

ORDINANCE NO. 2021-445

Motion By: McKee
Seconded By: Nichols

AN ORDINANCE AMENDING THE TEXT OF SECTIONS 1020.020, 1040.040, 1040.045, 1040.050, 1040.060, 1040.065, AND 1040.070 OF THE ZONING ORDINANCE OF THE CORCORAN CITY CODE RELATED TO PERFORMANCE STANDARDS FOR PLACES OF WORSHIP AND EDUCATIONAL FACILITIES IN RESIDENTIAL ZONING DISTRICTS WITHIN THE METROPOLITAN URBAN SERVICE AREA (CITY FILE 21-034)

THE CITY OF CORCORAN ORDAINS:

SECTION 1. Amendment of the City Code. The text of Section 1020.020 of the Corcoran City Code is hereby amended by removing the ~~stricken material~~ and adding the underlined material as follows:

1020.020 - DEFINITIONS

IMPERVIOUS SURFACE: A surface compacted or covered with material so as to be highly resistant to infiltration by runoff. Impervious surface shall include roads; driveways; and parking areas, whether or not paved; sidewalks greater than three feet wide; patios; tennis and basketball courts; swimming pools; covered decks and other structures. Open decks with joints at least ¼ inch wide, areas beneath overhangs less than two feet wide, and sidewalks three feet or less wide shall not constitute impervious surfaces under these rules.

PLACES OF WORSHIP-~~ASSEMBLY~~: Any place of worship, including any church, synagogue, temple, mosque, or other building or facility, primarily engaged in religious worship. The term does not include uses, such as schools, recreational facilities, day care or childcare facilities, kindergartens, dormitories, or other facilities, for temporary or permanent residences, which are connected or related to the worship facility or the principal buildings on the site, or are located on the same site, even if the curriculum or services offered as part of such use includes religious services and/or training.

SECTION 2. Amendment of the City Code. The text of Section 1040.040 of the Corcoran City Code is hereby repealed and replaced by the underlined material as follows:

1040.040 – RSF-1 (SINGLE FAMILY RESIDENTIAL) ZONING DISTRICT

Subd. 4. Conditional Uses. The following are conditional uses, subject to the conditions outlined in Section 1070.020 of this Ordinance and the specific standards and criteria that may be cited below for a specific use:

A. Educational facilities, K-12, and Places of Worship, subject to the following:

1. Setbacks.

a. A minimum 50-foot setback from all property lines is required for all structures, parking spaces, drive aisles, and loading areas. The setback on all property lines will increase up to 200-feet based on the building footprint as described below:

<u>Building</u>	<u>Minimum</u>	<u>Building</u>	<u>Minimum</u>	<u>Building</u>	<u>Minimum</u>
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<u>Footprint Square Footage</u>	<u>Setback</u>	<u>Footprint Square Footage</u>	<u>Setback</u>	<u>Footprint Square Footage</u>	<u>Setback</u>
<u>Up to 15,000</u>	<u>50 feet</u>	<u>25,001 – 26,000</u>	<u>105 feet</u>	<u>36,001 – 37,000</u>	<u>160 feet</u>
<u>15,001 – 16,000</u>	<u>55 feet</u>	<u>26,001 – 27,000</u>	<u>110 feet</u>	<u>37,001 – 38,000</u>	<u>165 feet</u>
<u>16,001 – 17,000</u>	<u>60 feet</u>	<u>27,001 – 28,000</u>	<u>115 feet</u>	<u>38,001 – 39,000</u>	<u>170 feet</u>
<u>17,001 – 18,000</u>	<u>65 feet</u>	<u>28,001 – 29,000</u>	<u>120 feet</u>	<u>39,001 – 40,000</u>	<u>175 feet</u>
<u>18,001 – 19,000</u>	<u>70 feet</u>	<u>29,001 – 30,000</u>	<u>125 feet</u>	<u>40,001 – 41,000</u>	<u>180 feet</u>
<u>19,001 – 20,000</u>	<u>75 feet</u>	<u>30,001 – 31,000</u>	<u>130 feet</u>	<u>41,001 – 42,000</u>	<u>185 feet</u>
<u>20,001 – 21,000</u>	<u>80 feet</u>	<u>31,001 – 32,000</u>	<u>135 feet</u>	<u>42,001 – 43,000</u>	<u>190 feet</u>
<u>21,001 – 22,000</u>	<u>85 feet</u>	<u>32,001 – 33,000</u>	<u>140 feet</u>	<u>43,001 – 44,000</u>	<u>195 feet</u>
<u>22,001 – 23,000</u>	<u>90 feet</u>	<u>33,001 – 34,000</u>	<u>145 feet</u>	<u>At or above 44,001</u>	<u>200 feet</u>
<u>23,001 – 24,000</u>	<u>95 feet</u>	<u>34,001 – 35,000</u>	<u>150 feet</u>		
<u>24,001 – 25,000</u>	<u>100 feet</u>	<u>35,001 – 36,000</u>	<u>155 feet</u>		

