

REQUEST FOR COUNCIL ACTION

AGENDA SECTION: Ordinances		ORIGINATING DEPT. Community Services	MEETING DATE: 03/06/06
ITEM NO. 32	ITEM DESCRIPTION: Ordinance No. 2006-3 - 2 nd Consideration Ordinance establishing Gateway Overlay District		PREPARED BY: Martzahl

ORDINANCE NO. 2006-3

AN ORDINANCE TO ENACT SECTION 10-3-5, GATEWAY OVERLAY DISTRICT TITLE 10, ZONING, OF THE MOORHEAD CITY CODE AND ADOPT A REVISED OFFICIAL ZONING MAP

WHEREAS, the 2004 Comprehensive Plan calls for acceptable levels of performance standards along the main corridors of the City; and

WHEREAS, the City on August 2, 2004 passed a resolution adopting a moratorium for projects within 1,000 feet of interstate 94, which moratorium was extended until March 31, 2006; and

WHEREAS, the Planning Commission held a public hearing and an additional meeting for the development community regarding proposed standards; and

WHEREAS, the moratorium for projects within 1,000 feet of interstate 94 shall terminate upon publication of the Gateway Overlay District.

WHEREAS, the Planning Commission at its meeting on February 3, 2006 voted to recommend to the City Council the enactment of the new Gateway Overlay District, as follows:

SECTION 1. The Official Zoning Ordinance is hereby amended to include Section 10-3-5 Gateway Overlay District as follows:

10-3-5: GATEWAY OVERLAY DISTRICT

1: PURPOSE:

The GO--Gateway Overlay district provides a higher standard of appearance for corridors that serve as the main entrances to the community. The Gateway Overlay district includes properties abutting I-94 and its ramps, Highway 10 east of 21st Street, 8th Street south of 24th Avenue South, Highway 75 north of Highway 10, and frontage roads abutting those gateways.

2. APPLICABILITY: New buildings and additions to existing buildings within the Gateway Overlay district shall meet the requirements established herein. The City reserves the right to reject projects that do not meet the intent of the ordinance.

OTTO
BOHMER
WRAY WILLIAMS
ROWELL
HUNT
WINTERFELDT- SHANKS
HINTERMEYER
LEMKE
MAYOR

3: PERMITTED USES:

Permitted uses are limited to those in the underlying zoning districts. See district use table in Chapter 4-1.

4: ACCESSORY USES:

Accessory uses are limited to those in the underlying zoning districts. Accessory uses shall meet the yard requirements set forth in Section 6 below.

5: PROVISIONAL USES:

Provisional uses included in the underlying districts are allowed as long as they meet the requirements of 10-1-3-D and the provisions outlined in Chapter 10-4-2. See table in Chapter 10-4-1 for provisional uses.

6: CONDITIONAL USES:

Conditional uses included in the underlying districts are allowed as long as they meet the criteria outlined in Chapter 10-1-3-B and 10-4-2 and any conditions set by the City Council. See table in Chapter 10-4-1 for conditional uses.

7: LOT REQUIREMENTS AND SETBACKS:

The following minimum requirements shall apply in the GO - Gateway Overlay district. Additional requirements, exceptions and modifications are set forth in this title for the underlying districts; the more restrictive shall apply.

- A. Lot Area: Requirements specified in the underlying district shall apply.
- B. Lot Width: Requirements specified in the underlying district shall apply.
- C. For properties separated from the interstate by frontage roads, setbacks established in the underlying zones shall apply. Building Setback for yards directly abutting Interstate 94 and its ramps are as follows:
 - i. Commercial/industrial uses, forty-five feet (45');
 - ii. Residential uses, fifty feet (50') in addition to the required setback of the underlying zone. Four (4) buffer points (per Section 10-5-6-B) shall be provided within the setback between residences and the interstate.
 - iii. Exception: Buildings initially constructed prior to January 1, 2006 are exempt. If necessary, residential properties will be allowed to rebuild within their existing setbacks.
- D. Impervious Surface Setbacks: For multi-family residential, commercial and industrial properties abutting either a gateway or a frontage road abutting a gateway, hard surfaces visible from the gateway used for parking, loading, storage and display shall be set back twenty (20) feet from any property line adjoining public street right-of-way, and ten (10) feet from any other property line, with exception provided for neighboring properties having a shared parking agreement. Impervious surface setbacks may be reduced up to half the required width where a berm (3:1 slope), a wall (brick, stone or concrete), or a decorative railing of at least two and a half (2 ½) feet in height and approved by the Planning Commission is provided. Setbacks shall be landscaped with trees and shrubs that may be included as part of the plant units required in Section 10-5-5-B.
- E. Impervious Surface Coverage: Requirements of the underlying districts shall apply.

