

ZONING ORDINANCE

**SECTION 3
DISTRICT REGULATIONS**

3.1 USE REGULATIONS

It shall be unlawful to use or permit the use of any building or premises within the City of Chaska for any purpose other than as listed or described below. Uses similar in nature to those listed may be permitted if, in the opinion of the City Council, they will not be detrimental to the integrity of the applicable District.

Uses not listed or described within this Section or within any Planned Development District shall be prohibited. In addition to regulations and standards contained within this Section, all uses and structures shall be subject to special regulations contained within Section 9 of this Ordinance and shall comply with all applicable local, State and Federal laws, rules and regulations.

3.1.1 R-RURAL:

3.1.1.1 Intent

This district is intended for application to land located within the west and northwest portion of Chaska where agriculture is a current logical and proper use, but which in the future may gradually be required for expansion for urban uses as urban facilities and services become available. This district is intended to preserve said land in agricultural usage and in large parcels until capital funds for the extension of urban facilities and services are committed in an adopted capital improvement program. Whereas the predominant use within this district is intended to be agriculture, other quasi-urban uses are also permitted including scattered non-farm residences.

3.1.1.2 Uses Permitted

- a) Commercial agriculture and horticulture, including farm buildings and farm drainage and irrigation systems;
- b) Forestry;
- c) One farm dwelling per farm plus one dwelling for immediate family members;
- d) One non-farm, single family dwelling per each quarter quarter section not already containing a farm or non-farm dwelling, provided:
 - i) The dwelling shall be located entirely within one quarter quarter section (40 acres) on a separately owned parcel which shall be at least one acre in size.
 - ii) The driveway serving the parcel shall be separated from adjacent driveways on the same side of the road by the following distances measured between center lines:
 - aa) local road: 100 feet

DISTRICT REGULATIONS

- bb) collector road or county highway:660 feet
- cc) minimum distance from intersection
of two (2) or more of the above:100 feet

- iii) The dwelling shall be set back at least 75 feet from the road right-of-way and be separated at least 300 feet from the nearest farm building or from another dwelling.

- iv) The dwelling, accessory buildings, driveway and all other structures or improvements accessory to or associated with the dwelling shall be situated in such location as approved by the City so as to not adversely interfere with any further public improvements or services and anticipated development pattern. In order to determine the location of the buildings and improvements, reference shall be made to the Comprehensive Plan, existing public improvements, topography of the land, etc.

- v) A standard on-site sewer system shall be installed in conformance with City Code regulations.

- e) Parks, wildlife refuge or preserves, open space preservation areas, and other recreational facilities of a non-commercial nature;

- f) The keeping of animals on non-farm lots according to the following regulations:
 - i) Dogs, cats and other domestic animals customarily kept as pets are not subject to these regulations.
 - ii) On lots less than 2.5 acres, only dogs, cats and other animals customarily kept as pets are permitted.
 - iii) On lots of 2.5 acres and over, with the exception of farms, the following types of animals shall be permitted at a maximum density of one animal unit per acre:

Animal	Animal Unit	Animals/Acre
Equine (horses, mules, etc.)	1.0	1.0
Cattle	1.0	1.0
Sheep, goats, or similar	0.2	5.0
Large poultry (turkeys, ducks, or similar)	0.04	25.0
Small poultry and animals (chickens, rabbits, or similar)	0.02	50.0

- g) A State licensed residential facility serving six (6) or fewer persons, a State licensed day care facility serving 12 or fewer persons, and a group family day

ZONING ORDINANCE

care facility licensed under Minnesota Rules, parts 9502.0315 to 9502.0445 to serve 14 or fewer children.

3.1.1.3 Uses by Special Permit

- a) Recreation facilities of a commercial or semi-public nature such as golf courses, sportsmen's clubs and camping areas;
- b) Cemeteries, airports, and government owned facilities for the maintenance of roads and highways;
- c) Commercial kennels and veterinarian establishments;
- d) Roadside stands/structures for the sale of farm products;
- e) Mining, excavation and land reclamation;
- f) Public stables where more than one horse per acre is proposed to be kept, exclusive of farms, subject to the following conditions:
 - i) Submittal of site plan showing stable operation, fencing, drainage, buildings, sewage treatment and well systems.
 - ii) A minimum lot size of ten (10) contiguous acres shall be required for public stables.
 - iii) Applicable animal densities may be increased for in-house operations pending submittal of the stables' functional plans showing that the animals' needs will be adequately cared for and including an area for daily exercise. In no event shall in-house confinement areas be less than 100 square feet per horse.
 - iv) All structures, parking lots and storage areas shall be located at least 300 feet from an existing non-farm dwelling in the R District, or from a residential district boundary.
 - v) The applicant shall submit a plan for removal and distribution of manure and other waste materials which meets all requirements of the Minnesota Pollution Control Feedlot Rules. The plan shall provide for the storage of manure and other waste materials at least 300 feet from an existing non-farm dwelling in the R District, or from a residential district boundary, and at least 100 feet from a well.
 - vi) Depending upon the size of the operation, one or more caretaker units may be allowed as part of a public stable operation.
- g) Landscape contracting services;
- h) Ground supported radio and television antennas greater than 40 feet combined height above ground level to a maximum of 65 feet subject to provisions of Subsection 9.15;

DISTRICT REGULATIONS

- i) Bed and Breakfast facilities subject to provisions of Subsection 9.19.

3.1.1.4 Permitted Accessory Uses

- a) Private garages and parking spaces as regulated by Subsection 9.2;
- b) Private recreational facilities such as swimming pool and tennis court;
- c) Customary home occupations as regulated by Subsection 9.14;
- d) Signs allowed without a permit as regulated in Subsection 10.3.1(a);
- e) Screen houses, gazebos;
- f) Roof mounted radio and television antennas less than ten (10) feet above the highest point of the roof line and ground supported towers and antennas less than 40 feet combined height above ground level as regulated by Subsection 9.15;
- g) Ground supported satellite dish antennas provided they are located in rear yard areas. Side yard locations may be permitted only if a usable rear yard is not available. Front yard locations and roof-mounted antennas larger than one meter in diameter are prohibited;
- h) Essential service structures;
- i) The renting of no more than two rooms for lodging purposes in a one family dwelling;
- j) Storage sheds.

3.1.1.5 Density Transfer - Dwellings

- a) Whereas the basic measure of residential density within the Rural District is established by this Ordinance at one single family dwelling per quarter quarter (40 acres), it is intended that reasonable transfer of density allocations from one quarter quarter section to another may be permitted. Two examples of permissible "density transfers" are as follows:
 - i) An 80 acre parcel under one ownership may be developed with two dwellings located within one quarter quarter section (40 acres) provided all other requirements are met.
 - ii) Two physically separated parcels under one ownership may be developed with two dwellings on one parcel and none on the other provided all other requirements are met.
- b) Any transfer of density rights from one quarter quarter section to another shall require approval of the City Council after review and recommendation by the Planning Commission. Additional requirements shall be as follows:
 - i) The subject property shall be in one ownership.

ZONING ORDINANCE

- ii) A recordable document attesting to the density transfer shall be filed with the deed to the parcel or parcels at the Office of Carver County Recorder.

3.1.1.6 Dwelling Application Requirements

- a) Application for building permits for new dwellings within the R-Rural District shall be accompanied by a registered land survey or a survey by a registered land surveyor of the parcel for which the application is requested, showing the proposed location of the dwelling on said parcel, showing driveway easements between the parcel and the public roadway providing access to the parcel, and showing any and all dwellings and other structures within 300 feet of the proposed site;
- b) Any time a recorded parcel existing on the date of this Ordinance is split or divided into two or more parcels, a document in recordable form shall be filed in the Carver County Recorder's office setting forth the availability or non-availability of residential building rights under this Ordinance;
- c) For any parcel meeting the requirements of Subsection 3.1.1.2(d), there is hereby waived any requirement of any Chaska Ordinance, rule or regulation, requiring that a residential parcel have frontage on a public street.

3.1.1A RR1 - RURAL RESIDENTIAL 1:

3.1.1A.1 Intent

This district is intended for application to land located within the west and north central portion of Chaska which in the future may gradually be required for expansion for residential uses as residential facilities and services become available. This district is intended to preserve said land in large parcels until capital funds for the extension of residential facilities and services are committed in an adopted Capital Improvement Program. Whereas the predominant use within this district is intended to be non-commercial agriculture, other quasi-urban uses are also permitted.