- b. Any property lines fronting a county road shall require a minimum setback of 100 feet when the building footprint is 24,000 square feet or less.
 - c. Educational facilities and Places of Worship are not eligible for building and parking setback flexibility through additional landscaping as provided in Section 1060.070, Subd. 2., (K) – (J).
 2. Maximum Building Height. The maximum structure height is 35 feet, except as allowed by Section 1030.080.
 3. Maximum Impervious Surface.
 - a. The total impervious surface coverage shall not exceed 50% of the site.
 - b. The rest of the site shall be landscaped or left in a natural state.
 4. Landscaping Zone.
 - a. In addition to meeting the landscaping standards in Section 1060.070, Subd. 2 (A) – (I) of the City Code, any portions of the site that abut a residential area shall contain a landscaping zone along the shared property line with a minimum width of the applicable setback established in Section 1040.040, Subd. 4., (A), (1).
 - b. The landscaping zone will consist of evergreen and/or deciduous trees and shrubs with a sufficient density to provide visual buffering to a minimum height of 8 feet. The grade for determining height shall be the grade elevation of the building or use for which the buffering is providing protection. Earth mounding or berms may be used but shall not be used to achieve more than three feet of the required buffer. A fence may also be installed, but not in lieu of the planted landscaping zone. Existing trees, shrubs, and vegetation may be used to meet the landscaping zone requirement when the intent to provide buffering is accomplished.
 5. Parking Lot Screening and Landscaping
 - a. Any lighting used to illuminate an off-street parking area shall be so arranged as to reflect glare away from adjoining property, adjacent residential uses, and public rights-of-way and be in compliance with

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Section 1060.040 of this Chapter.

- b. Parking areas shall be screened from properties guided or zoned residential and from public streets. Screening to a height of at least 3 feet shall be provided to screen vehicle headlights.
 - c. Parking areas which are 3,000 square feet or greater shall have no less than 350 square feet of land devoted to internal landscaping islands (in addition to required traffic safety islands). The minimum square footage of land devoted to internal landscaping islands shall increase by 100 square feet for each additional 1,000 square feet of additional parking space. Such islands shall be bound by concrete curbing or comparable curbing as approved by the City Engineer.
6. Site Access. The primary site access shall comply with one of the following:
- a. The site shall have direct access onto a Major Roadway, which is defined as a Principal Arterial, Minor Reliever, Minor Expander, and Minor Connector roadways; or
 - b. The site will have direct access onto a Major Collector or Minor Collector roadway no more than 1,000 square feet from an intersection with a Major Roadway as identified in the Comprehensive Plan.
7. Noise. Exterior bells or loudspeakers are permitted between the hours of 9 a.m. and 10 p.m.
8. Additional Requirements.
- a. The City Council may attach additional conditions to the granting of the conditional use permit for the primary use as well as any accessory uses of the site as deemed necessary to protect the residential character of the neighborhood.
 - b. As provided for in federal statute 42 U.S.C. 2000cc-3 (e), the City Council may avoid the preemptive force of any provision of Chapter 21C (Protection of Religious Exercise in Land Use and By Institutionalized Person) by changing the policy or practice that results in a substantial burden on religious exercise, by retaining the policy or practice and exempting the substantially burdened religious exercise, by providing exemptions for the policy or practice for applications that substantially burden religious exercise, or by any other means that eliminates the substantial burden.

B. Places of Worship/Assembly

C. B. Residential Facility with seven to sixteen individuals, licensed by the State.

SECTION 3. Amendment of the City Code. The text of Section 1040.045 of the Corcoran City Code is hereby repealed and replaced by the underlined material as follows:

1040.045 – RSF-2 (SINGLE FAMILY RESIDENTIAL) ZONING DISTRICT

Subd. 4. Conditional Uses. The following are conditional uses, subject to the conditions

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outlined in Section 1070.020 of this Ordinance and the specific standards and criteria that may be cited below for a specific use:

A. Educational facilities, K-12, and Places of Worship, subject to the following:

1. Setbacks.

- a. A minimum 50-foot setback from all property lines is required for all structures, parking spaces, drive aisles, and loading areas. The setback on all property lines will increase up to 200-feet based on the building footprint as described below:

<u>Building Footprint Square Footage</u>	<u>Minimum Setback</u>	<u>Building Footprint Square Footage</u>	<u>Minimum Setback</u>	<u>Building Footprint Square Footage</u>	<u>Minimum Setback</u>
<u>Up to 15,000</u>	<u>50 feet</u>	<u>25,001 – 26,000</u>	<u>105 feet</u>	<u>36,001 – 37,000</u>	<u>160 feet</u>
<u>15,001 – 16,000</u>	<u>55 feet</u>	<u>26,001 – 27,000</u>	<u>110 feet</u>	<u>37,001 – 38,000</u>	<u>165 feet</u>
<u>16,001 – 17,000</u>	<u>60 feet</u>	<u>27,001 – 28,000</u>	<u>115 feet</u>	<u>38,001 – 39,000</u>	<u>170 feet</u>
<u>17,001 – 18,000</u>	<u>65 feet</u>	<u>28,001 – 29,000</u>	<u>120 feet</u>	<u>39,001 – 40,000</u>	<u>175 feet</u>
<u>18,001 – 19,000</u>	<u>70 feet</u>	<u>29,001 – 30,000</u>	<u>125 feet</u>	<u>40,001 – 41,000</u>	<u>180 feet</u>
<u>19,001 – 20,000</u>	<u>75 feet</u>	<u>30,001 – 31,000</u>	<u>130 feet</u>	<u>41,001 – 42,000</u>	<u>185 feet</u>
<u>20,001 – 21,000</u>	<u>80 feet</u>	<u>31,001 – 32,000</u>	<u>135 feet</u>	<u>42,001 – 43,000</u>	<u>190 feet</u>
<u>21,001 – 22,000</u>	<u>85 feet</u>	<u>32,001 – 33,000</u>	<u>140 feet</u>	<u>43,001 – 44,000</u>	<u>195 feet</u>
<u>22,001 – 23,000</u>	<u>90 feet</u>	<u>33,001 – 34,000</u>	<u>145 feet</u>	<u>At or above 44,001</u>	<u>200 feet</u>
<u>23,001 – 24,000</u>	<u>95 feet</u>	<u>34,001 – 35,000</u>	<u>150 feet</u>		
<u>24,001 – 25,000</u>	<u>100 feet</u>	<u>35,001 – 36,000</u>	<u>155 feet</u>		