8. SITE REQUIREMENTS:

Multi-family, commercial and industrial properties abutting gateways or their frontage roads shall meet the following site standards:

- A. Landscaping and Buffer yards: Plantings used to fulfill the requirements of Section 10-5-5 shall be grouped for visual impact from the gateways, located to accentuate the building and maximize environmental benefits.
- B. Lighting: Lighting shall be directed downward, inward and away from the public right-of-way and adjoining uses, consistent with section 10-5-7.
- C. Storage and Display shall be consistent with 10-5-1-H-3. In addition:
 - i. No required setback abutting a gateway shall be used for outdoor storage. Outdoor storage of materials and large equipment shall be screened from gateways by two buffer points, as defined in 10-5-6, including at least one (1) point of fencing and/or plantings.

- ii. Distinctive examples of large-scale construction equipment, RVs, trucks, cars and agricultural equipment may be displayed within a landscaped yard abutting a gateway, if approved by the zoning administrator. Rows of product whose individual differences cannot be distinguished from public right-of-way shall not be located in yards abutting Interstate 94.
 - iii. Storage of refuse and recycling shall be in conformance with 10-5-1-G.
- D. Signs. Signs shall be consistent with section 10-5-3, with these additional standards:
- i. Free-standing signs in the yard adjoining the highway shall be clustered in an area landscaped with ornamental trees, shrubs, and/or flowers.

9. BUILDING DESIGN AND CONSTRUCTION:

Multi-family residential, commercial and industrial buildings in the Gateway Overlay district shall meet the following standards, unless specifically exempted:

- A. Buildings shall be attractive and constructed of materials that will maintain their appearance over the long-term.
- B. All exterior walls shall be of consistent quality and characteristics.
- C. Main entrances shall be emphasized by distance recessed or projected, by accent materials, change of grade or by pedestrian-scale lighting and other pedestrian amenities.
- D. Exterior building walls greater than sixty (60) feet in length shall be divided visually into sections or bays to break up the mass.
- E. Architectural elements, approved by the zoning administrator, shall be combined with landscaping to add interest to buildings, and especially to break up long expanses. Standards for architectural elements include:
 - i. Exteriors of industrial buildings shall be comprised of at least thirty (30) percent quality materials other than steel and fiberglass; commercial and residential building exteriors shall be comprised of at least fifty (50) percent quality materials other than steel and fiberglass.
 - ii. Exterior building walls shall incorporate no fewer than three (3) architectural elements comparable to those listed below. Architectural elements contributing to this requirement shall have sufficient visual impact to be noticeable from the gateway, and may include, but are not limited to:
 - accent materials
 - public art
 - architectural details, such as tile work and moldings integrated into the building façade
 - windows comprising
 - recesses/projections,
 - roof overhang, which should vary according to building width, as follows: one (1) foot overhang for buildings less than fifty (50) feet in width, two (2) foot overhang for buildings fifty (50) to one hundred (100) feet in width, and three (3) foot overhang for buildings greater than one hundred (100) feet in width.
 - varied roof lines
 - articulated cornice line
 - canopies/awnings/porticos.
- F. Rooftop mechanical equipment shall be screened in a manner that is incorporated in the architectural form of the building.
- G. Overhead doors and loading docks for multi-family residential, commercial and industrial uses:
 - i. Shall not face gateways, other arterial or collector streets, unless completely screened from view;
 - ii. Shall not be located in required front yards; and
 - iii. Shall meet the requirements of 10-5-2-B.

10: MAXIMUM BUILDING HEIGHT:

- A. Principal Building: Requirements specified in the underlying district shall apply.
- B. Accessory Buildings: As governed by Chapter 10-4-3 of this title.

11. VIEW FROM GATEWAYS:

Development plans for property adjacent to gateways or their frontage roads shall include both building elevation and vista drawings. Context and compatibility with neighboring buildings shall be considered in the plan review.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Moorhead as follows:

SECTION 2. This Ordinance shall take effect upon publication in accordance with the Moorhead City Charter.

PASSED by the City Council of the City of Moorhead this 6th day of March, 2006.

APPROVED BY:

MARK VOXLAND, Mayor

ATTEST:

KAYE BUCHHOLZ, City Clerk

First Consideration: February 21, 2006

Second Consideration:

Date of Publication:

TITLE AND SUMMARY OF ORDINANCE NO. 2006-3

The following Ordinance is hereby published by title and summary:

1. Title of Ordinance:

An Ordinance to Enact Section 10-3-5, Gateway Overlay District Title 10, Zoning, of the Moorhead City Code and Adopt a Revised Official Zoning Map

2. Summary of Ordinance:

The Ordinance enacts elevated site and architectural standards for development along the gateways to Moorhead and ends the moratorium within 1,000 feet of Interstate 94.

This Ordinance shall take effect upon publication in accordance with the Moorhead City Charter.

3. Availability of Ordinance:

A complete, printed copy of this Ordinance is available for inspection by any person during regular business hours in the office of the City Clerk, Third Floor, City Hall, 500 Center Avenue, Moorhead, Minnesota.

This Ordinance was passed by the City Council of the City of Moorhead on the 6th day of March, 2006.

APPROVED:

MARK VOXLAND, Mayor

ATTEST:

KAYE BUCHHOLZ, City Clerk

Date of Publication: