
CHAPTER 5. SPECIFIC USE / CONSTRUCTION STANDARDS

Section:

- 9-5-1 Purpose.
- 9-5-2 Applicability.
- 9-5-3 Use Standards.
- 9-5-4 Building Design and Construction Standards.

9-5-1 Purpose. Specific use standards are established to provide supplemental regulations to address the unique characteristics of certain land uses. Building design and construction standards are intended to ensure that buildings in commercial and industrial areas of the City will be of high quality in both visual and functional terms.

9-5-2 Applicability.

- A. *Use standards.* The use standards in this Chapter apply to the uses listed in Section 9-5-3 whether the uses are permitted by right or by conditional use in the applicable zoning district. The standards identified within this Chapter shall apply in addition to all other applicable regulations of this Title.
- B. *Building design standards.* The standards identified in Section 9-5-4 shall apply to all new structures and in all cases where exterior repairs, remodeling, or expansion of existing buildings require a building permit. It is not intended, however, that such provisions be applied to residential structures.

9-5-3 Use Standards.

- A. *Automobile and vehicle sales.*
 - 1. The sales area shall not take up, or interfere with access to, any required parking spaces as established in Chapter 24.
 - 2. Accessory repair shall be subject to the provisions established elsewhere in this Title for such use.
 - 3. The sales area shall be surfaced with concrete or bituminous, include perimeter curbing, and shall meet required parking setbacks for the district in which the use is located.
 - 4. Used sales shall only be allowed when an integral part of a new automobile dealership or if such vehicles are located completely inside a principal or accessory building.
 - 5. All necessary City or state licenses shall be obtained.
 - 6. Outside storage of parts, materials, and equipment shall not be permitted.
- B. *Automobile convenience facility.*
 - 1. Fuel pumps shall be installed on pump islands. Adequate space shall be provided to access fuel pumps and allow maneuverability around the pumps.
 - 2. Underground fuel storage tanks are to be positioned to allow adequate access by motor fuel transports and unloading operations that do not conflict with circulation, access and other activities on the site.
 - 3. A protective canopy structure may be located over the pump islands and an accessory structure, subject to the following standards:
 - a. The edge of the canopy shall maintain setbacks as required for the principal building.
 - b. The canopy shall not exceed eighteen (18) feet in height and must provide at least

-
-
- fourteen (14) feet of clearance to accommodate a semi-trailer passing underneath.
 - c. The canopy fascia shall not exceed three (3) feet in vertical height.
 - d. Canopy lighting shall consist of canister spotlights recessed into the canopy. No portion of the light source or fixture may extend below the bottom face of the canopy. Total canopy illumination shall not exceed one-hundred fifteen (115) foot-candles below the canopy at ground level. The fascia of the canopy shall not be illuminated.
 - e. The architectural design, colors, and character of the canopy shall be consistent with the principal building on the site.
 - f. Signage may be allowed on a detached canopy, however such signage will apply towards the allowable sign area for the principal building.
 - g. Canopy posts/sign posts shall not obstruct traffic or the safe operation of the gas pumps.
- 4. Pump islands must be elevated six (6) inches above the traveled surface of the site and must be set back at least thirty (30) feet from any property line. Additionally, the set back between pump islands must be a least twenty-four (24) feet, measured curb face to curb face.
 - 5. Any public address system shall not be audible from any property line. Playing of music or advertisement from the public address system is prohibited.
 - 6. No outside storage, display, or services shall be allowed except as follows:
 - a. Propane sales limited to twenty (20) pound capacity tanks may be located outside provided the tanks are secured in a locker and the use meets all State Uniform Building and Fire Codes.
 - b. Sale or display of goods shall be allowed on the sidewalk immediately in front of the principal building, provided that a minimum four (4) foot clearance is maintained for pedestrian access and that the display does not exceed four (4) feet in height and is maintained in an orderly fashion. Display shall not block the handicap accessible route.
 - c. Sale or display of goods shall be allowed in an area underneath the canopy adjacent to the pump island provided that the display does not exceed four (4) feet in height and is maintained in an orderly and safe fashion and in accordance with applicable State Fire Code regulations.
 - 7. A car wash facility is permitted as an accessory use, subject to the additional requirements established for such use in Section 9-5-3-K.
- C. *Automobile and vehicle rental.*
- 1. The rental vehicle display area shall not take up, or interfere with access to, any required parking spaces as established in Chapter 24.
 - 2. Accessory automobile repair shall be subject to the provisions established elsewhere in this Title for such use.
 - 3. The display area shall be surfaced with concrete or bituminous.
 - 4. No sales of vehicles shall be allowed on the premises.
- D. *Automobile repair, major.*
- 1. All painting must be conducted in an approved paint booth. All paint booths and all other activities of the operation shall thoroughly control the emission of fumes, dust, or other particulate matter in compliance with Minnesota Pollution Control Standards.
 - 2. All flammable materials, including liquids and rags, shall conform to the applicable provisions of the Minnesota Uniform Fire Code.
-
-

3. Outside storage of equipment, parts, or materials used in the conduct of the business shall be prohibited. In industrial districts, the storage of damaged vehicles waiting for repair must be completely inside a building or within an area screened from view of all adjacent properties, in accordance with the provisions of Section 9-4-14. In commercial districts, the storage of damaged vehicles waiting for repair must be completely inside a building.
 4. Outdoor display of used vehicles for sale is not permitted.
- E. *Automobile repair, minor.*
1. All flammable materials, including liquids and rags, shall conform to the applicable provisions of the Minnesota Uniform Fire Code.
 2. Outside storage of equipment, parts, or materials used in the conduct of the business shall be prohibited. The storage of damaged vehicles waiting for repair must be completely inside a building.
 3. Outdoor display of used vehicles for sale is not permitted.
- F. *Bank/financial institution.* Drive-through facilities are permitted as a conditional use subject to the provisions of Section 9-2-7 and to the development standards identified in Section 9-5-3-O.
- G. *Bar, nightclub, or similar liquor establishment.* Any such use that generates more than fifty (50) percent of its revenues from the sale of alcohol shall require approval of a conditional use permit, pursuant to Section 9-2-7 when located closer than five-hundred (500) feet to any existing school, church, day care facility, or residential use. Such distance shall be measured from the nearest property line of the school, church, day care facility, or residential area to the main entrance of the liquor establishment.
- H. *Boat and marine sales.* Subject to applicable standards for automobile and vehicle sales, as identified in Section 9-5-3-A.
- I. *Boat repair, maintenance, and storage.* Subject to applicable standards for major automobile repair, as specified in Section 9-5-3-D.
- J. *Building material sales.* Subject to outside storage and display standards identified in Section 9-4-14 and elsewhere in this Section.
- K. *Car wash.*
1. Adequate stacking space shall be provided to accommodate vehicles.
 2. Stacking spaces shall not interfere with on-site circulation patterns or required on-site parking and loading areas.
 3. Parking and stacking spaces shall be screened from view of abutting residential districts in compliance with the provisions of Chapter 25.
 4. Provisions are made to control and reduce noise and special precautions shall be taken to limit the effects of noise associated with the car wash operation, dryer and vacuum machines. The wash doors must remain closed during the entire wash and dry operation cycle.
 5. The location and operation of vacuum machines must not interfere with stacking areas, on-site circulation or on-site parking and loading areas, and may not be located in a yard abutting residentially zoned property.
 6. Untreated water from the car wash shall not be discharged into the storm sewer. If the water is to be pre-treated and discharged into the storm sewer, the pre-treatment plans shall be subject to review and approval by the City Engineer and Building Official, and subject to applicable requirements of Metropolitan Council Environmental Services and Minnesota Pollution Control Agency.
- L. *Communication towers.* All communication towers are subject to the provisions established for such use in Section 9-4-15.