3.1.1A.2 Uses Permitted

- a) Commercial agriculture and horticulture, including farm buildings, farm drainage and irrigation systems, subject to the following restrictions:
 - i) Not more than two farm buildings or structures (other than a single family residence permitted pursuant to Subsection 3.1.1A.2(c) hereof or permitted accessory uses pursuant to Subsection 3.1.1A.4 hereof) per separately owned parcel shall be permitted, provided that no building or structure shall have a height more than 30 feet above ground level or shall exceed 1,750 square feet, and further provided, that if two farm buildings or structures are placed on the parcel, one shall be used exclusively for the keeping and maintaining of animals and one shall be used exclusively for the storage of equipment, vehicles and other machinery.

DISTRICT REGULATIONS

- ii) The keeping of domestic animals of the types listed below for non-commercial purposes only, shall be permitted at a maximum density of one animal unit per acre, and at a maximum density per animal type as listed below, provided that fences are constructed so as to prevent the movement of animals across property lines or onto any local road:

Animal Type	Animal Unit	Maximum Number of Animals per Separately Owned Parcel
Equine (horses, mules, etc.)	1.0	5
Cattle	1.0	3
Small poultry and small animals (ducks, chickens, rabbits or similar)	0.1	10

No other animals except dogs, cats, and other animals customarily kept as pets are permitted. Kennels and other commercial keeping of animals shall not be permitted.

- b) Forestry;
- c) One single family residence per each quarter quarter section not already containing a residence, provided:
 - i) The residence shall be located entirely within one quarter quarter section (40 acres) on a separately owned parcel which shall be at least one acre in size.
 - ii) The driveway serving the residence shall be separated from adjacent roads and driveways on the same side of the road by the following distances measured between center lines:
 - aa) local road or private driveway:100 feet
 - bb) collector road or county highway:600 feet
 - cc) minimum distance from intersection of two or more of the above:100 feet
 - iii) The residence shall be set back at least 75 feet from the road right-of-way and be separated at least 300 feet from any structure located on any adjoining separately owned parcel.
 - iv) The residence, driveway and all other structures or improvements accessory to the residence shall be situated in such location as is approved by the City so as to not adversely interfere with any future

ZONING ORDINANCE

public improvements or services and anticipated development pattern. In order to determine the location of the buildings and improvements, reference shall be made to the Comprehensive Plan, existing public improvements, topography of the land, etc.

- v) A standard on-site sewer system shall be installed in conformance with City Code regulations.
- vi) The parcel upon which the residence is to be located shall have a minimum of 200 feet of frontage along an existing public roadway, or shall benefit from an easement for pedestrian and vehicular ingress and egress providing access to and from a public roadway over not less than a 20 foot width.
- d) Parks, wildlife refuge or preserves, and open space preservation areas of a non-commercial nature;
- e) A State licensed residential facility serving six or fewer persons, a State licensed day care facility serving twelve or fewer persons, and a group family day care facility licensed under Minnesota Rules, Parts 9502.0315 to 9502.0445 to serve 14 or fewer children.

3.1.1A.3 Uses by Special Permit

- a) Horticulture, landscape design and limited landscape contracting services provided:
 - i) Such activities shall not generate customer traffic to the premises or within the District except by appointment only.
 - ii) Retail services shall not be conducted on the premises or within the District.
 - iii) Re-wholesale of plant material not grown on the premises shall not be conducted on the premises or within the District.
 - iv) Outdoor stockpiling of accessory materials including, but not limited to, decorative rock, timbers, woodchips, peat, etc., shall not be permitted.
 - v) It is the intent of the District that only a limited number and size of vehicles used for subject contracting shall be permitted and any such vehicle and equipment shall be kept within an enclosed building. Any outdoor storage within this District shall be prohibited.
 - vi) Permanent and all types of temporary greenhouse structures shall not be permitted within the District.
 - vii) Signs advertising the services shall not be permitted within this or any other District within the City of Chaska.

3.1.1A.4 Permitted Accessory Uses

DISTRICT REGULATIONS

- a) Not more than one private detached garage per separately owned parcel not to exceed 1,000 square feet in floor area and 20 feet in height above ground level and other parking standards as required by Subsection 9.2 hereof;
- b) Private recreational facilities such as swimming pool and tennis court;
- c) Customary home occupations as regulated by Subsection 9.14 hereof;
- d) Not more than one screen house or gazebo per separately owned parcel not to exceed 300 square feet in floor area and 20 feet in height above ground level;
- e) Roof mounted radio and television antennas less than ten (10) feet above the highest point of the roof line and ground supported towers and antennas less than 40 feet combined height above ground level as regulated by Subsection 9.15 hereof;
- f) Ground supported satellite dish antennas provided they are located in rear yard areas and screened by natural landscaping from view from the rear and side yard lot lines. Side yard locations may be permitted only if a usable rear yard is not available. Front yard locations and roof-mounted antennas larger than one meter in diameter are prohibited;
- g) Essential service structures;
- h) The renting of no more than two (2) rooms for lodging purposes in a single family dwelling residence;
- i) Signs as regulated in Section 10.

3.1.1A.5 Density Transfer - Dwellings

- a) Whereas the basic measure of residential density within the Rural Residential District is established by this Ordinance at one single family residence per quarter quarter section (40 acres), it is intended that reasonable transfer of density allocations from one quarter quarter section to another may be permitted. Two examples of permissible “density transfers” are as follows:
 - i) An 80 acre parcel under one ownership may be developed with two residences located within one quarter quarter section (40 acres) provided all other requirements are met.
 - ii) Two physically separated parcels under one ownership may be developed with two residences on one parcel and none on the other provided all other requirements are met.
- b) Any transfer of density rights from one quarter quarter section to another shall require approval of the City Council after review and recommendation by the Planning Commission. Additional requirements shall be as follows:

ZONING ORDINANCE

- i) The subject property shall be in one ownership.
- ii) A recordable document attesting to the density transfer shall be filed with the deed to the parcel or parcels at the Office of Carver County Recorder.

3.1.1A.6 Dwelling Application Requirements

- a) Application for building permits for new single family residences within the RR-Rural Residential District shall be accompanied by a registered land survey or a survey by a registered land survey or of the parcel for which the application is requested, showing the proposed location of the residence on said parcel, showing driveway easements between the parcel and the public roadway providing access to the parcel, and showing any and all residences and other structures within 300 feet of the proposed site;
- b) Any time a recorded parcel existing on the date of this Ordinance is split or divided into two or more parcels, a document in recordable form shall be filed in the Carver County Recorder's office setting forth the availability or non-availability of residential building rights under this Ordinance;
- c) For any parcel meeting the requirement of Subsection 3.1.1A.2, there is hereby waived any requirement of any Chaska Ordinance, rule or regulation, requiring that a residential parcel have frontage on a public street.

3.1.1B RR2 - RURAL RESIDENTIAL 2:

3.1.1B.1 Intent

This district is intended for application to land located at the edge of Chaska's corporate limits where a "green belt" separation from adjacent communities is desired. The district is intended to help preserve Chaska's identity as a separate free-standing community as urban expansion of the Twin Cities metropolitan area occurs around Chaska. Toward this end, the district provides for agricultural, horticulture and similar open space uses together with scattered non-farm dwellings at a maximum density of four dwellings per quarter quarter section (4 per 40 acres). Clustering of lots so as to leave large undeveloped areas that may be susceptible to future resubdividing shall be prohibited.

Such low density development is intended to be a permanent land use pattern and is not considered a holding zone for future urban development. This district is not intended to be served with municipal sewer and water facilities.

In addition to serving a "green belt" function and providing opportunities for ex-urban living in a rural/natural setting, this district is also intended to preserve the significant natural resources within Chaska's current and ultimate corporate limits.

3.1.1B.2 Uses Permitted

- a) Commercial agriculture and horticulture, including farm buildings, farm drainage and irrigation systems, which are located on properties twenty (20) acres or greater;

DISTRICT REGULATIONS

- b) Forestry;
- c) Four single family dwellings per each quarter quarter section provided:
 - i) Each dwelling shall be located on a separately owned parcel which shall be at least 5.0 acres in size.
 - ii) Driveways serving dwellings shall be separated from adjacent roads and driveways on the same side of the road by the following distances measured between center lines:
 - aa) local road or private driveway:.....100 feet
 - bb) Class I collector road or County highway:330 feet
 - cc) minimum distance from intersection of two or more of the above:100 feet
 - iii) All principal and accessory structures shall be set back at least:
 - aa) 75 feet from all road right's of way; and
 - bb) 300 feet from any structure located on any adjoining separately owned parcel on properties greater than five (5) acres.
 - iv) A standard on-site sewer system shall be installed in conformance with City Code regulations, and one alternate drainfield site shall be provided.
 - v) The parcel upon which the dwelling is to be located shall have a minimum of 200 feet of frontage along an existing public roadway, or shall benefit from an easement for vehicular ingress and egress of not less than 50 feet wide providing access to and from a public roadway.
- d) Parks, wildlife refuge or preserves, and open space preservation areas of a non-commercial nature;
- e) A State licensed residential facility serving six or fewer persons, a State licensed day care facility serving twelve or fewer persons, and a group family day care facility licensed under Minnesota Rules, parts 9502.0315 to 9502.0445 to serve 14 or fewer children.