- b. Any property lines fronting a county road shall require a minimum setback of 100 feet when the building footprint is 24,000 square feet or less.
- c. Educational facilities and Places of Worship are not eligible for building and parking setback flexibility through additional landscaping as provided in Section 1060.070, Subd. 2., (K) – (J).

2. Maximum Building Height. The maximum structure height is 35 feet, except as allowed by Section 1030.080.

3. Maximum Impervious Surface.

- a. The total impervious surface coverage shall not exceed 50% of the site.
- b. The rest of the site shall be landscaped or left in a natural state.

4. Landscaping Zone.

- a. In addition to meeting the landscaping standards in Section 1060.070, Subd. 2 (A) – (I) of the City Code, any portions of the site that abut a residential area shall contain a landscaping zone along the shared property line with a minimum width of the applicable setback established in Section 1040.045, Subd. 4., (A), (1).
- b. The landscaping zone will consist of evergreen and/or deciduous trees and shrubs with a sufficient density to provide visual buffering to a

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minimum height of 8 feet. The grade for determining height shall be the grade elevation of the building or use for which the buffering is providing protection. Earth mounding or berms may be used but shall not be used to achieve more than three feet of the required buffer. A fence may also be installed, but not in lieu of the planted landscaping. Existing trees, shrubs, and vegetation may be used to meet the landscaping zone requirement when the intent to provide buffering is accomplished.

5. Parking Lot Screening and Landscaping

- a. Any lighting used to illuminate an off-street parking area shall be so arranged as to reflect glare away from adjoining property, adjacent residential uses, and public rights-of-way and be in compliance with Section 1060.040 of this Chapter.**
- b. Parking areas shall be screened from properties guided or zoned residential and from public streets. Screening to a height of at least 3 feet shall be provided to screen vehicle headlights.**
- c. Parking areas which are 3,000 square feet or greater shall have no less than 350 square feet of land devoted to internal landscaping islands (in addition to required traffic safety islands). The minimum square footage of land devoted to internal landscaping islands shall increase by 100 square feet for each additional 1,000 square feet of additional parking space. Such islands shall be bound by concrete curbing or comparable curbing as approved by the City Engineer.**

6. Site Access. The primary site access shall comply with one of the following:

- a. The site shall have direct access onto a Major Roadway, which is defined as a Principal Arterial, Minor Reliever, Minor Expander, and Minor Connector roadways; or**
- b. The site will have direct access onto a Major Collector or Minor Collector roadway no more than 1,000 feet from an intersection with a Major Roadway as identified in the Comprehensive Plan.**

7. Noise. Exterior bells or loudspeakers are permitted between the hours of 9 a.m. and 10 p.m.

8. Additional Requirements.

- a. The City Council may attach additional conditions to the granting of the conditional use permit for the primary use as well as any accessory uses of the site as deemed necessary to protect the residential character of the neighborhood.**
- b. As provided for in federal statute 42 U.S.C. 2000cc-3 (e), the City Council may avoid the preemptive force of any provision of Chapter 21C (Protection of Religious Exercise in Land Use and By Institutionalized Person) by changing the policy or practice that results in a substantial burden on religious exercise, by retaining the policy or practice and exempting the substantially burdened religious exercise, by providing exemptions for the policy or practice for applications that substantially**

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burden religious exercise, or by any other means that eliminates the substantial burden.

B. ~~Places of Worship/Assembly.~~

C. B. Residential Facility with seven to sixteen individuals, licensed by the State.

SECTION 4. Amendment of the City Code. The text of Section 1040.050 of the Corcoran City Code is hereby repealed and replaced by the underlined material as follows:

1040.050 – RSF-3 (SINGLE AND TWO-FAMILY RESIDENTIAL) ZONING DISTRICT

Subd. 4. Conditional Uses. The following are conditional uses, subject to the conditions outlined in Section 1070.020 of this Ordinance and the specific standards and criteria that may be cited below for a specific use:

A. Day Care facilities accessory to educational facilities or Places of Worship ~~/Assembly.~~

B. Dwelling, Two Family.

C. Educational facilities, K-12, and Places of Worship, subject to the following:

1. Setbacks.

a. A minimum 50-foot setback from all property lines is required for all structures, parking spaces, drive aisles, and loading areas. The setback on all property lines will increase up to 200-feet based on the building footprint as described below:

<u>Building Footprint Square Footage</u>	<u>Minimum Setback</u>	<u>Building Footprint Square Footage</u>	<u>Minimum Setback</u>	<u>Building Footprint Square Footage</u>	<u>Minimum Setback</u>
<u>Up to 15,000</u>	<u>50 feet</u>	<u>25,001 – 26,000</u>	<u>105 feet</u>	<u>36,001 – 37,000</u>	<u>160 feet</u>
<u>15,001 – 16,000</u>	<u>55 feet</u>	<u>26,001 – 27,000</u>	<u>110 feet</u>	<u>37,001 – 38,000</u>	<u>165 feet</u>
<u>16,001 – 17,000</u>	<u>60 feet</u>	<u>27,001 – 28,000</u>	<u>115 feet</u>	<u>38,001 – 39,000</u>	<u>170 feet</u>
<u>17,001 – 18,000</u>	<u>65 feet</u>	<u>28,001 – 29,000</u>	<u>120 feet</u>	<u>39,001 – 40,000</u>	<u>175 feet</u>
<u>18,001 – 19,000</u>	<u>70 feet</u>	<u>29,001 – 30,000</u>	<u>125 feet</u>	<u>40,001 – 41,000</u>	<u>180 feet</u>
<u>19,001 – 20,000</u>	<u>75 feet</u>	<u>30,001 – 31,000</u>	<u>130 feet</u>	<u>41,001 – 42,000</u>	<u>185 feet</u>
<u>20,001 – 21,000</u>	<u>80 feet</u>	<u>31,001 – 32,000</u>	<u>135 feet</u>	<u>42,001 – 43,000</u>	<u>190 feet</u>
<u>21,001 – 22,000</u>	<u>85 feet</u>	<u>32,001 – 33,000</u>	<u>140 feet</u>	<u>43,001 – 44,000</u>	<u>195 feet</u>
<u>22,001 – 23,000</u>	<u>90 feet</u>	<u>33,001 – 34,000</u>	<u>145 feet</u>	<u>At or above 44,001</u>	<u>200 feet</u>
<u>23,001 – 24,000</u>	<u>95 feet</u>	<u>34,001 – 35,000</u>	<u>150 feet</u>		
<u>24,001 – 25,000</u>	<u>100 feet</u>	<u>35,001 – 36,000</u>	<u>155 feet</u>		

b. Any property lines fronting a county road shall require a minimum setback of 100 feet when the building footprint is 24,000 square feet or less.

c. Educational Facilities and Places of Worship are not eligible for building and parking setback flexibility through additional landscaping as provided in Section 1060.070, Subd. 2., (K) – (J).

2. Maximum Building Height. The maximum structure height is 35 feet, except

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as allowed by Section 1030.080.

3. Maximum Impervious Surface.

- a. The total impervious surface coverage shall not exceed 50% of the site.
- b. The rest of the site shall be landscaped or left in a natural state.

4. Landscaping Zone.

- a. In addition to meeting the landscaping standards in Section 1060.070, Subd. 2 (A) – (I) of the City Code, any portions of the site that abut a residential area shall contain a landscaping zone along the shared property line with a minimum width of the applicable setback established in Section 1040.050, Subd. 4., (C), (1).
- b. The landscaping zone will consist of evergreen and/or deciduous trees and shrubs with a sufficient density to provide visual buffering to a minimum height of 8 feet. The grade for determining height shall be the grade elevation of the building or use for which the buffering is providing protection. Earth mounding or berms may be used but shall not be used to achieve more than three feet of the required buffer. A fence may also be installed, but not in lieu of the planted landscaping zone. Existing trees, shrubs, and vegetation may be used to meet the landscaping zone requirement when the intent to provide buffering is accomplished.

5. Parking Lot Screening and Landscaping

- a. Any lighting used to illuminate an off-street parking area shall be so arranged as to reflect glare away from adjoining property, adjacent residential uses, and public rights-of-way and be in compliance with Section 1060.040 of this Chapter.
- b. Parking areas shall be screened from properties guided or zoned residential and from public streets. Screening to a height of at least 3 feet shall be provided to screen vehicle headlights.
- c. Parking areas which are 3,000 square feet or greater shall have no less than 350 square feet of land devoted to internal landscaping islands (in addition to required traffic safety islands). The minimum square footage of land devoted to internal landscaping islands shall increase by 100 square feet for each additional 1,000 square feet of additional parking space. Such islands shall be bound by concrete curbing or comparable curbing as approved by the City Engineer.

6. Site Access. The primary site access shall comply with one of the following:

- a. The site shall have direct access onto a Major Roadway, which is defined as a Principal Arterial, Minor Reliever, Minor Expander, and Minor Connector roadways; or
- b. The site will have direct access onto a Major Collector or Minor Collector roadway no more than 1,000 square feet from an intersection with a Major Roadway as identified in the Comprehensive Plan.