- M. *Contractor office and yard.* Subject to outside storage standards established in Section 9-4-14.
- N. *Day care facilities.*
1. The proposed site shall have a minimum lot area as determined by the Minnesota Department of Human Services and as required by the zoning district in which it is located. The City Council may increase the required lot area in those cases where such an increase is considered necessary to ensure compatibility of activities and to maintain public health and safety.
 2. Required off-street parking shall be located separately from any outdoor play area.
 3. Adequate short-term parking or drop off areas, accommodating at least three (3) vehicles, shall be provided within close proximity to the main entrance. Such parking or drop-off areas shall not conflict with off-street parking access or pedestrian movement.
 4. Outdoor play areas must be adequately enclosed to prevent children from leaving the premises unattended and shall not be located within a required front yard area.
 5. Residential day care facilities are exempt from the above standards.
- O. *Drive-through facilities for restaurants, banks, and other similar uses.*
1. The site design must accommodate adequate turning radius and vertical clearance for vehicles. Designated loading areas must be exclusive of off-street parking stalls and drive aisles and shall not cause conflicts with customer vehicles and pedestrian movement.
 2. Appropriate provisions must be made to protect pedestrian areas from encroachments by parked or moving vehicles. In front of the principal structure, a minimum five (5) foot wide sidewalk shall be provided.
 3. A continuous and permanent concrete curb, not less than six (6) inches above grade shall separate internal sidewalks from motor vehicle areas.
 4. Drive-through windows are permitted subject to the following standards:
 - a. Adequate automobile stacking must be provided for the service window to minimize conflict with traffic flow and required parking.
 - b. The stacking lane and its access must be designed to control traffic in a manner to protect pedestrians, buildings, and green area on the site.
 - c. No part of the public street or boulevard may be used for stacking of vehicles.
 5. The stacking lane, order board intercom, and service window shall be designed and located to minimize automobile and communication noises, emissions, and headlight glare upon adjacent properties, particularly residential premises, and to maximize maneuverability of vehicles on the site.
- P. *Dwelling in conjunction with a business in commercial or industrial districts.*
1. The applicant must demonstrate to the satisfaction of the City Council that the dwelling is necessary to the proper conduct of the business.
 2. If located in a separate building, the dwelling shall meet the setback requirements of the zoning district where it is located.
- Q. *Farm and construction equipment sales, service, and rental.* Subject to applicable standards for automobile and vehicle sales, as identified in Section 9-5-3-A.
- R. *Firearms dealer.*
1. No firearms or ammunition shall be displayed in window areas or any areas where they can be viewed from the public right-of-way.
 2. The use shall meet the required security standards mandated by Minnesota Statutes.
- S. *Greenhouse, lawn and garden supplies.* Outdoor display of landscape plantings, materials, and

lawn and garden supplies are subject to the following:

1. Landscape materials and lawn and garden supplies are required to be located within an outdoor display confinement area, as specified in Section 9-5-3-X.
 2. Outdoor display and storage of landscape plantings, materials and supplies, and lawn and garden supplies associated with retail nurseries and/or lawn and garden supply stores and not located within an outdoor display confinement area may be permitted on a permanent basis with a conditional use permit obtained pursuant to the provisions of Section 9-2-7.
- T. *Home occupations.* Customary home occupations shall be permitted within all residential zoning districts and within residential portions of mixed use developments, provided that:
1. No more than twenty-five (25) percent of the gross floor area of the residence is used for such occupation.
 2. Only persons residing in the residence shall be engaged in such occupation.
 3. Only articles made or originating on the premises shall be sold on the premises unless such articles are incidental to a permitted commercial service.
 4. There shall be no exterior evidence of the occupation including:
 - a. No exterior display of articles for sale.
 - b. No sign except as permitted for a dwelling in the district.
 - c. No exterior storage of equipment or materials used in the occupation.
 - d. Access to the use shall be from within the principal structure.
 5. No mechanical or electrical equipment is used if the operation of such equipment interferes with the desired quiet residential environment of the neighborhood.
 6. No commercial vehicle over twelve-thousand (12,000) pounds gross weight or which is twenty-five (25) feet or more in length shall be used in conjunction with a home occupation.
 7. The amount of customer traffic does not detract from the residential character of the neighborhood.
 8. No accessory building is used in the conduct of such occupation.
- U. *Industrial machinery and equipment sales, service, and rental.* Subject to applicable standards for automobile and vehicle sales, as identified in Section 9-5-3-A
- V. *Laundry, self-service or commercial.* Venting of odors, gas, and fumes shall be directed away from residential uses.
- W. *Outdoor dining area.* Outdoor dining shall be allowed accessory to a permitted restaurant, coffee shop, or other eating and drinking facility subject to the following:
1. The outdoor dining area must be a well-defined space, designed and serviced to keep debris from blowing off the premises.
 2. Patrons must gain entrance to the outdoor area from within the main facility, however at least one (1) exit must be provided for fire safety.
 3. Temporary seating on a sidewalk adjacent to the building shall be allowed subject to the following:
 - a. The seating, including benches, chairs, and tables shall be limited to no more than ten (10) seats and shall not be left out overnight or when the business is closed.
 - b. Patrons shall not be served food and beverages outside, except that employees may refill beverage containers in the seating area. At no time shall the seating area be used for the consumption of alcoholic beverages.
 - c. The business owner shall be responsible to ensure that the area is properly maintained and litter-free.