3.1.1B.3 Uses by Special Permit

- a) Horticulture, landscape design and limited landscape contracting services provided:
 - i) Such activities shall not generate customer traffic to the premises or within the District except by appointment only.
 - ii) Retail services shall not be conducted on the premises or within the District.
 - iii) Re-wholesale of plant material not grown on the premises shall not be conducted on the premises or within the District.

ZONING ORDINANCE

- iv) Outdoor stockpiling of accessory materials including, but not limited to, decorative rock, timbers, woodchips, peat, etc. shall not be permitted.
 - v) It is the intent of the District that only a limited number and size of vehicles used for subject contracting shall be permitted and any such vehicle and equipment shall be kept within an enclosed building. Any outdoor storage within this District shall be prohibited.
 - vi) Signs advertising the services shall not be permitted within this or any other District within the City of Chaska.
- b) Roadside stands/structures for the sale of farm products;
- c) Public stables where more than one horse per acre is proposed to be kept, exclusive of farms, subject to the following conditions:
- i) Submittal of site plan showing stable operation, fencing, drainage, buildings, sewage treatment and well systems.
 - ii) A minimum lot size of ten (10) contiguous acres shall be required for public stables.
 - iii) Applicable animal densities may be increased for in-house operations pending submittal of the stables' functional plans showing that the animals' needs will be adequately cared for and including an area for daily exercise. In no event shall in-house confinement areas be less than 100 square feet per horse.
 - iv) All structures, parking lots and storage areas shall be located at least 300 feet from an existing non-farm dwelling in the R District, or from a residential district boundary.
 - v) The applicant shall submit a plan for removal and distribution of manure and other waste materials which meets all requirements of the Minnesota Pollution Control Feedlot Rules. The plan shall provide for the storage of manure and other waste materials at least 300 feet from an existing non-farm dwelling in the RR2 District, or from a residential district boundary, and at least 100 feet from a well.
 - vi) Depending upon the size of the operation, one or more caretaker units may be allowed as part of a public stable operation.
- d) Ground supported radio and television antennas greater than 40 feet combined height above ground level to a maximum of 65 feet subject to provisions of Subsection 9.15;
- e) Bed and Breakfast facilities subject to provisions of Subsection 9.19.

DISTRICT REGULATIONS

- f) A State licensed residential facility serving seven (7) or more persons, a State licensed day care facility serving 13 or more persons, and group family day care facility licensed under Minnesota Rules, parts 9502.0315 to 9502.0445 to serve 15 or more children, provided such facilities are located within a non-residential structure.
- g) A residential facility serving fifteen (15) or fewer adult persons who have been victims of physical or sexual abuse, subject to the following conditions:
 - The property is greater than five-acres in area;
 - Any organized parking area is limited in size (10 spaces);
 - Any organized parking area that is provided is located to meet structure setbacks (from adjacent properties and right's-of-way);
 - Any organized parking area is fully screened (berming and landscaping) from adjacent properties, right's-of-way, and public open spaces;
 - The organization has in place and on file with the City a policy that outlines their program entrance procedures that avoids "drop-offs";
 - The organization has in place and on file with the City their visitation policy, which avoids guests regularly overwhelming the limited parking and spilling out into the neighborhood; and
 - those standards outlined in Section 14.7.4 of the Zoning Ordinance.

3.1.1B.4 Permitted Accessory Uses

- a) Private garages and parking spaces as regulated by Subsection 9.2 provided that a detached garage shall not exceed 1,000 square feet in floor area nor 20 feet in height above ground level;
- b) Private recreational facilities such as swimming pool and tennis court;
- c) Customary home occupations as regulated by Subsection 9.14;
- d) Signs allowed without a permit as regulated in Subsection 10.3.1(a);
- e) Screen houses, gazebos;
- f) Roof mounted radio and television antennas less than ten (10) feet above the highest point of the roof line and ground supported towers and antennas less than 40 feet combined height above ground level as regulated by Subsection 9.15;
- g) Ground supported satellite dish antennas provided they are located in rear yard areas. Side yard locations may be permitted only if a usable rear yard is not available. Front yard locations and roof-mounted antennas larger than one meter in diameter are prohibited;
- h) Essential service structures;
- i) The renting of no more than two rooms for lodging purposes in a one family dwelling;

ZONING ORDINANCE

- j) One accessory storage structure in addition to a detached garage on properties whose principal use is single family residential, subject to the following:
 - i) Maximum size shall be 150 square feet per contiguous acre owned.
 - ii) Maximum height is 30 feet; except if the parcel is less than five (5) acres in size then the maximum height is twelve (12) feet.
 - iii) Location at least ten (10) feet from the residence, but not more than one hundred (100) feet.
 - iv) Exterior building materials shall be the same as or of similar quality as that of the residence;
 - v) Construction in accordance with the State Building Code;
 - vi) Structure shall be used only by the occupants of the residence and may be used for: storage of household goods, recreational vehicles and equipment, personal vehicles, maintenance and repair of personal vehicles and equipment, shop or similar activity for hobby purposes (no products or services for sale or pay or similar remuneration), keeping of animals and appurtenant equipment and supplies, and as otherwise regulated by this Ordinance.

- k) The keeping of animals on non-farm lots according to the following regulations:
 - i) Dogs, cats and other domestic animals customarily kept as pets are not subject to these regulations.
 - ii) On lots less than 2.5 acres, only dogs, cats and other animals customarily kept as pets are permitted.
 - iii) On lots of 2.5 acres and over, with the exception of farms, the following types of animals shall be permitted at a maximum density of one animal unit per acre:

Animals/Acre	Animal	Animal Unit
Equine (horses, mules, etc.)	1.0	1.0
Cattle	1.0	1.0
Sheep, goats, or similar	0.2	5.0
Large poultry (turkeys, ducks, or similar)	0.04	25.0
Small poultry and animals (chickens, rabbits, or similar)	0.02	50.0

DISTRICT REGULATIONS

- iv) Fences or other means of confinement shall be provided so as to prevent the movement of animals across property lines or onto public roads.

3.1.1B.5 Density Transfer - Dwellings

- a) Whereas the basic measure of residential density within the Rural Residential 2 District is established by this Ordinance at four single-family residences per quarter quarter section (40 acres), it is intended that reasonable transfer of density allocations from one quarter quarter section to another may be permitted. Such transfer shall require approval of the City Council after review and recommendation by the Planning Commission. Additional requirements shall be as follows:
 - i) The subject property shall be in one ownership.
 - ii) A recordable document attesting to the density transfer shall be filed with the deed to the parcel or parcels at the Office of Carver County Recorder.
 - iii) In no event shall more than six single-family residences be permitted in one quarter quarter section.

3.1.1B.6 Dwelling Application Requirements

- a) Application for building permits for new single family residences within the RR2-Rural Residential District shall be accompanied by a registered land survey or a survey by a registered land surveyor of the parcel for which the application is requested, showing the proposed location of the residence on said parcel, showing driveway easements between the parcel and the public roadway providing access to the parcel, and showing any and all residences and other structures within 300 feet of the proposed site;
- b) Any time a recorded parcel existing on the date of this Ordinance is split or divided into two or more parcels, a document in recordable form shall be filed in the Carver County Recorder's office setting forth the availability or non-availability of residential building rights under this Ordinance;
- c) For any parcel meeting the requirements of Subsection 3.1.1B.2, there is hereby waived any requirement of any Chaska Ordinance, rule or regulation, requiring that a residential parcel have frontage on a public street;
- d) In order to insure that the proposed location of the dwelling on the property will not adversely affect or be adversely affected by any existing residence or proposed natural or manmade feature, the required location plan shall be reviewed and approved by the Director of Planning and Development prior to issuance of a building permit.

3.1.1B.7 Platting Requirements / Public Street Dedication

- a) A maximum of two residential parcels may be served by a common driveway in which event a separate cross access easement and maintenance agreement shall be recorded with the respective parcels;

ZONING ORDINANCE

- b) Whenever three or more dwelling sites are proposed to be created or to be served by a new access road, the parcels shall be platted according to procedures and requirements of Chaska's Subdivision Regulations (Ordinance No. 252), and the proposed road shall be dedicated to the City as a public street;
- c) Minimum requirements for such public streets shall be:
 - i) 60 feet right-of-way.
 - ii) Rural section roadway with a 24 foot bituminous surface and three (3) foot gravel shoulders. (City of Chaska Standard Detail Plate No. STR-6)

3.1.1B.8 Existing Street Improvements

It is commonly known that the three existing gravel streets in the northwest area (Bavaria, McKnight, 82nd) are in poor condition. Portions of the road surface heaves and becomes impassable in Spring time. The roadbeds are poorly drained and consist of frost susceptible material, which is not conducive to maintaining a stable roadway.