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7. Noise. Exterior bells or loudspeakers are permitted between the hours of 9 a.m. and 10 p.m.
8. Additional Requirements.
 - a. The City Council may attach additional conditions to the granting of the conditional use permit for the primary use as well as any accessory uses of the site as deemed necessary to protect the residential character of the neighborhood.
 - b. As provided for in federal statute 42 U.S.C. 2000cc-3 (e), the City Council may avoid the preemptive force of any provision of Chapter 21C (Protection of Religious Exercise in Land Use and By Institutionalized Person) by changing the policy or practice that results in a substantial burden on religious exercise, by retaining the policy or practice and exempting the substantially burdened religious exercise, by providing exemptions for the policy or practice for applications that substantially burden religious exercise, or by any other means that eliminates the substantial burden.

D. ~~Places of Worship/Assembly~~

- E. D. Residential Facility with seven to sixteen individuals, licensed by the State.**

SECTION 5. Amendment of the City Code. The text of Section 1040.060 of the Corcoran City Code is hereby repealed and replaced by the underlined material as follows:

1040.060 – RMF-1 (MEDIUM DENSITY RESIDENTIAL) ZONING DISTRICT

Subd. 4. Conditional Uses. The following are conditional uses, subject to the conditions outlined in Section 1070.020 of this Ordinance and the specific standards and criteria that may be cited below for a specific use:

- A. Day Care facilities accessory to educational facilities or Places of Worship/~~Assembly~~.
- B. Dwelling, Senior (age-restricted).
- C. Dwelling, Multiple Family.
- D. Educational facilities, K-12, and Places of Worship, subject to the following:
 1. Setbacks.
 - a. A minimum 50-foot setback from all property lines is required for all structures, parking spaces, drive aisles, and loading areas. The setback on all property lines will increase up to 200-feet based on the building footprint as described below:

<u>Building Footprint Square Footage</u>	<u>Minimum Setback</u>	<u>Building Footprint Square Footage</u>	<u>Minimum Setback</u>	<u>Building Footprint Square Footage</u>	<u>Minimum Setback</u>
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<u>Up to 15,000</u>	<u>50 feet</u>	<u>25,001 – 26,000</u>	<u>105 feet</u>	<u>36,001 – 37,000</u>	<u>160 feet</u>
<u>15,001 – 16,000</u>	<u>55 feet</u>	<u>26,001 – 27,000</u>	<u>110 feet</u>	<u>37,001 – 38,000</u>	<u>165 feet</u>
<u>16,001 – 17,000</u>	<u>60 feet</u>	<u>27,001 – 28,000</u>	<u>115 feet</u>	<u>38,001 – 39,000</u>	<u>170 feet</u>
<u>17,001 – 18,000</u>	<u>65 feet</u>	<u>28,001 – 29,000</u>	<u>120 feet</u>	<u>39,001 – 40,000</u>	<u>175 feet</u>
<u>18,001 – 19,000</u>	<u>70 feet</u>	<u>29,001 – 30,000</u>	<u>125 feet</u>	<u>40,001 – 41,000</u>	<u>180 feet</u>
<u>19,001 – 20,000</u>	<u>75 feet</u>	<u>30,001 – 31,000</u>	<u>130 feet</u>	<u>41,001 – 42,000</u>	<u>185 feet</u>
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<u>21,001 – 22,000</u>	<u>85 feet</u>	<u>32,001 – 33,000</u>	<u>140 feet</u>	<u>43,001 – 44,000</u>	<u>195 feet</u>
<u>22,001 – 23,000</u>	<u>90 feet</u>	<u>33,001 – 34,000</u>	<u>145 feet</u>	<u>At or above</u> <u>44,001</u>	<u>200 feet</u>
<u>23,001 – 24,000</u>	<u>95 feet</u>	<u>34,001 – 35,000</u>	<u>150 feet</u>		
<u>24,001 – 25,000</u>	<u>100 feet</u>	<u>35,001 – 36,000</u>	<u>155 feet</u>		

- b. Any property lines fronting a county road shall require a minimum setback of 100 feet when the building footprint is 24,000 square feet or less.
 - c. Educational facilities and Places of Worship are not eligible for building and parking setback flexibility through additional landscaping as provided in Section 1060.070, Subd. 2., (K) – (J).
2. Maximum Building Height. The maximum structure height is 35 feet, except as allowed by Section 1030.080.
3. Maximum Impervious Surface.
 - a. The total impervious surface coverage shall not exceed 50% of the site.
 - b. The rest of the site shall be landscaped or left in a natural state.
4. Landscaping Zone.
 - a. In addition to meeting the landscaping standards in Section 1060.070, Subd. 2 (A) – (I) of the City Code, any portions of the site that abut a residential area shall contain a landscaping zone along the shared property line with a minimum width of the applicable setback established in Section 1040.060, Subd. 4., (D), (1).
 - b. The landscaping zone will consist of evergreen and/or deciduous trees and shrubs with a sufficient density to provide visual buffering to a minimum height of 8 feet. The grade for determining height shall be the grade elevation of the building or use for which the buffering is providing protection. Earth mounding or berms may be used but shall not be used to achieve more than three feet of the required buffer. A fence may also be installed, but not in lieu of the planted landscaping zone. Existing trees, shrubs, and vegetation may be used to meet the landscaping zone requirement when the intent to provide buffering is accomplished.
5. Parking Lot Screening and Landscaping
 - a. Any lighting used to illuminate an off-street parking area shall be so arranged as to reflect glare away from adjoining property, adjacent residential uses, and public rights-of-way and be in compliance with Section 1060.040 of this Chapter.

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- b. Parking areas shall be screened from properties guided or zoned residential and from public streets. Screening to a height of at least 3 feet shall be provided to screen vehicle headlights.
 - c. Parking areas which are 3,000 square feet or greater shall have no less than 350 square feet of land devoted to internal landscaping islands (in addition to required traffic safety islands). The minimum square footage of land devoted to internal landscaping islands shall increase by 100 square feet for each additional 1,000 square feet of additional parking space. Such islands shall be bound by concrete curbing or comparable curbing as approved by the City Engineer.
- 6. Site Access. The primary site access shall comply with one of the following:
 - a. The site shall have direct access onto a Major Roadway, which is defined as a Principal Arterial, Minor Reliever, Minor Expander, and Minor Connector roadways; or
 - b. The site will have direct access onto a Major Collector or Minor Collector roadway no more than 1,000 square feet from an intersection with a Major Roadway as identified in the Comprehensive Plan.
- 7. Noise. Exterior bells or loudspeakers are permitted between the hours of 9 a.m. and 10 p.m.
- 8. Additional Requirements.
 - a. The City Council may attach additional conditions to the granting of the conditional use permit for the primary use as well as any accessory uses of the site as deemed necessary to protect the residential character of the neighborhood.
 - b. As provided for in federal statute 42 U.S.C. 2000cc-3 (e), the City Council may avoid the preemptive force of any provision of Chapter 21C (Protection of Religious Exercise in Land Use and By Institutionalized Person) by changing the policy or practice that results in a substantial burden on religious exercise, by retaining the policy or practice and exempting the substantially burdened religious exercise, by providing exemptions for the policy or practice for applications that substantially burden religious exercise, or by any other means that eliminates the substantial burden.
- E. Places of Worship/Assembly.
- F. E. Residential Facility with seven to sixteen individuals, licensed by the State.

SECTION 6. Amendment of the City Code. The text of Section 1040.065 of the Corcoran City Code is hereby repealed and replaced by the underlined material as follows:

1040.065 – RMF-2 (MIXED RESIDENTIAL) ZONING DISTRICT

Subd. 4. Conditional Uses. The following are conditional uses, subject to the conditions outlined in Section 1070.020 of this Ordinance and the specific standards and criteria that may be cited below for a specific use:

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A. Day Care facilities accessory to educational facilities or Places of Worship/~~Assembly~~.

B. Educational facilities, K-12, and Places of Worship, subject to the following:

1. Setbacks.

a. A minimum 50-foot setback from all property lines is required for all structures, parking spaces, drive aisles, and loading areas. The setback on all property lines will increase up to 200-feet based on the building footprint as described below:

<u>Building Footprint Square Footage</u>	<u>Minimum Setback</u>	<u>Building Footprint Square Footage</u>	<u>Minimum Setback</u>	<u>Building Footprint Square Footage</u>	<u>Minimum Setback</u>
<u>Up to 15,000</u>	<u>50 feet</u>	<u>25,001 – 26,000</u>	<u>105 feet</u>	<u>36,001 – 37,000</u>	<u>160 feet</u>
<u>15,001 – 16,000</u>	<u>55 feet</u>	<u>26,001 – 27,000</u>	<u>110 feet</u>	<u>37,001 – 38,000</u>	<u>165 feet</u>
<u>16,001 – 17,000</u>	<u>60 feet</u>	<u>27,001 – 28,000</u>	<u>115 feet</u>	<u>38,001 – 39,000</u>	<u>170 feet</u>
<u>17,001 – 18,000</u>	<u>65 feet</u>	<u>28,001 – 29,000</u>	<u>120 feet</u>	<u>39,001 – 40,000</u>	<u>175 feet</u>
<u>18,001 – 19,000</u>	<u>70 feet</u>	<u>29,001 – 30,000</u>	<u>125 feet</u>	<u>40,001 – 41,000</u>	<u>180 feet</u>
<u>19,001 – 20,000</u>	<u>75 feet</u>	<u>30,001 – 31,000</u>	<u>130 feet</u>	<u>41,001 – 42,000</u>	<u>185 feet</u>
<u>20,001 – 21,000</u>	<u>80 feet</u>	<u>31,001 – 32,000</u>	<u>135 feet</u>	<u>42,001 – 43,000</u>	<u>190 feet</u>
<u>21,001 – 22,000</u>	<u>85 feet</u>	<u>32,001 – 33,000</u>	<u>140 feet</u>	<u>43,001 – 44,000</u>	<u>195 feet</u>
<u>22,001 – 23,000</u>	<u>90 feet</u>	<u>33,001 – 34,000</u>	<u>145 feet</u>	<u>At or above 44,001</u>	<u>200 feet</u>
<u>23,001 – 24,000</u>	<u>95 feet</u>	<u>34,001 – 35,000</u>	<u>150 feet</u>		
<u>24,001 – 25,000</u>	<u>100 feet</u>	<u>35,001 – 36,000</u>	<u>155 feet</u>		

b. Any property lines fronting a county road shall require a minimum setback of 100 feet when the building footprint is 24,000 square feet or less.

c. Educational facilities and Places of Worship are not eligible for building and parking setback flexibility through additional landscaping as provided in Section 1060.070, Subd. 2., (K) – (J).

2. Maximum Building Height. The maximum structure height is 35 feet, except as allowed by Section 1030.080.

3. Maximum Impervious Surface.

a. The total impervious surface coverage shall not exceed 50% of the site.

b. The rest of the site shall be landscaped or left in a natural state.

4. Landscaping Zone.

a. In addition to meeting the landscaping standards in Section 1060.070, Subd. 2 (A) – (I) of the City Code, any portions of the site that abut a residential area shall contain a landscaping zone along the shared property line with a minimum width of the applicable setback established in Section 1040.065, Subd. 4., (B), (1).

b. The landscaping zone will consist of evergreen and/or deciduous trees

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and shrubs with a sufficient density to provide visual buffering to a minimum height of 8 feet. The grade for determining height shall be the grade elevation of the building or use for which the buffering is providing protection. Earth mounding or berms may be used but shall not be used to achieve more than three feet of the required buffer. A fence may also be installed, but not in lieu of the planted landscaping zone. Existing trees, shrubs, and vegetation may be used to meet the landscaping zone requirement when the intent to provide buffering is accomplished.

5. Parking Lot Screening and Landscaping
 - a. Any lighting used to illuminate an off-street parking area shall be so arranged as to reflect glare away from adjoining property, adjacent residential uses, and public rights-of-way and be in compliance with Section 1060.040 of this Chapter.
 - b. Parking areas shall be screened from properties guided or zoned residential and from public streets. Screening to a height of at least 3 feet shall be provided to screen vehicle headlights.
 - c. Parking areas which are 3,000 square feet or greater shall have no less than 350 square feet of land devoted to internal landscaping islands (in addition to required traffic safety islands). The minimum square footage of land devoted to internal landscaping islands shall increase by 100 square feet for each additional 1,000 square feet of additional parking space. Such islands shall be bound by concrete curbing or comparable curbing as approved by the City Engineer.
6. Site Access. The primary site access shall comply with one of the following:
 - a. The site shall have direct access onto a Major Roadway, which is defined as a Principal Arterial, Minor Reliever, Minor Expander, and Minor Connector roadways; or
 - b. The site will have direct access onto a Major Collector or Minor Collector roadway no more than 1,000 square feet from an intersection with a Major Roadway as identified in the Comprehensive Plan.
7. Noise. Exterior bells or loudspeakers are permitted between the hours of 9 a.m. and 10 p.m.
8. Additional Requirements.
 - a. The City Council may attach additional conditions to the granting of the conditional use permit for the primary use as well as any accessory uses of the site as deemed necessary to protect the residential character of the neighborhood.
 - b. As provided for in federal statute 42 U.S.C. 2000cc-3 (e), the City Council may avoid the preemptive force of any provision of Chapter 21C (Protection of Religious Exercise in Land Use and By Institutionalized Person) by changing the policy or practice that results in a substantial burden on religious exercise, by retaining the policy or practice and exempting the substantially burdened religious exercise, by providing

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exemptions for the policy or practice for applications that substantially burden religious exercise, or by any other means that eliminates the substantial burden.

C. ~~Places of Worship/Assembly.~~

D. C. Residential Facility with seven to sixteen individuals, licensed by the State.

SECTION 7. Amendment of the City Code. The text of Section 1040.070 of the Corcoran City Code is hereby repealed and replaced by the underlined material as follows:

1040.070 – RMF-3 (HIGH DENSITY RESIDENTIAL) ZONING DISTRICT

Subd. 4. Conditional Uses. The following are conditional uses, subject to the conditions outlined in Section 1070.020 of this Ordinance and the specific standards and criteria that may be cited below for a specific use:

A. Day Care facilities accessory to educational facilities or Places of Worship/~~Assembly~~.

B. Educational facilities, K-12, and Places of Worship, subject to the following:

1. Setbacks.

a. A minimum 50-foot setback from all property lines is required for all structures, parking spaces, drive aisles, and loading areas. The setback on all property lines will increase up to 200-feet based on the building footprint as described below:

<u>Building Footprint Square Footage</u>	<u>Minimum Setback</u>	<u>Building Footprint Square Footage</u>	<u>Minimum Setback</u>	<u>Building Footprint Square Footage</u>	<u>Minimum Setback</u>
<u>Up to 15,000</u>	<u>50 feet</u>	<u>25,001 – 26,000</u>	<u>105 feet</u>	<u>36,001 – 37,000</u>	<u>160 feet</u>
<u>15,001 – 16,000</u>	<u>55 feet</u>	<u>26,001 – 27,000</u>	<u>110 feet</u>	<u>37,001 – 38,000</u>	<u>165 feet</u>
<u>16,001 – 17,000</u>	<u>60 feet</u>	<u>27,001 – 28,000</u>	<u>115 feet</u>	<u>38,001 – 39,000</u>	<u>170 feet</u>
<u>17,001 – 18,000</u>	<u>65 feet</u>	<u>28,001 – 29,000</u>	<u>120 feet</u>	<u>39,001 – 40,000</u>	<u>175 feet</u>
<u>18,001 – 19,000</u>	<u>70 feet</u>	<u>29,001 – 30,000</u>	<u>125 feet</u>	<u>40,001 – 41,000</u>	<u>180 feet</u>
<u>19,001 – 20,000</u>	<u>75 feet</u>	<u>30,001 – 31,000</u>	<u>130 feet</u>	<u>41,001 – 42,000</u>	<u>185 feet</u>
<u>20,001 – 21,000</u>	<u>80 feet</u>	<u>31,001 – 32,000</u>	<u>135 feet</u>	<u>42,001 – 43,000</u>	<u>190 feet</u>
<u>21,001 – 22,000</u>	<u>85 feet</u>	<u>32,001 – 33,000</u>	<u>140 feet</u>	<u>43,001 – 44,000</u>	<u>195 feet</u>
<u>22,001 – 23,000</u>	<u>90 feet</u>	<u>33,001 – 34,000</u>	<u>145 feet</u>	<u>At or above 44,001</u>	<u>200 feet</u>
<u>23,001 – 24,000</u>	<u>95 feet</u>	<u>34,001 – 35,000</u>	<u>150 feet</u>		
<u>24,001 – 25,000</u>	<u>100 feet</u>	<u>35,001 – 36,000</u>	<u>155 feet</u>		

b. Any property lines fronting a county road shall require a minimum setback of 100 feet when the building footprint is 24,000 square feet or less.

c. Educational facilities and Places of Worship are not eligible for building and parking setback flexibility through additional landscaping as provided in Section 1060.070, Subd. 2., (K) – (J).

2. Maximum Building Height. The maximum structure height is 35 feet, except as allowed by Section 1030.080.

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3. Maximum Impervious Surface.
 - a. The total impervious surface coverage shall not exceed 50% of the site.
 - b. The rest of the site shall be landscaped or left in a natural state.
4. Landscaping Zone.
 - a. In addition to meeting the landscaping standards in Section 1060.070, Subd. 2 (A) – (I) of the City Code, any portions of the site that abut a residential area shall contain a landscaping zone along the shared property line with a minimum width of the applicable setback established in Section 1040.070, Subd. 4., (B), (1).
 - b. The landscaping zone will consist of evergreen and/or deciduous trees and shrubs with a sufficient density to provide visual buffering to a minimum height of 8 feet. The grade for determining height shall be the grade elevation of the building or use for which the buffering is providing protection. Earth mounding or berms may be used but shall not be used to achieve more than three feet of the required buffer. A fence may also be installed, but not in lieu of the planted landscaping zone. Existing trees, shrubs, and vegetation may be used to meet the landscaping zone requirement when the intent to provide buffering is accomplished.
5. Parking Lot Screening and Landscaping
 - a. Any lighting used to illuminate an off-street parking area shall be so arranged as to reflect glare away from adjoining property, adjacent residential uses, and public rights-of-way and be in compliance with Section 1060.040 of this Chapter.
 - b. The site will have direct access onto a Major Collector or Minor Collector roadway no more than 1,000 square feet from an intersection with a Major Roadway as identified in the Comprehensive Plan.
 - c. Parking areas which are 3,000 square feet or greater shall have no less than 350 square feet of land devoted to internal landscaping islands (in addition to required traffic safety islands). The minimum square footage of land devoted to internal landscaping islands shall increase by 100 square feet for each additional 1,000 square feet of additional parking space. Such islands shall be bound by concrete curbing or comparable curbing as approved by the City Engineer.
6. Site Access. The primary site access shall comply with one of the following:
 - a. The site shall have direct access onto a Major Roadway, which is defined as a Principal Arterial, Minor Reliever, Minor Expander, and Minor Connector roadways; or
 - b. The site will have direct access onto a Major Collector or Minor Collector roadway no more than 1,000 square feet from an intersection with a Major Roadway as identified in the Comprehensive Plan.

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7. Noise. Exterior bells or loudspeakers are permitted between the hours of 9 a.m. and 10 p.m.
8. Additional Requirements.
- a. The City Council may attach additional conditions to the granting of the conditional use permit for the primary use as well as any accessory uses of the site as deemed necessary to protect the residential character of the neighborhood.
- b. As provided for in federal statute 42 U.S.C. 2000cc-3 (e), the City Council may avoid the preemptive force of any provision of Chapter 21C (Protection of Religious Exercise in Land Use and By Institutionalized Person) by changing the policy or practice that results in a substantial burden on religious exercise, by retaining the policy or practice and exempting the substantially burdened religious exercise, by providing exemptions for the policy or practice for applications that substantially burden religious exercise, or by any other means that eliminates the substantial burden.
- C. Places of Worship/Assembly
- D. C. Residential Facility with seven to sixteen individuals, licensed by the State.

SECTION 8. Effective Date

This Ordinance shall be in full force and effect upon its adoption.

ADOPTED by the City Council on the 22nd day of December, 2021.

VOTING AYE

- ☒ McKee, Tom
☐ Bottema, Jon
☒ Nichols, Jeremy
☒ Schultz, Alan
☒ Vehrenkamp, Dean

VOTING NAY

- ☐ McKee, Tom
☐ Bottema, Jon
☐ Nichols, Jeremy
☐ Schultz, Alan
☐ Vehrenkamp, Dean


Tom McKee - Mayor

ATTEST:


Jessica Beise – Administrative Services Director

City Seal