- d. The seating area shall not block access to the building entrance or required exits. A minimum four (4) foot passageway shall be maintained along the sidewalk for pedestrians.
- X. *Outdoor display.* Outdoor display of items for sale or rent is allowed as a permitted accessory use in designated zoning districts, provided that:
1. Outdoor display related to a greenhouse or nursery and to the sale of automobiles, recreational vehicles, boats, and similar items shall be subject to those standards identified elsewhere in this Section specific to such use.
 2. Outside services, sales and equipment rental connected with the principal use is limited to thirty (30) percent of the gross floor area of the principal use.
 3. Outside display may be allowed in the following locations:
 - a. On the sidewalk immediately in front of the principal building, provided that a minimum four (4) foot clearance is maintained for pedestrian access.
 - b. At the pump island of an automobile convenience facility, as specified in Section 9-5-3-B.
 - c. Within an enclosure constructed of materials compatible to the building's architecture such as decorative fencing or a building wall, provided that:
 - (1) The display area shall be surfaced with concrete or an approved equivalent to control dust and shall meet all applicable building setbacks.
 - (2) The sales and display area shall not take up, or interfere with access to, any required parking spaces as established in Chapter 24.
 - (3) The display area shall be clearly identified on the approved site plan for the project, either within the side or rear yard, subject to the same setbacks as required for the building.
 - (4) Display merchandise shall be maintained in a neat and orderly fashion.
 - (5) The square footage of outdoor display areas shall be included in calculation of required off-street parking for the use.
- Y. *Parking facilities and ramps.*
1. Parking ramps shall comply with the setback requirements for principal structures.
 2. Parking ramps shall utilize exterior facade building materials that are compatible with surrounding buildings.
 3. Ramps and other parking facilities shall be periodically inspected and maintained by the owner to ensure structural integrity and public safety.
- Z. *Recycling facility.*
1. The facility shall not abut a property zoned for residential use.
 2. All exterior storage of material shall be in sturdy containers or enclosures that are covered, secured, and maintained in good condition.
 3. The City Council may limit hours of operation depending on proximity to residential uses.
 4. All material processing and vehicle or equipment repair shall take place in an enclosed building.
- AA. *Rental of household goods and equipment.* Subject to outdoor display standards established in Section 9-5-3-X.
- BB. *Sexually-oriented uses.* The City Council of the City of Savage has made the following findings regarding the effect of sexually-oriented businesses on the character of the City's neighborhoods and commercial areas and has established development standards in response to such findings:

1. The existence of a sexually-oriented business near a place of worship, school, park and day care facility can deter enjoyment and use by families and children.
 2. Sexually-oriented businesses can contribute to an increase in criminal activity in the area in which such businesses are located, taxing City crime prevention programs and law enforcement services.
 3. Sexually-oriented businesses can significantly contribute to the deterioration of residential neighborhoods and can impair the character and quality of the residential housing in the area in which such businesses are located, thereby exacerbating the shortage of affordable and habitable housing for City residents.
 4. The concentration of sexually-oriented businesses in one area can have a substantially detrimental effect on the area in which such businesses are concentrated and on the overall quality of urban life. A cycle of decay can result from the influx and concentration of sexually oriented businesses. Others perceive the presence of such businesses as an indication that the area is deteriorating and the result can be devastating with other businesses moving out of the vicinity and residents fleeing from the area. Declining real estate values, which can result from the concentration of such businesses, erode the City's tax base and contribute to overall urban blight.
 5. A person commits an offense if he or she operates or causes to be operated a sexually-oriented business within seven-hundred fifty (750) feet of the following:
 - a. A place of worship.
 - b. A school.
 - c. A library.
 - d. A boundary of a residential district.
 - e. A public park adjacent to a residential district.
 - f. The property line of a lot devoted to a residential use.
 - g. Another sexually-oriented business.
 6. For purposes of this Section measurement shall be made in a straight line, without regard to intervening structure of objects, from the nearest portion of the building or structure used as a part of the premises where a sexually-oriented business is conducted, to the nearest property line of the premises of a place of worship, school, library park, residential district, affected commercial zone or residential lot, or other sexually-oriented business.
- CC. *Single-family dwellings, attached or detached.*
1. The minimum dimension of the basic dwelling shall be twenty-two (22) feet for at least seventy (70) percent of its length. This shall not be construed to prohibit smaller individual room additions or to restrict architectural design flexibility or integrity.
 2. The roof of every building constructed within or moved into the City with a roof pitch less than three (3) to twelve (12) shall have a twenty (20) year bond.
 3. A basement as defined in Section 9-1-12 shall be required for each one-family and two-family dwelling built or located within the City. Floor area calculations shall not include basement space. Earth sheltered homes shall be exempt from this requirement.
- DD. *Single-family dwelling on property not served by municipal water and sewer.*
1. The dwelling shall be located on a separately owned parcel of record which meets one (1) of the following criteria:
 - a. The parcel was a parcel of record at least ten (10) acres in size prior to July 27, 1989.
 - b. The City has approved a density transfer according to criteria set forth in the City's Subdivision Ordinance.

2. The dwelling shall be located at least one-hundred twenty (120) feet from any other dwelling.
 3. The owner has submitted an urban overlay plan to show, in concept, how the parcel will in the future be served with street and public utilities.
 4. A standard on-site sewer system shall be installed in conformance with Scott County regulations.
 5. The driveway serving the parcel shall be separated from adjacent driveways on the same side of the road by the following distances measured between centerlines:
 - a. Local street: One-hundred (100) feet.
 - b. Collector street and county and state highways: as regulated in Section 9-4-9-B.
 - c. Minimum distance from intersection of two of the above: Three-hundred thirty (330) feet.
 6. The dwelling, accessory buildings, driveways and all other structures or improvements accessory to or associated with the dwelling shall be situated as approved by the City so as to not adversely interfere with any future public improvements or services and anticipated development pattern. In order to determine the location of the buildings and improvements, reference shall be made to the Comprehensive Plan, existing public improvements, topography of the land, and other pertinent factors.
- EE. *Stables, private or public.*
1. A minimum lot size of ten (10) contiguous acres shall be required for public stables.
 2. Applicable animal densities may be increased for in-house operations pending submittal of the stables' functional plans showing that the animals' needs will be adequately cared for and including an area for daily exercise. In no event shall in-house confinement areas be less than one-hundred (100) square feet per horse.
 3. All structures, parking lots and storage areas shall be located at least three-hundred (300) feet from an existing non-farm dwelling or from a residential district boundary.
 4. The applicant shall submit a plan for removal and distribution of manure and other waste materials that meets all requirements of the Minnesota Pollution Control Feedlot Rules. The plan shall provide for the storage of manure and other waste materials at least three-hundred (300) feet from an existing non-farm dwelling or from a residential district boundary, and at least one-hundred (100) feet from a well.
 5. Depending upon the size of the operation, one (1) or more caretaker units may be allowed as part of a public stable operation.
 6. In the event a non-conforming public or private stable changes ownership, such stable operation shall be made to conform to the provisions of this ordinance.
- FF. *Truck, trailer, or recreational vehicle sales, service, and rental.* Subject to applicable standards for automobile and vehicle sales, as identified in Section 9-5-3-A.
- GG. *Veterinary clinic.*
1. All areas in which animals are confined shall be located indoors and be properly sound-proofed from adjacent properties.
 2. An animal kennel is permitted as an accessory use subject to the permitting requirements established under Section 5-4-9 of the Savage City Code.
- HH. *Waste transfer or disposal facility.* Such facilities are subject to Minnesota Pollution Control Agency regulations and permitting requirements and shall be located at least fifteen-hundred (1,500) feet from a residentially zoned district, school, or a food products storage processing or production facility.