While the City supports the concept of a permanent 4/40 development pattern in northwest Chaska, it is imperative that the three existing streets be reconstructed and bituminous surfaced prior to approval of additional plats in the 4/40 area. Accordingly, no plats shall be approved after the date of adoption of this Section, until the existing street, from which the plat gains access, has been upgraded to meet City standards, or until a plan for financing such upgrading has been approved and adopted by the City Council.

3.1.2 R1 - LOW DENSITY RESIDENCE:

3.1.2.1 Intent

To recognize relatively low density, single-family residential areas that have been developed primarily after 1950, together with supporting public and semi-public facilities, and to protect the low intensity living environment from encroachment by potential conflicting uses. It is intended that after October 5, 1992, this District will no longer be used for new developments except possibly for the following in the sole discretion of City Council:

- a) In conjunction with a mixed density PRD where the overall gross density would not exceed 2.3 lots per acre;
- b) As a minor expansion of an existing R1 District where such expansion is limited and well-defined, and where development of larger lots would be inappropriate;
- c) As a transition between higher and lower density development or adjacent to commercial/industrial areas and to State or Federal highways.

DISTRICT REGULATIONS

As a general guide, scattered use of the R1 District in relatively small developments (10 to 20 acres) may be permitted.

3.1.2.2 Uses Permitted

- a) One family detached dwellings;
- b) A State licensed residential facility serving six (6) or fewer persons, a State licensed day care facility serving 12 or fewer persons, and a group family day care facility licensed under Minnesota Rules, parts 9502.0315 to 9502.0445 to serve 14 or fewer children;
- c) Parks and other recreational uses of a non-commercial nature;
- d) Schools, churches and similar public or semi-public uses on sites less than 10 acres.

3.1.2.3 Uses by Special Permit

- a) Two family detached dwellings: duplex and/or double bungalow;
- b) Sales office for residential developments provided that:
 - i) Total floor area does not exceed 600 square feet.
 - ii) Exterior design in appearance shall harmonize with the surrounding residential area.
 - iii) Sales office shall be removed when all residential lots in the related subdivisions are sold.
 - iv) Such other requirements as deemed necessary and in the public interest are satisfied.
- c) A State licensed residential facility serving seven (7) or more persons, a State licensed day care facility serving 13 or more persons, and a group family day care facility licensed under Minnesota Rules, parts 9502.0315 to 9502.0445 to serve 15 or more children, provided such facilities are located within a non-residential structure;
- d) Roof mounted radio and television antennas greater than ten (10) feet above the highest point of the roof line, and ground supported towers and antennas greater than 40 feet combined height above ground level to a maximum of 65 feet subject to the provisions of Subsection 9.15;
- e) Schools, churches, and similar public or semi-public uses on sites greater than 10 acres.

3.1.2.4 Permitted Accessory Uses

ZONING ORDINANCE

Customary accessory uses incidental to the foregoing principal uses including, but not limited to, the following:

- a) Private garages and parking spaces as regulated by Subsection 9.2;
- b) Private recreational facilities such as swimming pool and tennis court;
- c) Customary home occupations as regulated by Subsection 9.14;
- d) Signs as regulated by Section 10;
- e) Screen houses, gazebos;
- f) Roof mounted radio and television antennas less than ten (10) feet above the highest point of the roof line and ground supported towers and antennas less than 40 feet combined height above ground level as regulated by Subsection 9.15;
- g) Satellite dish antennas one meter or less in diameter subject to the provisions of Subsection 9.16.1;
- h) The renting of no more than two rooms for lodging purposes in a one family dwelling;
- i) Storage sheds;
- j) Essential service structures.

3.1.2A R1A - LOW DENSITY SINGLE FAMILY RESIDENCE:

3.1.2.1A Intent

To provide areas for development of low density single-family detached housing, including supporting public and semi-public facilities, and to protect the desired low intensity living environment from encroachment by potential conflicting uses. To provide lots, which can accommodate house/garage/deck, styles without restriction and without creating variance requests. To assure that areas will not be developed too intensely and that a variety of housing styles and lot sizes will be encouraged, providing flexibility and preventing sameness and monotony of housing styles. This district is intended for use in primarily "open field" areas, which are not particularly environmentally sensitive relative to amenity features such as rolling/hilly terrain, bluffs/ravines, woodland, wetlands, and views.

3.1.2.2A Uses Permitted

- a) One family detached dwellings;
- b) A State licensed residential facility serving six (6) or fewer persons, a State licensed day care facility serving 12 or fewer persons, and a group family day care facility licensed under Minnesota Rules, parts 9502.0315 to 9502.0445 to serve 14 or fewer children;

DISTRICT REGULATIONS

- c) Parks and other recreational uses of a non-commercial nature;
- d) Schools, churches and similar public or semi-public uses on sites less than 10 acres.

3.1.2.3A Uses by Special Permit

- a) Two family detached dwellings: duplex and/or double bungalow;
- b) Sales offices for residential developments provided that:
 - i) Total floor area does not exceed 600 square feet.
 - ii) Exterior design in appearance shall harmonize with the surrounding residential area.
 - iii) Sales office shall be removed when all residential lots in the related subdivision are sold.
 - iv) Such other requirements as deemed necessary and in the public interest are satisfied.
- c) A State licensed residential facility serving seven (7) or more persons (persons as defined in Section 15 herein), a State licensed day care facility serving 13 or more persons, and a group family day care facility licensed under Minnesota Rules, parts 9502.0315 to 9502.0445 to serve 15 or more children, provided such facilities are located within a non-residential structure;
- d) Roof mounted radio and television antennas greater than ten (10) feet above the highest point of the roof line, and ground supported towers and antennas greater than 40 feet combined height above ground level to a maximum of 65 feet subject to the provisions of Subsection 9.15;
- e) Schools, churches, and similar public or semi-public uses on sites greater than 10 acres.

3.1.2.4A Permitted Accessory Uses

Customary accessory uses incidental to the foregoing principal uses including, but not limited to, the following:

- a) Private garages and parking spaces as regulated by Subsection 9.2;
- b) Private recreational facilities such as swimming pool and tennis court;
- c) Customary home occupations as regulated by Subsection 9.14;
- d) Signs as regulated by Section 10;
- e) Screen houses, gazebos;

ZONING ORDINANCE

- f) Roof mounted radio and television antennas less than ten (10) feet above the highest point of the roof line and ground supported towers and antennas less than 40 feet combined height above ground level as regulated by Subsection 9.15;
- g) Satellite dish antennas one meter or less in diameter subject to the provisions of Subsection 9.16.1;
- h) The renting of no more than two rooms for lodging purposes in a one family dwelling;
- i) Storage shed;
- j) Essential service structures.

3.1.2B R1B - LOW DENSITY SINGLE FAMILY RESIDENCE:

3.1.2.1B Intent

The intent of this district is:

- a) To provide areas for development of very low density single family detached housing including supporting public and semi-public facilities;
- b) To protect the desired low intensity living environment from encroachment by potential conflicting uses;
- c) To provide lots, which can accommodate house, garage or deck, styles without restriction and without creating variance requests;
- d) To assure that areas will not be developed too intensely and that a variety of housing styles and lot sizes will be encouraged, providing flexibility and preventing sameness and monotony of housing styles.

This District is intended for use primarily, but not exclusively, in areas which contain sensitive environmental resources (rolling or hilly terrain, woodland, wetland, etc.), or which are proximate to amenity features such as lakes, bluffs, ravines, views, golf courses, passive use parks, nature preserves, etc. Large lots are encouraged in these areas to help preserve the resources and to foster development of move-up, higher income homes.

3.1.2.2B Uses Permitted

- a) One family detached dwellings;
- b) A State licensed residential facility serving six (6) or fewer persons, a State licensed day care facility serving 12 or fewer persons, and a group family day care facility licensed under Minnesota Rules, parts 9502.0315 to 9502.0445 to serve 14 or fewer children;
- c) Parks and other recreational uses of a non-commercial nature;

DISTRICT REGULATIONS

- d) Schools, churches and similar public or semi-public uses on sites less than 10 acres.

