a. Such real estate board shall be limited to two boards for each project listed in any residential district. Such real estate boards shall be limited to one board for each lot listed in any commercial or industrial district.

b. Real estate boards placed in public property or on public right-of-way pursuant to a special permit from the city council will be removed at the expense of the sign owner.

c. The minimum setback required of a real estate board is five feet.

d. Such signs shall be removed before issuance of a Certificate of Occupancy.

3. Special event signs are permitted upon issuance of a special permit by the city council.

4. Inflatable Devices. Inflatable devises may be permitted by the City Council for a special event for up to a three day period. Such device shall be located on applicants property, and may not be lit.

5. Real Estate Signs shall not exceed 15 square feet.

a. Such real estate signs shall be limited to one sign for each parcel listed.

b. Real estate signs are not permitted on city property or within 15 feet of a public right-of-way unless flat against the structure.

c. Real estate signs shall be permitted on lots for sale, lease, or rent in all zoning districts.

6. Political Signs. Political signs are not permitted on city property or within public rights-of-way. Election signs are permitted on private property in any district provided such signs are removed within 20 days following the election related to the sign. No election sign shall be permitted on election day within 100 feet of the property on which a polling place is located.

7. Professional nameplates, not exceeding two square feet in area are permitted.

8. Home occupation signs are permitted, provided such signs shall not exceed two square feet in total sign area.

9. Signs located within the confines of a building are permitted.

10. Memorial signs are permitted.

11. Garage and yard sale signs are permitted.

12. Traffic control and such temporary, emergency or non-advertising

signs as may be approved by special permit of the city council.

13. Project identification signs are permitted only during the time work is actually being performed on the premises. Such signs shall not be located on public property and shall be limited to one sign for each parcel listed.

903.0818 Special City Council Permit

It shall be unlawful for any person to erect, alter or relocate within the city of Lilydale any sign for which a special city council permit is required without first obtaining a special permit from the city council and paying the fee required herein unless provided elsewhere. The Zoning Administrator may require persons failing to hold such permit to pay double the permit fee. No person shall erect, construct, or maintain any sign upon any property or building without the consent of the owner or person entitled to possession of the property or building.

1. Application for Permit: Application for permits shall be made upon forms provided by the Zoning Administrator. Permit applications shall consist of the following:

a. Building signs: A drawing of the proposed sign showing dimensions and describing materials, lettering, colors, illumination, and support systems.

b. Photographs of the building face and the building faces of any adjacent buildings.

c. A drawing of the building face and site plan showing the location of the proposed sign.

d. A cross section of the building face showing how the sign will be attached and how far it will extend from the building.

e. Any pictorial proof or other information that the sign is of historical significance or is a reproduction of an historic sign.

f. A building sign plan for a building with more than one use or business, showing all signs.

2. Freestanding signs

a. A drawing of the proposed sign showing dimensions and describing materials, lettering, colors, illumination, and support systems.

b. A cross section of the sign structure showing how the sign will be installed, including footings, etc.

c. A site plan drawn on a certified survey showing the proposed sign setbacks.

d. A freestanding sign plan for a building with more than one use or business, showing all signs on a given property.

903.0819 Permit Fees

Every applicant before being granted a special permit hereunder shall pay to the city a permit fee in an amount determined by resolution of the city council from time to time.

903.0820 Inspections

All construction work for which a permit is required shall be subject to inspection by the Building Official or Inspector.

Approval as a result of an inspection shall not be construed to be an approval of a violation of the provisions of this ordinance or of other city ordinances. Inspections presuming to give authority to violate or cancel the provisions of this ordinance or other city ordinances shall not be valid. It shall be the duty of the permit applicant to cause the work to remain accessible and exposed for inspection purposes and to schedule, and be present for the required inspections. Neither the Building Official or Inspector nor the City shall be liable for expense entailed in the removal of any material required to allow inspection.

903.0821 Maintenance

1. All signs and sign structures must be properly maintained and constructed of sufficiently permanent materials so they resist weathering. Any existing sign that is rotted, unsafe, deteriorated, defaced, or altered must be repaired or replaced. The Zoning Administrator, after 30 days written notice to the sign owner may order the removal of any sign that is not maintained in accordance with the provisions of this chapter and the cost assessed against the property on which the sign is located. However, in the case a sign structure becomes a safety hazard as defined in the Minnesota State Building Code, the Building Official or Inspector shall require the owner of the sign structure to immediately abate the safety hazard as provided in the Minnesota State Building Code.

2. Inspections: The Zoning Administrator may cause to be inspected from time to time as he deems necessary, any sign regulated by this chapter for the purpose of ascertaining whether the same is secure, and whether it is in need of removal or repair to be in compliance with this chapter.

903.0822 Abandoned Signs

Signs or supporting structures not used for signs for six consecutive months must be removed.

Any abandoned sign now or hereafter existing shall be taken down and removed by the owner, agent or person having beneficial use of the building or land upon which sign may be found within 30 days after written notification from the

Zoning Administrator and, upon failure to comply with such notice within the time specified in such order, the Zoning Administrator is hereby authorized to cause removal of such sign, and any expense thereto shall be paid by the owner of the building or structure to which the sign is attached.

903.0823 Non-Conforming Signs

A lawful sign existing at the time of the enactment of this section may be continued even though such sign may not conform with the regulations of this section for the district in which it is located.
If no structural alterations are made, any non-conforming sign may be altered; provided such alteration does not increase the non-conforming status of the sign.

When a non-conforming sign is discontinued or abandoned for six months, the sign shall not thereafter be used except in conformance with the regulations in the district in which it is located.

Any non-conforming sign damaged more than fifty (50) percent of its replacement cost exclusive of the foundations at the time of damage by any means except Force Majeure, shall not be restored or reconstructed, except in conformity with the provisions of this Ordinance. If the structure is less than fifty (50) percent damaged above the foundation, or damaged by a Force Majeure, it may be restored, reconstructed or used as before, provided that reconstruction be completed within six (6) months of such happening, and be built of like or similar materials as appropriate to the zoning district.

903.024 Advertising Signs and Billboards. Advertising signs and billboards which are erected for the purpose of advertising a product, event, person or subject not usually related to the property on which the sign or billboard is located are subject to the following restrictions.

1. Such signs and billboards that are visible from the Mississippi or Minnesota Rivers are prohibited.

2. Such signs and billboards are prohibited between the Mississippi or Minnesota Rivers and all county, state, and federal highways located within 1,000 feet of such Rivers, except where the sign cannot be viewed from the River.

3. May be located only on the non-riverward side of public transportation routes which are parallel and adjacent to the riverfront.

4. Shall not impair views of the Rivers from scenic overlooks and public roads.

903.0825 Severability

If any section, provision, or part of this Ordinance shall be judged to be invalid, or unconstitutional, such adjudication shall not affect the validity of this ordinance as a whole or any section, provision, or part thereof not judged to be invalid or unconstitutional.

903.0826 Effective Date

This Ordinance shall be in full force and effect from and after the date of its passage and publication according to law.

903.09 Erosion Control - Stormwater Runoff.

(1) During construction and until such time as final control measures are fully implemented and established, adequate development practices will be maintained to insure the gross soil loss levels (expressed in terms of tons per acre per year) shall not exceed five tons per acre per year during construction when the site is adjacent to a water body or water course; and one-half ton per acre per year after the construction activities are completed as calculated in accordance with the Uniform Soil Loss Equation. (The Uniform Soil Loss Equation is contained in footnote 30, page 44, of the Metropolitan Council publication entitled "Environmental Protection: Model Ordinances for Use by Local Governments." Said footnote is hereby incorporated herein and adopted by reference).

(2) Wetlands, as defined by the Wetland Conservation Act (WCA), and other waterbodies shall not be used as primary sediment traps during or after construction. Runoff shall not be discharged directly into a wetland without presettlement of the runoff. Any modifications to a wetland must adhere to the provisions found in the (WCA) and other applicable laws.

(3) The proposed development will not increase the runoff rate or decrease the stormwater infiltration rate. All discharges shall be conveyed in a safe, non-erosive manner to any river, lake, detention basin, or holding pond. In order to minimize runoff and improve the quality of any runoff into adjoining streets and water courses, water runoff shall be minimized and treated in accordance with the provisions found in the City's approved Surface Water Management Plan and shall be subject to the approval of the City Engineer. Standards for Best Management Practices are found in Protecting Water Quality in Urban Areas, MN Pollution Control Agency, October 1989 and as amended, and Minnesota Construction Site Erosion and Sediment Control Planning Handbook, Board of Water & Soil Resources and Association of Metropolitan Soil and Water Conservation Districts, updated, and as amended.(4) Erosion protection measures shall first make maximum use of natural in-place vegetation. If that is not possible, the placing of new vegetation on the site as erosion control facilities will be allowed. The construction of artificial drainage devices including culverts, holding ponds, and ditches shall be used only if the use of natural erosion control devices is not feasible.

(5) The development shall be located in such a manner as to minimize the removal of vegetation and alteration of the natural topography. Any removal or alteration shall be the minimum area necessary for a structure or development undertaken pursuant to an approved building permit or

site plan. In order to achieve erosion control and buffering, revegetation will be required wherever removal of vegetation and alteration of the natural topography occurred. Any revegetation should be comprised of native and other compatible vegetation and landscaping. Existing developments should pursue strategies to incorporate native plantings or other appropriate means to stabilize the bank on top of the bluff and near their structures.

(6) The grades of any streets shall not exceed 10 percent.

(7) Any and all erosion control, stormwater runoff, utility access, and similar structures shall be designed to be maintained, cleaned out, and otherwise operated without requiring the crossing of private lands with or the operation of motorized heavy maintenance vehicles and equipment, such as bulldozers, trucks, and back-hoes on slopes in excess of 8 percent. As used in this section, "private lands" include all out-lots.

(8) The applicant shall demonstrate that the types and densities of land use proposed shall be suited to the site and soil conditions and shall not present a threat to the maintenance of the groundwater quality, a potential increase in maintenance cost of utilities, parking areas, or roads, and shall not be subject to problems due to soil limitations, including but not limited to soil-bearing strength, shrink/swell potential, and excessive frost movement.

(9) The quality of water runoff and water infiltrated to the water table or aquifer shall be as high after development as it was before development of the site within reasonable limits.

(10) For proposals which will involve development at or near the riverfront, applicants are encouraged to use plantings or similar appropriate natural means to stabilize river banks which are subject to erosion. (5) Planning Commission or City Council may direct prior to action by that body. The City Council may require additional conditions to be met and/or revisions in the plans to conform to the standards and intent of this ordinance.

(11) All drainage, and grading plans shall be reviewed by the City Engineer and other advisors as the Planning Commission or City Council may direct prior to action by that body. The City Council may require additional conditions to be met and/or revisions in the plans to conform to the standards and intent of this ordinance.

903.10 River Corridor Crossings.

All utility facilities and public and private roads located within Lilydale shall meet the following standards:

Subd. 1 Underground Placing. Underground placing of the utility facility shall be required unless economic, technological and land characteristic factors make underground placement unfeasible.

Subd. 2 Overhead Crossings. Overhead crossings, if required, shall meet the following criteria:

(1) The crossings shall be adjacent to or part of an existing utility corridor, including bridge or overhead utility lines.

(2) All structures utilized shall be as compatible as practicable with land use, scenic views, and existing transmission structures in height, material, color and design.

(3) Right-of-way clearance shall be kept to a minimum.

(4) Vegetative screening shall be utilized to the maximum extend consistent with safety requirements.

(5) Routing shall avoid unstable soils, blufflines, or high ridges, the alteration of the natural environment, including grading shall be minimized.

(6) The crossings shall be subject to the performance standards contained within Chapter IX, part 3, of the Lib/dale Code including Code Section 903.16 - Site Plans Required, as applicable.

Subd. 3 Utility Substations. Utility substations shall be subject to the following standards:

(1) All substations shall be subject to the performance standards contained within Chapter IX, Part 3, of the Lilydale City Code including Code Section 903.16 - Site Plans Required, as applicable.

(2) New substations or refurbishment of existing substations shall be compatible in height, scale, building materials, landscaping, and signing with the surrounding natural environment or land uses. Screening by natural means is encouraged and should be compatible with the surrounding environment.

Subd. 4 Pipelines and Underground Utility Facilities. Pipelines and underground utility facilities shall be subject to the following standards:

(1) All pipelines and underground facilities shall be subject to the performance standards contained within Chapter IX part 3, of the Lilydale code including City Code Section 903.16 - Site Plans Required, as applicable.

(2) The facilities shall be located to avoid wetlands, woodlands, and areas of unstable soils.

(3) All underground placing of utility facilities and pipelines shall be followed by revegetation and rehabilitation to the conditions which existed on site prior to development.

Subd. 5. Public and Private Roads and Railways. New roads and railways crossing the River Corridor or routed within the River Corridor shall meet the following standards:

(1) Transportation crossings of the corridor shall be minimized and concentrated at existing crossings whenever possible.

(2) Roads and railways shall be constructed in a manner that protects the Critical Area in accordance with the intents and purposes of the Lilydale City Code.

(3) New or modified transportation facilities shall complement the planned land and water uses and not encourage incompatible development.

(4) All roads and railways shall be subject to site plan review set forth in Lilydale City Code Section 903.16.

(5) When planning and designing public transportation facilities, consideration shall be given to provision of:

(a) scenic overlooks for motorists
(b) safe pedestrian crossing and facilities along the corridor
(c) access to the riverfront in public ownership
(d) reasonable use of land between river and transportation facility.

Subd. 903.11 Aeronautic Regulations.

Certain parts of the Minnesota code of Agency Ruled for the Department of Transportation Aeronautics are hereby adopted by the City of Lilydale. In particular, those sections known as 14 M.C.A.R. 1.0001, 1.0010, 1.0012, 1.0013, and 1.00135 are hereby incorporated herein and adopted by reference. For the purpose of interpreting and enforcing certain parts of said rules, the areas designated as "conical surface" and "transitional surface" shall be as delineated within the Lilydale Comprehensive Plan. Those areas of Lilydale not designated as being within the conical surface or the transitional surface shall be "general airspace."

Subd. 903.12 Highway Access, Parking.

Commercial and industrial developments shall be required to provide off-street parking, adequate to serve the maximum expected number of employees and customers. Access points to highways shall be limited to the minimum necessary. Except in cases of extreme hardship, highway access (driveways) shall be prohibited within 250 feet of any bridge, bridge ramp, or principal arterial access ramp.

Subd. 903.13 Dedication for Public Use.

The City Council may require that a reasonable portion of any proposed subdivision or development be dedicated to the public or preserved for use as streets, roads, sewers, electric, gas or water facilities, storm water drainage and holding areas, ponds or other storm water runoff projects which must be built to handle an increase in the flow and/or amount of storm water runoff from the proposed subdivision or development, or for similar utilities and improvements, or that the subdivider or developer contribute an equivalent amount in cash based on the fair market value of the undeveloped land or that the subdivider or developer contribute an amount in cash equal to the estimated cost of any project, including any storm water runoff project which is necessary to handle increases in flow and/or amounts of storm water runoff from the proposed subdivision or development; provided that cash payments received under this provision shall be placed in a special fund by the City and used only for the acquisition of land for and/or the construction of the purpose or project for which the amount is paid, including storm water holding areas or ponds or other storm water runoff projects and debt retirement in connection with the land previously required for such public purposes.

The necessity, nature, type and kind of any project, including storm water runoff projects, shall be determined by the City and any engineering costs or other costs incurred in connection with such determination shall be borne by the subdivider or developer.

Subd. 903.14 Restriction on Development.

No new development or subdivision shall be permitted within the City which will cause either the flow or the amount of water runoff to exceed the flow and/or amount of water runoff which occurred in the area of the subdivision or development prior to the subdivision or development unless there will be no damage to property which is not a part of the subdivision or development because of the increase in flow and/or amount of runoff or unless the owner of the property which will be damaged consents to the subdivision or development or unless such damage can be prevented by a storm water runoff project funded under the provisions of paragraph 903.13 of this Part 3.

Subd. 903.15 Parks, Playgrounds, Recreational Facilities, Trails, Wetlands and Open Space

a. In every plat, replat, or subdivision of land allowing development for residential, commercial, industrial or other uses or combination thereof, or where a waiver of platting is granted (but excluding simple lot line adjustments which do not create additional lots), a reasonable portion of such land shall be set aside and dedicated by the owner or owners to the general public as open space for parks, playgrounds, trails, public open space or wetlands. Said land shall be suitable for public use as parks and playgrounds or for one of the aforedescribed purposes and the City shall not be required to accept land which will not be so useable or which would require extensive expenditures on the part of the public to make them so useable. This dedication shall be in addition to the property dedicated for streets, alleys, utilities, storm water ponding areas or similar utilities and improvements.

b. Dedicated Land Requirements. Any land to be dedicated as a requirement of this section shall be reasonably adaptable for the above public purposes. Factors used in evaluating the adequacy of proposed dedicated areas shall include size, shape, topography, drainage, geology, tree cover, access and location. Land with dead trees, trash, junk, pollutants and unwanted structures is not acceptable.

c. Land Dedication Minimum Area. Subdividers shall be required to dedicate to the City for such public purposes the following percentages of gross land area which is hereby found as a general rule to be reasonable:

i. Residential Zoned Land. Dedication requirement of 8% of the land being platted, subdivided or existing lot of record.

ii. Commercial/Industrial Zoned Land. Dedication requirement of 8% of the land being platted, subdivided or existing lot of record.

d. Cash Contribution in Lieu of Lands. In those instances where a cash contribution is to be made by the subdivider, in lieu of a conveyance or dedication of land, the cash contribution shall be calculated as follows:

i. Residential Zoned Land. A cash contribution of 8% of the fair market value of the land value to be collected at the

time of building permit application.

ii. Commercial/Industrial Zoned Land. A cash contribution of 8% of the fair market value of the land value to be collected at the time of building permit application.

e. Fair Market Value of Lands. "Fair Market Value" for purposes of this ordinance shall be determined prior to the approval of the final subdivision plat. The "Fair Market Value" will be based upon the value of the land including value added to the land by utilities, streets, and other public improvements serving the land, but excluding value added by other improvements to the land and in accordance with the following criteria:

i. The City Council and subdivider may agree as to the fair market value.

ii. If agreement is not reached in the above matter, then fair market value shall be determined in accordance with one of the following:

(1) the fair market value as determined by the City Council based upon current appraisals submitted to the City by the subdivider at his expense. The appraisals shall be made by appraisers who are approved members of SREA or MAI, or equivalent real estate appraisal societies.

(2) If the City disputes such appraisal amounts, it may obtain an appraisal of the property by a qualified real estate appraiser, which appraisal shall be accepted by the City as being an accurate appraisal of fair market value. The cost of the appraisal shall be paid by the subdivider.

f. Future Subdivisions. Any land which is further subdivider, divided, or replatted subsequent to the imposition of this ordinance shall be subject to the requirements of the ordinance then in effect concerning dedication of land for public purposes, and credit shall be given for any charges previously imposed upon that land if the subdivider can prove that fees were previously paid. In no event shall the city be liable for any payment which may be due because of a subsequent reduction in the applicable percentage of land or equivalent market value in cash to be dedicated.

g. Development of Land Previously Platted. If the land has already been

previously subdivided, the requirements of this section shall apply at the time of the issuance of a building permit for the primary structure.

h. Funding, Accounting. Budgeting, Expenditure of Cash in Lieu of Lands, the City Council shall establish a separate fund into which all cash contributions received from subdividers in lieu of conveyance or dedication of land for park, playground, and other public purposes shall be deposited. The City council shall establish separate budgeting and accounting procedures for such fund and shall make from time to time appropriations from such fund for acquisition of land for park, playground purposes and other public purposes, for developing existing park and playground sites or for debt retirement in connection with land previously acquired for said purposes.

i. Administrative Procedures. The City Council shall establish such administrative procedures as they may deem necessary and required to implement the provisions of this section of the Code.

903.16 Site Planning

Subd. 1 Site Plan Required. No building permit, zoning approval, or subdivision approval permit or certificate shall be issued for any action or development covered by these regulations until a site plan has been prepared and approved in accordance with the provisions of this Section. Site Plans are not required for modification or construction of a single family residence unless a variance is required.

Subd. 2 Site Plan Application. A written application for site plan approval shall be filed with the City Clerk containing evidence adequate to show that the proposed use will conform with the standards set forth in this Section. Twenty sets of clearly legible blue or black line copies or drawings and required information shall be submitted to the City Clerk.

Subd. 3. Site Plan Contents.

A. Site Plan shall be prepared to a scale appropriate to the size of the project and suitable for the review to be performed.

B. The following information shall be provided in the site plan:

1. Location of the property, including the name and numbers of adjoining roads, existing subdivisions, and other landmarks.

2. The name and address of the owner(s) and developer(s), the section,

township, range, north point, date, and scale of drawings, and number sheets.

3. Existing topography as indicated on a contour map having a contour interval no greater than two feet per contour; the contour map shall also clearly delineate any bluff line, all streams, including intermittent streams and swales, rivers, water bodies, and wetlands located on the site.

4. A plan delineating the existing drainage of the water setting forth in which direction, the volume, and at what rate the storm water is conveyed from the site to those areas where storm water collects and is gradually percolated into the ground or slowly released into a River, lake, detention basin, or holding pond.

5. A description of the soils on the site including a map indicating soil types by areas to be disturbed as well as a soil report containing information on the suitability of the soils for the type of development proposed and for the type of sewage disposal proposed and describing any remedial steps to be taken by the developer to render the soils suitable. All areas proposed for grading shall be identified by soil type, both as to soil type of existing top soil and soil type of the new contour. The location and extent of any erosion areas shall be included in the soils description.

6. A description of the flora and fauna which normally occupy the site or are occasionally found thereon, setting forth with detail those areas where unique plant or animal species, as defined in the County biological survey, may be found, and setting forth any other flora or fauna the applicant desires to describe. The DNR shall be consulted to determine whether the site contains listed threatened and endangered species.

7. A description of any features, buildings, or areas which are of historic, cultural, or archeological significance.

8. A map indicating proposed finished grading shown at contours at the same intervals proposed above which clearly indicate the relationship of proposed changes to existing topography and remaining features.

9. A landscaping plan drawn to an appropriate scale including dimensions, distance, location, type, size, and description of all existing vegetation, clearly locating and describing any vegetation proposed for removal and all landscape materials and revegetation types which will be added to this site as part of the development.

10. A proposed drainage plan, as described in the City's Surface Water Management Plan, of the developed site delineating which direction, volume, and at what rate storm water will be conveyed from the site and setting forth the areas of the site where storm water will be allowed to collect and gradually percolate into the soil, or be slowly released to a River. The plan shall also set forth hydraulic capacity of all structures to be utilized, including volume of holding ponds and size of the storm the pond is being designed to handle.

11. An erosion and sedimentation control plan indicating the type, location, and necessary technical information on control measures to be taken both during and after construction including a statement expressing the calculated anticipated gross soil loss expressed tons/ acres/year both during and after construction. The proposed dimensions, alignment, height, and intended use of any structures to be erected or located on the site.

13. A clear delineation of all areas which are to be paved or surfaced including a description of the surfacing material to be used.

14. A description of the method to be provided for vehicular and pedestrian access to the proposed development and public access to the river and/or public river view opportunities both before and after development; a description of the development's impact on existing views of and along the River.

15. A description of all parking facilities to be provided as part of the development of the site including an analysis of parking needs generated by the proposed development.

16. A delineation of the area or areas, if any, to be dedicated for public use.

17. A delineation of the location and amounts of excavated soils to be stored on the site during construction.

18. Measures taken to address any adverse environmental effects of the development.

19. Any other information pertinent to that particular project which in the opinion of the City or applicant is necessary or helpful for the review of the project.

Subd. 4. Procedure

A. The City Clerk shall refer all site plans to the Planning Commission.

B. The Planning Commission shall examine the site plans and conduct an investigation and examination of the proposed development as it deems appropriate and make a report and recommendation to the City Council.

C. The Council shall hold public hearings within 45 days after the receipt of the report and recommendation of the Planning Commission. Failure to receive a report from the Planning Commission as herein provided shall not invalidate the proceedings or action of the Council. The Council shall give notice of the time and place of such hearing as required for public hearings by Minn Statute 462.357, Subd 3 and the provisions of that statute shall apply. Failure of the property owners to receive the notice shall not invalidate the proceedings. At the time of the hearing, the Council may take final action upon the site plan or may continue the hearing from time to time for further investigation and hearing. The Council may also request further information and reports from the Planning Commission. The public hearing provided for in this subparagraph shall satisfy the public hearing requirement of Lilydale Code Section 904.07 Subd. 2(9) relating to Planned Unit Districts.

D. Any proposed amendment to the procedure section of this ordinance or other proposed amendment to this Ordinance, may be referred to the Planning Commission for its consideration and recommendations.

Subd. 5. Site Plan Approval Standards

All site plans shall adhere to the following standards:

A. All site plans and supporting materials shall adequately assess and minimize adverse effects and maximize beneficial effects on the River Corridor.

B. All site plans and supporting materials shall set forth standards to ensure that structures, roads, screening, landscaping, storm water runoff, and construction placement are compatible with the characteristics and uses of the River Corridor.

C. All site plans and supporting materials shall provide opportunities for establishment of open space and public viewing, if feasible, and shall contain specific conditions with regard to buffering, landscaping, and revegetation.

Part 4. 904.01 Use Districts

The City of Lilydale is divided into use districts as follows:

(1) R-1: Smgle-family Residence District

(2) R-2: Multi-family Residence District

(3) B-l: General Business District

(4) M-1: Mixed-use District

(5) OS: Open Space District

(6) PUD: Planned Unit District

904.02 R-1: Single-family Residence District]

(1) Principal use: Single-family residential structure
(2) Minimum lot area per dwelling unit: 15,000 square feet
(3) Minimum lot width: 75 feet
(4) Minimum front set back: 30 feet or the average setback of buildings existing on the same street.
(5) Minimum side yard set back: 10 feet each side
(6) Maximum height: 30 feet.

(Exceptions: Historical sites and structures on the inventory of the State Historical Society or National Register of Historic Places, bridges and bridge approach roadways, and transmission services.)

904.03 R-2 Multi-family Residence District

(1) Principal uses:

Single-family residential structures Multi-family townhouses
Apartment buildings.

(2) Minimum lot area per dwelling unit:

Single-family structure	10,000 sq. ft
Two- and three-family townhouses	6,000 sq. ft
Four- and five-family townhouses	5,500 sq. ft
Six-, seven- and eight-family townhouses	5,000 sq. ft
More than eight-family townhouses	4,500 sq. ft
Apartment buildings	3,550 sq. ft

(3) Maximum height of

structures: 35 feet

(4) The following minimum dimensions shall be observed unless a variance is granted by the City Council in accordance with this Code:

Building Type	Lot Width	Front Setback	Side Setback	Interior Side Setback	Rear Set Back
Single Family	75'	30'	30'	10'	25'
Two- and Three-family townhouses	100'	30'	30'	10'	25'
Four- to Eight family townhouses	120'	30'	25'*	30'*	30'
More than eight-family townhouses	120'	30'	25'*	30'*	30'
Apartments	200'	No less than 35 feet or the average height of the dwelling, whichever is greater.			

