 diodes
Cable&Connector	Potential: 500 mm (cable length can be customized), 1x4 mm ² , compatible with MC4

Packaging

Dimensions (LxWxH)	2140±125x1181mm
Container 2P	155
Container 4P	341
Container 4P1HC	682
Temperature Range	-40 °C to + 85 °C
Withstanding Nail	Maximum diameter of 25 mm with impact speed of 23 m/s
Maximum Surface Load	5400 Pa
Application class	class A

System Design



VSUN 455W SOLAR MODULE

TECHNICAL DATA SHEET

Interconnection Application: 04990696

Solar Installer
Blue Horizon Energy
121 Cheshire Lane, Ste 500, Minnetonka, MN 55305
PH.952.944.590
info@bluehorizonenergy.com

ACCOUNT NO.

5168095
METER NO.
4511957

PREMISE NO.
304221670

CLIENT:
WAYZATA CITY OF
600 Rice St. E Wayzata MN 55391
Ph: 952-404-5313

PROJECT TITLE:
**PROPOSED 91kW(DC) / 76.9kW(AC) BALLASTED
& FLUSH ROOF MOUNT SOLAR PV SYSTEM**
LOCATION: 747 Mill St. E, Wayzata MN 55391

DRAWN BY:
Jessica A.

DATE DRAWN :
05-03-2022

REVISION:
052322-1

SHEET #
PV-12
SCALE: NTS



City of Wayzata Planning Commission Agenda Report

MEETING DATE: April 17, 2023	AGENDA ITEM: 6.a
TITLE: Review of Development Activities	
PREPARED BY: Valerie Quarles, Assistant Planner	
REVIEWED BY: Emily Goellner, Community Development Director	
60 DAY DEADLINE: N/A	

BACKGROUND:

A verbal update will be provided at the meeting.

ACTION REQUESTED:

N/A

ATTACHMENTS:

None



City of Wayzata Planning Commission Agenda Report

MEETING DATE: April 17, 2023	AGENDA ITEM: 6.b
TITLE: Planning Commission Meeting Schedule	
PREPARED BY: Valerie Quarles, Assistant Planner	
REVIEWED BY: Emily Goellner, Community Development Director	
60 DAY DEADLINE: N/A	

BACKGROUND:

The next Planning Commission meeting is on Monday, May 1, 2023. The 2023 City Meeting Calendar and Liaison Schedule are attached.

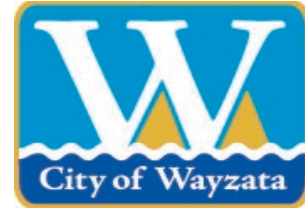
ACTION REQUESTED:

N/A

ATTACHMENTS:

1. 2023 Wayzata City Calendar
2. 2023 Planning Commission Liaison Schedule

City of Wayzata 2023 Meeting Calendar



January 2023						
S	M	T	W	Th	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

February 2023						
S	M	T	W	Th	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28				

March 2023						
S	M	T	W	Th	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

April 2023						
S	M	T	W	Th	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30						

May 2023						
S	M	T	W	Th	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

June 2023						
S	M	T	W	Th	F	S
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	

July 2023						
S	M	T	W	Th	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

August 2023						
S	M	T	W	Th	F	S
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

September 2023						
S	M	T	W	Th	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30

October 2023						
S	M	T	W	Th	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

November 2023						
S	M	T	W	Th	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30		

December 2023						
S	M	T	W	Th	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

- Energy & Environment 5:00 PM
- Planning Commission - 6:30 PM
- City Council - 7:00 PM
- Wayzata School Board
- Lake Minnetonka Conservation District (LMCD)
- Heritage Preservation Board (HPB) - 5:00 PM
- Housing & Redevelopment Authority (HRA) - 7:30 AM
- Parks & Trails Board - 6:00 PM
- Charter Commission - 9:00 AM
- Elections (see below)
- Night to Unite

Meeting dates and times are subject to change. Dates can be confirmed by calling City Hall.

Holiday Observed
City Offices Closed

Revised
9/21/2022

2023 Planning Commission Assignments at Council Meetings

	<u>Meeting Date</u>	<u>Commission Representative</u>
Tuesday	January 10	Peggy Douglas
Tuesday	January 24	Adam Elg
Tuesday	February 7	Laura Merriam
Tuesday	February 21	Bonnie Schwalbe
Tuesday	March 7	Jennifer Severson
Tuesday	March 21	Ken Sorensen
Tuesday	April 4	Larissa Stockton
Tuesday	April 18	Peggy Douglas
Tuesday	May 2	Adam Elg
Tuesday	May 16	Laura Merriam
Tuesday	June 6	Bonnie Schwalbe
Tuesday	June 20	Jennifer Severson
N/A	No meeting July 4th week	
Tuesday	July 18	Ken Sorensen
Tuesday	August 8	Larissa Stockton
Tuesday	August 22	Peggy Douglas
Tuesday	September 5	Adam Elg
Tuesday	September 19	Laura Merriam
Tuesday	October 13	Bonnie Schwalbe
Tuesday	October 17	Jennifer Severson
Tuesday	November 7	Ken Sorensen
Tuesday	November 21	Larissa Stockton
Tuesday	December 5	Peggy Douglas
Tuesday	December 19	Adam Elg