3.1.2.3B Uses by Special Permit

- a) Schools, churches and similar public or semi-public uses on sites greater than 10 acres;
- b) Roof mounted radio and television antennas greater than ten (10) feet above the highest point of the roof line, and ground supported towers and antennas greater than 40 feet combined height above ground level to a maximum of 65 feet subject to the provisions of Subsection 9.15.

3.1.2.4B Permitted Accessory Uses

Customary accessory uses incidental to the foregoing principal uses including, but not limited to, the following:

- a) Private garages and parking spaces as regulated by Subsection 9.2;
- b) Private recreational facilities such as swimming pool and tennis court;
- c) Customary home occupations as regulated by Subsection 9.14;
- d) Signs as regulated by Section 10;
- e) Screen houses and gazebos;
- f) Roof mounted radio and television antennas less than ten (10) feet above the highest point of the roof line, and ground supported towers and antennas less than 40 feet combined height above ground level, as regulated by Subsection 9.15;
- g) Satellite dish antennas one meter or less in diameter subject to the provisions of Subsection 9.16.1;
- h) The renting of no more than two rooms for lodging purposes in a one family dwelling;
- i) Storage sheds;
- j) Essential service structures;
- k) Sales offices for residential developments provided that:
 - i) Total floor area does not exceed 600 square feet.
 - ii) Exterior design and appearance shall harmonize with the surrounding residential area.

ZONING ORDINANCE

- iii) Sales office shall be removed when all residential lots in the related subdivision are sold.
- iv) Such other requirements as deemed necessary and in the public interest are satisfied.

3.1.3 R2 - MEDIUM DENSITY RESIDENCE:

3.1.3.1 Intent

To recognize the small lot, medium density level of residential development in Lower Chaska, to protect the relatively low intensity living environment from encroachment of potential conflicting uses and to preserve a predominantly single family residential character.

3.1.3.2 Uses Permitted

- a) One family detached dwellings;
- b) A State licensed residential facility serving six (6) or fewer persons, a State licensed day care serving 12 or fewer persons, and a group family day care facility licensed under Minnesota Rules, parts 9502.0315 to 9502.0445 to serve 14 or fewer children;
- c) Public and semi-public facilities serving all or portions of the City such as parks, schools, churches, municipal offices, library and courthouse.

3.1.3.3 Uses by Special Permit

- a) Two family dwellings: duplex and/or double bungalow;
- b) Sales offices for residential developments provided that:
 - i) Total floor area does not exceed 600 square feet.
 - ii) Exterior design and appearance shall harmonize with the surrounding residential area.
 - iii) Sales office shall be removed when all residential lots in the related subdivision are sold.
 - iv) Such other requirements as deemed necessary and in the public interest are satisfied.
- c) A State licensed residential facility serving seven (7) or more persons, a State licensed day care facility serving 13 or more persons, and a group family day care facility licensed under Minnesota Rules, parts 9502.0315 to 9502.0445 to serve 15 or more children, provided such facilities are located within a non-residential structure;
- d) Roof mounted radio and television antennas greater than ten (10) feet above the highest point of the roof line, and ground supported towers and antennas

DISTRICT REGULATIONS

greater than 40 feet combined height above ground level to a maximum of 65 feet subject to the provisions of Subsection 9.15;

- e) Manufactured Home Parks;
- f) Multiple family dwellings no more than two stories in height and containing no more than eight (8) dwelling units;
- g) Bed and Breakfast facilities subject to the provisions of Subsection 9.19;
- h) Professional services/offices such as insurance and real estate offices, attorney's offices and counseling services within existing residential structures located on Pine Street and Walnut Street from T.H. 212 southerly to their intersection at Second Street.

3.1.3.4 Permitted Accessory Uses

Customary accessory uses incidental to the foregoing principal uses including, but not limited to, the following:

- a) Private garages and parking spaces as regulated by Subsection 9.2;
- b) Private recreational facilities such as swimming pool and tennis court;
- c) Customary home occupations as regulated by Subsection 9.14;
- d) Signs as regulated by Section 10;
- e) Screen houses, gazebos;
- f) Roof mounted radio and television antennas less than ten (10) feet above the highest point of the roof line and ground supported towers and antennas less than 40 feet combined height above ground level as regulated by Subsection 9.15;
- g) Satellite dish antennas one meter or less in diameter subject to the provisions of Subsection 9.16.1;
- h) The renting of no more than four rooms for lodging purposes in a one family dwelling;
- i) Storage sheds;
- j) Essential service structures.

3.1.4 R3 - MULTIPLE FAMILY RESIDENCE:

3.1.4.1 Intent

To recognize the demand for and acceptance of apartment living; to provide for such apartments upon fairly sizable tracts of land thereby allowing increased design flexibility and a more compatible development pattern, and to permit such

ZONING ORDINANCE

apartments at densities high enough to allow high quality developments yet low enough to provide a desirable living environment for the residents thereof.

3.1.4.2 Uses Permitted

- a) Multiple family dwellings;
- b) Nursing homes, convalescent homes and retirement homes.

3.1.4.3 Uses by Special Permit

- a) Commercial facilities such as tailor, barber shop, laundry, grocery and coffee shops provided:
 - i) They are located within buildings housing principal uses and no more than ten (10) percent of each building is devoted to such facilities.
 - ii) They are primarily for use by residents of the principal uses.
 - iii) No advertising or display relative thereto is directed toward adjacent properties or streets.
- b) A State licensed residential facility or licensed day care facility provided that no conditions shall be imposed which are more restrictive than those imposed on other special uses of residential property in the R3 District unless such additional conditions are necessary to protect the health and safety of the residents of the facility;
- c) Roof mounted radio and television antennas greater than ten (10) feet above the highest point of the roof line, and ground supported towers and antennas greater than 40 feet combined height above ground level to a maximum of 65 feet subject to the provisions of Subsection 9.15.

3.1.4.4 Permitted Accessory Uses

Customary accessory uses incidental to the foregoing principal uses including, but not limited to, the following:

- a) Private garages and parking spaces as regulated by Subsection 9.2;
- b) Private recreational facilities such as swimming pool and tennis court;
- c) Customary home occupations as regulated by Subsection 9.14;
- d) Signs as regulated by Section 10;
- e) Screen houses, gazebos;
- f) Roof mounted radio and television antennas less than ten (10) feet above the highest point of the roof line and ground supported towers and antennas less than 40 feet combined height above ground level as regulated by Subsection 9.15;

DISTRICT REGULATIONS

- g) Satellite dish antennas one meter or less in diameter subject to the provisions of Subsection 9.16.1;
- h) Storage sheds;
- i) Essential service structures.

3.1.5 PRD - PLANNED RESIDENTIAL DEVELOPMENT:

Any tract of five acres or more, residentially developed under single ownership or control, shall be subject to compliance with the Planned Development Districts (PDD) procedures set forth in Subsection 4.1 of this Ordinance.

3.1.6 C1 - NEIGHBORHOOD SERVICE:

3.1.6.1 Intent

The intent of the C1 District is to provide for limited neighborhood convenience commercial uses to primarily serve residents within 1/2 to 1 mile radius, but also to serve the convenience needs of motorists that may be passing by on the City's arterial street system. Size and type of convenience establishments are limited so that the intended neighborhood service character does not give way to community wide or regional "shopping center" developments. In general, free-standing buildings and establishments are intended as opposed to convenience strip centers typical to most suburban communities. Also, 24 hour businesses with significant light and noise levels are discouraged. (Ord. No. 596, Sec. 1, 3/18/96)

3.1.6.2 Uses Permitted

- a) Convenience commercial retail/service uses serving the day-to-day needs of neighborhood residents including, but not limited to, small grocery, branch bank, laundry/cleaners pick-up, barber/beauty shop and similar personal services, day care, small restaurant, veterinarian and clinic;
- b) Professional office building;
- c) State licensed day care center.
(Ord. No. 596, Sec. 1, 3/18/96)

3.1.6.3 Uses by Special Permit

- a) Gas station/convenience grocery with or without car wash provided no auto repair is undertaken;
- b) Roof mounted radio and television antennas greater than ten (10) feet above the highest point of the roof line, and ground supported towers and antennas greater than 40 feet combined height above ground level to a maximum of 65 feet subject to provisions of Subsections 9.15 and 9.16. (Ord. No. 596, Sec. 1, 3/18/96)

3.1.6.4 Permitted Accessory Uses

Customary accessory uses incidental to the foregoing principal uses including, but not limited to, the following:

ZONING ORDINANCE

- a) Off-street parking and loading facilities as regulated by Subsection 9.2;
- b) Signs as regulated by Section 10;
- c) Essential service structures;
- d) Roof mounted radio and television antennas greater than ten (10) feet above the highest point of the roof line and ground supported towers and antennas less than 40 feet combined height above ground level as regulated by Subsections 9.15 and 9.16. (Ord. No. 596, Sec. 1, 3/18/96)

3.1.6.5 Development Standards/Requirements

- a) The combined gross floor area of all buildings within any single C1 District shall not exceed 100,000 square feet, and the gross floor area of any single business establishment shall not exceed 20,000 square feet;
- b) The maximum building coverage for any lot shall be 15%;
- c) The minimum amount of open landscaped area not covered by impervious surface (buildings, parking/loading area, driveways, sidewalks, etc.) shall be 30 percent of each lot. (Ord. No. 596, Sec. 1, 3/18/96)

3.1.7 C2 - GENERAL COMMERCE:

3.1.7.1 Intent

To provide appropriate areas, preferably in clusters in proximity to major thoroughfares, for commercial retail establishments, which are oriented to the motoring, public or which require large sites for display of merchandise, and which are not necessarily compatible with the desired character of downtown or with neighborhood or community shopping centers.