9-5-4 Building Design and Construction Standards.

- A. *In general.* All building materials utilized within commercial and industrial areas of the City shall be attractive in appearance, of a durable finish, and of good aesthetic and architectural quality to ensure they will maintain and enhance the property values of neighboring properties and not adversely impact the community's public health, safety and general welfare. Additionally, all buildings shall meet current accepted industry standards and tolerances.
- B. *Review procedures.* For all new buildings and building exterior renovations, the applicant shall submit color building elevations and associated drawings that illustrate the construction techniques to be used in the installation of such materials as part of required site plan submittals identified in Section 9-2-10.
- C. *Permitted exterior materials.* The following materials shall be allowed as exterior finishes for all buildings, except as specifically prohibited in Section 9-5-4-D.
1. Face brick or stone
 2. Glass
 3. Stucco or synthetic stucco, provided that such material shall not be allowed within twenty-four (24) inches from grade.
 4. Architectural concrete and precast panels.
 5. Color impregnated decorative block.
 6. Wood or metal as an accent material, provided that no more than twenty-five (25) percent of any individual exterior wall shall consist of such material and that all such materials shall be finished for exterior use
 7. Roofs that are exposed or an integral part of the building aesthetics shall be constructed only of commercial grade asphalt shingles, wood shingles, standing seam metal, slate, tile, or copper. Flat roofs, which are generally parallel with the first floor elevation, are not subject to these material limitations.
- D. *Prohibited exterior materials.* Unadorned pre-stressed concrete panels, non-decorative concrete block, sheet metal, corrugated metal or unfinished metal shall not be used as exterior materials. This restriction shall apply to all principal structures and to all accessory buildings except those accessory buildings not visible from any property line.
- E. *Required design elements.* No wall shall exceed one-hundred (100) feet in length without visual relief, defined as the incorporation of design features such as windows, horizontal and vertical patterns, contrasting material colors, or varying wall depths. Painting shall not be substituted for visual relief, accenting, or a required element. All new building elevations and refacing of existing buildings shall include a minimum of three (3) of the following elements:
1. Accent materials provided that such materials shall be wrapped around all walls visible from public view.
 2. A visually pleasing front entry that, in addition to doors, shall be accented a minimum of one-hundred (100) square feet around the door entrance for single occupancy buildings and a minimum of three-hundred (300) square feet total for the front of multi-tenant buildings (this area shall be counted as one (1) element).
 3. Twenty-five (25) percent window coverage on each front that faces a street.
 4. Contrasting, yet complementary material colors.
 5. A combination of horizontal and vertical design features.
 6. Irregular building shapes.
 7. Other architectural features in the overall architectural concept.

- F. *Other design provisions.*
1. Garages, accessory structures, screen walls and exposed areas of retaining walls shall be of a similar type, quality and appearance as the principal structure.
 2. All rooftop and/or ground mounted equipment and related piping, ducting, electrical and mechanical utilities shall be subject to the screening requirements established in Section 9-25-8.
 3. Pole buildings, as defined in Section 9-1-12, shall not be permitted.
 4. External loading and service areas must be completely screened from the ground-level view from contiguous residential or commercial properties and adjacent streets, except at access points.
- G. *Materials requiring special review.* Building and roofing materials not specifically approved in this Section may be allowed by a conditional use permit, subject to the procedures established in Section 9-2-7 or planned unit development in accordance with the provisions of Chapter 22, and only after it is demonstrated that the proposed material meets five (5) or more of the following standards:
1. The building shall be an accessory structure.
 2. The building shall not be occupied by personnel.
 3. The building shall be used to house material, parts, or equipment that would otherwise constitute open storage.
 4. The building shall be generally not visible from major arterial roadway corridors.
 5. The landscaping of the area surrounding the location shall provide natural visual barriers to the building.
 6. The building shall be constructed of long-term maintenance free materials. A manufacturer's warranty shall be prima-facie evidence of compliance with this standard.
 7. The proposed building is an addition to a structure that currently utilizes such materials and application of required design standards would be infeasible or impractical.