* Add six inches for each foot the average height of the building exceeds 15 feet.

(5) The front setback shall be no less or more than the average setback of buildings existing on the same street.

(6) Variance to the height limitation of the R-2 District may be granted only if the following findings are made.

(a) Appropriate public services are adequate and available.

(b) The proposed development is compatible with adjacent land uses.

(c) The aesthetics of the river corridor and important scenic views are maintained.

(d) The development will comply with all remaining provisions of the City Code.

(e) The variance would not allow a use that is not compatible in the zoning district in which the property is located.

(f) The proposed variance is consistent with the purposes of the zoning district in which the property is located.

(7) Historical sites and structures on the inventory of the State Historical Society or the National Register of Historical Places, bridges and bridge approach roadways, and transmission services shall be excluded from the height standards of this district.

(8) The City Council will consider variance to the requirements presented above in its consideration of a Planned Unit Development District.

904.031

The following minimum parking space and parking requirements shall

apply in the Multi-family Residential District:

(1) A minimum of two and one-half parking spaces shall be provided for each dwelling unit, one and one-half of which shall be underground. Parking spaces not underground shall have a minimum width of 9 feet and 19 feet in length. All underground parking spaces shall be designed with sufficient access area to allow temporary parking of vehicles on the access way without interfering with access to other required parking spaces.

(2) Parking lots or other unenclosed parking spaces shall be at least 20 feet from the property line adjacent to any public street. Parking area shall be at least 10 feet from any principal use building unless the parking area is enclosed as an integral part of such building.

(3) The minimum width of any driveway shall be 24 feet of paved surface. The minimum distance between curbs of driveways at the right-of-way line shall be 20 feet. Any aisle providing access to parallel rows of spaces shall have a minimum width of 24 feet.

(4) No driveway shall be less than 50 feet from any street intersection, centerline to centerline.

(5) Minimum driveway angle from a two-way access street shall be 60 degrees; from a one-way street it shall not be less than 30 degrees.

(6) All parking areas and driveways shall be surfaced and curbed with either cement, bituminous surfacing or comparable material to provide a hard all-weather surface and to delineate the edges of all parking areas and driveways. Bumper stops of similar material shall be provided for each parking space.

(7) Parking areas which serve buildings housing 3 or more dwelling units which are contiguous to or across a street from single or two-family units shall have a 4-foot screen wall of masonry, wood, or evergreen planting. Such wall shall be at least 85 percent opaque.

904.032 Architectural Controls.

Any building which will contain dwelling units for two or more families in the Multi-family Residential District shall be constructed only in conformance to building and site plans certified by- a registered architect. The site plan may be prepared by a professional site planner but a registered architect must certify that he has personally reviewed the site and designed the proposed buildings in accordance with the site plan, the terrain and neighboring conditions. No building permit will be issued when these conditions are applicable until appropriate certificates and plans shall be submitted to indicate the following:

(1) Complete details of the proposed site development including location of buildings, driveways, parking spaces, dimensions of the lot, lot area and yard dimensions.

(2) Complete landscaping plans including species and size of trees and shrubs proposed. A bond in an amount not to exceed one and one-half times the cost of landscaping and screening shall be required to guarantee the placement thereof as set forth in said plans.

(3) Complete plans for proposed sidewalks to service parking, recreation and service areas within the proposed development.

(4) Complete plans for storm water drainage system sufficient to drain and dispose of all surface water accumulations within the areas.

(5) Proposed plans and specifications for exterior wall finishes for all principal and accessory buildings.