3.1.7.2 Uses Permitted

- a) Commercial establishments which are oriented to the motorist such as eating places, automobile service stations, minor auto repair, car wash and motel;
- b) Commercial establishments requiring large sites for outdoor display and sales such as auto and truck dealers and building material sales. Used car lots shall be permitted only when an integral part of a new car dealership;
- c) Finance, insurance and real estate services;
- d) Theaters, lodges and similar assembly facilities;
- e) Nurseries, greenhouses, farm and garden stores;
- f) Animal clinics and animal hospitals;
- g) Commercial recreation such as bowling alley and amusement center.

DISTRICT REGULATIONS

3.1.7.3 Uses by Special Permit

- a) Roof mounted radio and television antennas greater than ten (10) feet above the highest point of the roof line, and ground supported towers and antennas greater than 40 feet combined height above ground level to a maximum of 65 feet subject to provisions of Subsections 9.15 and 9.16;
- b) Religious organizations provided occupancy of commercial building space is for an interim period until such time that a permanent facility can be acquired, and provided that adequate parking facilities or arrangements can be provided;
- c) Major automobile repair subject to the following conditions:
 - i) Outdoor display of used cars for sale is not permitted.
 - ii) Open storage of damaged vehicles waiting repair shall be screened from eye level vision from abutting properties by a solid fence or wall at least 50 percent opaque and at least six (6) feet in height. Additional provisions as set forth in Subsection 9.10 shall also apply.
 - iii) Open storage of parts, materials and equipment used in the conduct of the repair business shall not be permitted.
- d) Sale of specialty and used cars provided no outdoor display of vehicles for sale is permitted;
- e) Apartments, only if located above the street level in non-residential structures and only if required parking is restricted to rear or side yards.

3.1.7.4 Permitted Accessory Uses

Customary accessory uses incidental to the foregoing principal uses including, but not limited to, the following:

- a) Off-street parking and loading facilities;
- b) Signs as regulated in Section 10;
- c) Storage of merchandise intended solely to be retailed by the principal use;
- d) Roof mounted radio and television antennas less than ten (10) feet above the highest point of the roof line and ground supported towers and antennas less than 40 feet combined height above ground level as regulated by Subsections 9.15 and 9.16.

3.1.7.5 Open Storage

Open Storage of equipment and merchandise shall not be permitted within the C2 District, except that display of principal items for sale associated with permitted uses such as autos, trucks, recreational vehicles, farm and garden equipment shall be permitted.

3.1.7.6 Setback and Surfacing of Parking, Loading and Driving Areas

ZONING ORDINANCE

- a) Off-street parking, loading and driving areas shall be set back from property lines minimum distances as follows:

Front..... 10 feet
Side & rear 5 feet

- b) All off-street parking, loading and driving areas shall be surfaced with bituminous or concrete. The portion of such areas, which is used by the general public, shall have curbing of a type acceptable to the City Engineer.

3.1.7.7 Landscaping

All open areas of a lot which are not used and improved for off-street parking, loading and driving areas shall be landscaped with lawn, ground cover, trees, shrubs, etc., or left in a natural state. Any areas left natural shall be kept free of litter, debris and noxious or unsightly weeds.

The following minimum standards shall be required:

Overstory Deciduous Trees 21/2 inch diameter
Ornamental Trees 11/2 inch diameter
Coniferous Trees 6 feet tall
Major Shrub Planting 5 gallons

3.1.7.8 Procedures

Applications for building permits in the C2 District shall be accompanied by complete site development and building design plans, as required by Subsection 14.4.3.2 and/or Subsection 14.4.4.2 and shall be transmitted by the Community Development Department to the Planning Commission for its review and recommended action, and thence to the City Council for its review and final action. Any tract of five (5) acres or more under single ownership or control to be developed shall be subject to the Planned Development District (PDD) procedures of Subsection 4.1 and the regulations of Subsection 4.3 - Planned Commercial Development District (PCD).

3.1.8 C3 – DOWNTOWN HISTORIC COMMERCIAL:

3.1.8.1 Intent

To recognize the Downtown Historic Commercial area of Chaska and its dual function as a trade center and service center.

3.1.8.2 Uses Permitted

- a) Commercial establishments including, but not limited to, the following:
 - i) Retail establishments such as grocery, hardware, drug, clothing and furniture stores and eating and drinking places;

DISTRICT REGULATIONS

- ii) Personal services such as laundry, barber, shoe repair shop and photography studio;
 - iii) Professional services such as medical and dental clinic and attorney's offices;
 - iv) Finance, insurance and real estate services;
 - v) Repair services such as jewelry and radio and television repair shops, but not auto repair.
- b) Public and semi-public facilities serving all or a portion of the City such as municipal offices, library, post office, fire station, schools, and churches;
 - c) Apartments, if located above the street level in non-residential structures.

3.1.8.3 Uses by Special Permit

- a) Liquor establishments requiring on-sale intoxicating liquor license;
- b) Multiple family dwellings;
- c) Entertainment and amusement services such as motion picture theater and bowling alley;
- d) Lodging services such as hotel;
- e) Small domestic animal (i.e. dogs, cats) grooming service and/or pet shop;
- f) Storage of materials, goods and products for individuals and businesses, provided:
 - i) Such storage occurs only in structures existing on May 1, 1981;
 - ii) Such structures are not located on Chestnut Street;
 - iii) The visual appearance of loading/unloading areas, if located on a public street, is maintained in a manner compatible with that of adjacent properties;
 - iv) Loading/unloading activities shall not block or congest the public right-of-way;
 - v) Trucks larger than 1 1/2 ton capacity may load/unload only between the hours of 6:00 p.m. and 6:00 a.m.;
 - iv) Such materials, goods, and products are stored completely within buildings, and such storage to occur on floors located at least three (3) feet below street level only.

ZONING ORDINANCE

- g) Roof mounted radio and television antennas greater than ten (10) feet above the highest point of the roof line, and ground supported towers and antennas greater than 40 feet combined height above ground level to a maximum of 65 feet subject to provisions of Subsections 9.15 and 9.16;
- h) Artists' studios, ceramic shops, pottery works, sculpturing and similar artistic/crafts activities provided at least ten (10) percent of the total floor space on the street level is used for sales and display purposes.

3.1.8.4 Permitted Accessory Uses

Customary accessory uses incidental to the foregoing principal uses including, but not limited to, the following:

- a) Off-street parking and loading facilities;
- b) Signs as regulated in Section 10;
- c) Roof mounted radio and television antennas less than ten (10) feet above the highest point of the roof line and ground supported towers and antennas less than 40 feet combined height above ground level as regulated by Subsections 9.15 and 9.16;
- d) Wholesaling, when incidental to a permitted use;
- e) Satellite dish antennas one meter or less in diameter.

3.1.8.5 Procedures

Applications for building permits in the C3 District shall be accompanied by complete site development and building design plans, as required by Subsection 14.4.3.2 and/or Subsection 14.4.4.2 and shall be transmitted by the Community Development Department to the Planning Commission for its review and recommended action, and thence to the City Council for its review and final action.

3.1.9 PCD - PLANNED COMMERCIAL DEVELOPMENT:

Any commercial development under single ownership or control which is comprised of more than one structure or of a single structure in excess of 100,000 square feet shall be subject to the Planned Development District (PDD) procedures of Subsection 4.1 and the regulations of Planned Commercial District (PCD) in Subsection 4.3.

3.1.10 I - INDUSTRIAL DISTRICT:

3.1.10.1 Intent

To provide land for development of industrial activities sufficient in size to meet employment and tax base requirements of the City, such activities to be characterized by relatively high employment levels and building to land ratios and by an overall visual appearance which is reasonably compatible with the predominant residential character of the City and with the desired positive visual image of the community which this district will present.

DISTRICT REGULATIONS

3.1.10.2 Uses Permitted

- a) Manufacturing, fabricating, assembly, processing (except live animals), packaging or compounding of materials, goods and products;
- b) Warehousing or wholesaling, all commodities except live animals;
- c) Scientific research, investigation, testing or experimentation;
- d) Offices and administrative facilities;
- e) Adult Oriented Businesses subject to regulations in Chapter 4, Article V, of the Chaska Code of Ordinances.

3.1.10.3 Uses by Special Permit

- a) Wind generators and other tower mounted energy devices;
- b) Solar energy devices not an integral part of the principal structure;
- c) Radio transmitters, microwave and telecommunications towers;
- d) Open storage areas which require screen fences greater than eight (8) feet in height;
- e) A State licensed day care facility;
- f) Dwelling necessary for security and safety reasons in relation to a principal use;
- g) Storage, processing and packaging of flammable liquids and gases in excess of 500 gallon quantities, and of any toxic or otherwise hazardous materials;
- h) Hazardous and solid waste treatment facility;
- i) Incineration of waste materials provided such incineration is incidental to a permitted principal use;
- j) Wholesale automobile restoration, reconditioning and storage subject to the following:
 - i) Services performed shall be of a wholesale nature only, and same shall not be available to the general public.
 - ii) Outdoor storage of vehicles for display and vehicles awaiting restoration or reconditioning shall not be permitted.
 - iii) Outdoor storage of parts, materials or equipment used in or resulting from the conduct of the business shall not be permitted.
- k) Minor heliport subject to provisions of Subsection 9.21.

ZONING ORDINANCE

3.1.10.4 Permitted Accessory Uses

Customary accessory uses incidental to the foregoing principal uses including, but not limited to, the following:

- a) Signs as regulated in Section 10;
- b) Off-street parking and loading facilities;
- c) Retail sales or servicing of products manufactured or warehoused provided no more than ten (10) percent of the gross floor area is used for such purposes;
- d) Offices and storage associated with the principal use;
- e) Solar energy devices as an integral part of the principal building;
- f) Satellite dish antenna subject to the provisions of Subsection 9.16.2;
- g) Vocational schools or other adult educational facilities. (Ord. No. 655, Sec. 1, 7/19/99)

3.1.10.5 Open Storage / Screening

For the purposes of this Ordinance, open storage shall include storage of raw materials, supplies and finished and semi-finished products and equipment provided that motor vehicles necessary to the operation of the principal use and of not more than one ton capacity may be stored within permitted parking lot areas. Open storage shall not include materials, supplies, merchandise or other similar matter on display for direct sale, rental or lease to the ultimate consumer such as auto and truck dealers, recreational equipment, farm and garden equipment, and building materials sales.

- a) All open storage areas shall be fully screened by a fence subject to the provisions of Subsection 9.20.4.1;
- b) Open storage areas shall comply with building setback requirements and shall not be located forward of the principal buildings as constructed;
- c) Open storage areas shall be properly graded for drainage purposes and surfaced to provide a durable, dustless surface;
- d) There shall be no open storage of scrap or cannibalized autos, machinery or equipment.

3.1.10.6 Loading Docks

Loading docks or berths for trucks shall not face street frontage unless special permission is granted by the City Council, and shall be no closer than 15 feet to a side or rear lot line. Access to berths or docking space shall be no closer than 25 feet from the intersection of two street right-of-way lines and shall be so located as to least interfere with traffic.

DISTRICT REGULATIONS

3.1.10.7 Setback and Surfacing of Parking and Driving Areas

a) Off-street parking and driving areas shall be set back from property lines a minimum distance as follows:

Front 10 feet
Side & rear 5 feet

b) All off-street parking and driving areas within front and side yard areas shall be surfaced with bituminous or concrete. The portion of such areas which is used by the general public shall have curbing of a type acceptable to the City Engineer. Rear storage areas which receive relatively little traffic movement shall be surfaced with durable, dust free material.

3.1.10.8 Landscaping

All open areas of a lot which are not used and improved for off-street parking, loading and driving areas shall be landscaped with lawn, ground cover, trees, shrubs, etc., or left in a natural state. Any areas left natural shall be kept free of litter, debris and noxious or unsightly weeds.

The following minimum standards shall be required:

Overstory Deciduous Trees 2 1/2 inch diameter
Ornamental Trees 1 1/2 inch diameter
Coniferous Trees 6 feet tall
Major Shrub Planting 5 gallons

3.1.10.9 Procedures

Applications for building permits in the I - Industrial District shall be accompanied by complete site development and building design plans, as required by Subsection 14.4.3.2, and/or Subsection 14.4.4.2 shall be transmitted by the Community Development Department to the Planning Commission for its review and recommended action, and thence to the City Council for its review and final action. Any tract of five (5) acres or more under single ownership or control, to be developed, shall be subject to the Planned Development District (PDD) procedures of Subsection 4.1 and the regulations of the Planned Industrial Development District (PID) in Subsection 4.4.

3.1.11 I2 - RESTRICTED INDUSTRIAL DISTRICT:

3.1.11.1 Intent

To provide land for development of industrial activities which require large areas for outdoor storage of equipment and materials, and which do not require municipal sewer and water facilities because of their low water consumption demands and corresponding low waste water and sewage disposal requirements. It is intended that only land that is mostly secluded from public view be placed in this district, and furthermore, that adequate visual screening of outdoor storage areas be provided so that potential negative impacts on surrounding properties is substantially minimized.

3.1.11.2 Uses Permitted

ZONING ORDINANCE

- a) Storage of materials, goods and products subject to the performance standards set forth in Subsection 9.1 of this Ordinance, to requirements of this Section, and as set forth by applicable rules and regulations of the Minnesota Pollution Control Agency;
- b) Open storage/display areas which do not exceed a 2:1 land to building ratio;
- c) Wholesaling, all commodities except live animals;
- d) Truck or freight terminal;
- e) Offices and administrative facilities incidental to permitted principal uses;
- f) Auto and truck sales, storage and repair not including disassembly, restoration, reduction or sale of parts. Junk yards as defined herein are not permitted;
- g) Storage and maintenance of school and charter buses;
- h) Adult Oriented Businesses subject to regulations in Chapter 4, Article V, of the Chaska Code of Ordinances.

3.1.11.3 Uses by Special Permit

- a) Open storage/display areas which exceed a 2:1 land to building ratio;
- b) Wind generators and other tower mounted energy devices;
- c) Solar energy devices not an integral part of the principal structure;
- d) Dish antennas larger than one meter in diameter subject to provisions of Subsection 9.16.2;
- e) Radio transmitters, microwave and telecommunications towers;
- f) Storage, processing and packaging of flammable liquids and gases in excess of 50 gallon quantities, and of any toxic or otherwise hazardous materials;
- g) Minor heliport subject to provisions of Subsection 9.21.

3.1.11.4 Permitted Accessory Uses

Customary accessory uses incidental to the foregoing principal uses including, but not limited to, the following:

- a) Signs as regulated in Section 10;
- b) Off-street parking and loading facilities;
- c) Retail sales or servicing of products manufactured or warehoused;
- d) Offices associated with the principal use;

DISTRICT REGULATIONS

- e) Solar energy devices as an integral part of the principal building.

3.1.11.5 Required Conditions

The following conditions are hereby established in response to the absence of municipal sewer and water services in this district and to the permitting of large, open storage areas.

- a) No fabrication, manufacturing, production, or processing of materials, goods and products as a principal activity shall be permitted;
- b) No use or activity shall be permitted that requires significant water usage or that generates significant sewage disposal needs. In this case, significant shall mean activities equivalent to but not exceeding those requiring two (2) SAC units as identified by Metropolitan Council Environmental Services (MCES);
- c) All outdoor storage areas other than customary parking areas shall be fully screened so as to substantially block eye-level vision of the storage area from nearby residential and public streets. Such screening shall consist of earthen berms, vegetation, or fencing subject to the provisions of Subsection 9.20.4.1;
- d) All off-street parking and driving areas used by the general public shall be surfaced with bituminous or concrete;
- e) Open storage areas shall be properly graded for drainage purposes and surfaced to provide a durable, dustless surface.

3.1.11.6 Procedures

Applications for building or occupancy permits in the I2 District shall be accompanied by complete site development and building design plans, as required by Subsection 14.4.3.2 and/or Subsection 14.4.4.2 and shall be transmitted by the Community Development Department to the Planning Commission for its review and recommended action, and thence to the City Council for its review and final action.

3.1.12 P1 - OPEN SPACE:

3.1.12.1 Intent

It is the general intent of this Section of the Ordinance to preserve significant natural features and amenities such as lakes, rivers, marshes, steep hills and extensive woodlands in their natural state in order to assure continuation of the existing natural drainage system, to prevent harmful soil erosion, to maintain ecological balance, and to assure their permanent use for their main natural function as well as for enjoyment by the general public.

3.1.12.2 Uses Permitted

- a) Public parks and recreation areas except for high intensity use facilities such as hockey arenas;

ZONING ORDINANCE

- b) Agriculture except for potentially offensive uses such as hog and cattle feeding lots.

3.1.12.3 Uses by Special Permit

Recreational facilities of a commercial nature such as riding stables and concessions.

3.1.12.4 Permitted Accessory Uses

Customary accessory uses incidental to the foregoing principal uses including, but not limited to, the following:

- a) Signs as regulated in Section 10;
- b) Off-street parking and loading facilities.

3.1.13 P2 - PUBLIC BUILDINGS:

3.1.13.1 Intent

To provide sites for future development of public facilities required by the resident and working population.

3.1.13.2 Uses Permitted

Public facilities required by the resident or working population of Chaska such as schools, libraries, and municipal administration and service buildings.

3.1.13.3 Uses by Special Permit

None.

3.1.13.4 Permitted Accessory Uses

Customary accessory uses incidental to the foregoing principal uses including, but not limited to, the following:

- a) Signs as regulated in Section 10;
- b) Off-street parking and loading facilities.

3.1.14 O - OPEN DEVELOPMENT:

3.1.14.1 Intent

The intent of this District is to provide a "holding zone" for land which is currently served by trunk sanitary sewer facilities but which has not yet been developed for urban use. The bulk of the undeveloped land within the City's urban service area is zoned O - Open Development. As various urban developments are proposed, the "O" District will be rezoned to the appropriate zoning district. The basic guideline for evaluating each rezoning proposal shall be the Chaska Comprehensive Plan. Other determinants may include existing development, proximity to principal roadways, natural features, market conditions, and resident's opinion.

DISTRICT REGULATIONS

3.1.14.2 Uses Permitted

- a) Lawful principal and accessory uses presently existing within the district;
- b) Customary home occupations as regulated by Subsection 9.14.2 herein.

3.1.14.3 Uses by Special Permit

- a) Principal and accessory uses which, in the opinion of the City Council, will not conflict with the purpose of the "O" District and will not be detrimental to anticipated future urbanization of land within the "O" District;
- b) Bed and Breakfast facilities subject to provisions of Subsection 9.19.

3.2 DENSITY / INTENSITY REGULATIONS

It shall be unlawful to erect or alter any building within the City of Chaska unless density/intensity regulations set forth in the following tabulations are provided and maintained.

DISTRICT	MINIMUM REQUIREMENTS							MAXIMUM REQUIREMENTS			
	Area (sq. ft.)	Lot Size		Yard Setback (Feet)(g)			Site Area Per DU (sq. ft.)	Usable Open (c) space per DU (sq. ft.)	Floor Area Ratio (FAR)	Building Coverage (%)	Density (DU's per gross residential acre)
		Width	Depth	Front (a)	Rear	Side (b) Interior					
R											
All Uses	43,560	165		75	40	25	75				
RR-1											
Rural Residential	43,560	200		75	40	25	75	(See Section 3.1.1A)			
RR-2											
Rural Residential	217,800	200		75	40	25	75	(See Section 3.1.1B)			
R1											
One Family Dwellings	9,000	75		30	30	10/7 (d)	15	9,000	0.25		4
Two Family Dwellings	14,000	90		30	30	10/7 (d)	15	7,000	0.25		6
Deck					20						
Accessory Buildings & Uses				30	5	5	30				
Other Uses	15,000	100		30	30	15	30		0.4		
R1-A											
One Family Dwellings	11,500 15,000 (avg.)	90* 120 (i)		30	30	10 (d)	30	11,500 15,000 (avg.)			2.3
Deck					20 (j) 30 (j)		20 (h)				
Accessory Buildings & Uses				30	10	7	30				
R1-B											
One Family Dwellings	15,000	100 135 (i)		30	30	15/10 (d)	30	15,000			
Accessory Buildings & Uses				30	10	7	30				1.7
R2											
One Family Dwellings	7,200	60		20	25	5	20	7,200			5
Two Family Dwellings	10,800	90		20	25	5	20	5,400		30	6.5
Multiple Family Dwellings		100		20	20	10	20	3,600 (e)	600	0.4	40
Deck					17 (j)		12 (h)				varies
Accessory Buildings & Uses				20	5	5	20				
Other Uses	7,200	60		20	15	10	20		0.4		
R3											
Multiple Family Dwellings	--	150		20	20	10	20	2,500 (f)	400	0.4	30
C1 All Uses	7,500	50		35	20	10	35			0.6	15
C2 All Uses	20,000	100		50	20	20	50			0.5	30
C3 All Uses	7,500	50		None	20	None required in the case of common abutting walls, otherwise 1/2 building height.				2.0	
P2 All Uses	43,560	100		15	20% of lot depth	15	20			0.8	
I All Uses	20,000	100		30	20	15	20			0.5	40
I2 All Uses	43,560	100		20	20	15	20				

- A deviation up to 5% of the minimum lot width may be permitted provided the average lot width for each plat shall be no less than 90 feet at building line. Thus, the effective absolute minimum width is 85.5 feet.

ZONING ORDINANCE

3.2 DENSITY / INTENSITY REGULATIONS

- a) Where adjacent structures have front yard setbacks different from those required, the minimum front yard setbacks shall be the average setback of such structures, but in no case, with the exception of the R2 District, shall the front yard setback be less than 20 feet and the setback shall conform to State or County requirements on State and County roads. (Ord. No. 620, Sec. 1, 6/16/97)
- b) Buildings over two (2) stories in height shall require five (5) feet for each additional story in addition to the required minimum side yard.
- c) Least dimension of required usable open space shall average not less than 15 feet and shall in no case be less than ten (10) feet at any point.
- d) Interior side yards in the R1 and R1A Districts may be seven (7) feet on the side where there is an attached garage, and may be ten (10) feet in the R1B District.
- e) 3,600 square feet required for each one bedroom or efficiency unit. To this, add 700 square feet for each two bedroom unit, and 1,200 square feet for each unit having three (3) or more bedrooms.
- f) 2,500 square feet required for each bedroom or efficiency unit. To this, add or subtract square footage according to the following schedule:

Additions	Square Feet per Unit
1) For each two bedroom unit.....	700
2) For each unit having three or more bedrooms:	1,200
3) If the adjacent site is zoned R1:	300
<small>(Applies only to that portion of the R3 District located within 300 feet of the R1 District.)</small>	

Subtractions	Square Feet per Unit
1) For each parking space provided within residential structures or underground:	300
<small>(Two parking spaces per unit required; one-half of these required in garages or other enclosed space)</small>	
2) If the total lot coverage is less than 20 percent.....	150
3) If the total lot coverage is less than 10 percent.....	300
4) Where Type 1 construction is utilized as defined by the Uniform Building Code:.....	800

In no case shall application of the above allowance or requirements result in less than 1,200 square feet of lot area per housing unit.

DISTRICT REGULATIONS

- g) In the event the C2, I, or I2 Districts are located adjacent to a residential district, a “buffer strip” shall be provided between structures in these districts and the adjacent residence district boundary lines. Additionally, such “buffer strips” shall measure 25 feet for the C2 District, and 50 feet for I Districts. Such “buffer strips” shall be landscaped in an appropriate manner, and shall contain additional man-made or natural screening if so directed by the City Council.

Buildings shall be set back a minimum of 40 feet from public park and open space property lines.

- h) In the R1A District, the corner side yard setback may be 20 feet, and in the R2 District, 12 feet for attached decks.
- i) The minimum depth for lots abutting wooded natural slopes of 18% or greater shall be measured from the top of the 18% slope, not from the property line.
- j) In the R1, R1A, and R1B Districts, the rear yard setback may be 20 feet, and in the R2 District, 17 feet for attached unenclosed decks except when such properties abut slopes of 18% grade or greater that are adjacent to property used or planned to be used as a community trail as designated on the City Trail Plan, or when such properties abut public open space. For properties abutting slopes of 18% grade or greater that are adjacent to an existing or planned community trail, a deck shall meet the required minimum 30 foot setback from the edge of steep slope. For properties abutting public open space, a deck shall be set back at least 30 feet from the property line. (Ord. No. 653, Sec. 1, 8/30/99)
- k) No swimming pools or other recreational courts or appurtenant equipment shall be located in a front or side yard. Setbacks shall be measured from the impervious surfaces of such uses. (Ord. No. 646, 12/21/98)