



ORDINANCE NO. 4199

AN ORDINANCE CREATING AND ENACTING CHAPTER 64X, AND AMENDING AND REENACTING SECTION 60.327 OF THE ROCHESTER CODE OF ORDINANCES, RELATING TO THE ESTABLISHMENT OF THE CHATEAU CIRCLE SPECIAL DISTRICT.

THE COMMON COUNCIL OF THE CITY OF ROCHESTER DO ORDAIN:

Section 1. Chapter 64X of the Rochester Code of Ordinances is hereby created and enacted to read as follows:

64X. CHATEAU CIRCLE SPECIAL DISTRICT

64X.100. The purpose of this Special District is to provide for zoning regulations that shall be administrated in the **Chateau Circle Special District**, as required in Section 62.900 of the Rochester Code of Ordinances (City of Rochester Zoning Ordinance and Land Development Manual). This chapter contains the special regulations of the Chateau Circle Special District.

64X.150 BOUNDARIES OF THE LAND.

This ordinance shall apply to the following described property located within the City of Rochester, County of Olmsted, State of Minnesota:

Lots 1-3, Block 1, Lot 1, Block 2, and Outlot A "Chateau Circle".

Containing 8.16 acres more or less.

64X.200. LEGISLATIVE INTENT AND FINDINGS.

Subd. 1. Chateau Circle provides an alternative to conventional commercial zoning by establishing a unique set of architectural controls and site design criteria that promotes good intra-site relationships and aesthetically pleasing design.

Subd. 2. This Special District is established to foster the development of a comprehensively planned, pedestrian-oriented, and neighborhood compatible commercial development. This is accomplished by the use of skillful architectural and landscape design, pedestrian accessibility, good internal vehicular circulation, and building orientation so the primary entrance faces the interior of the site.



64X.210. **ESTABLISHMENT OF CHATEAU CIRCLE SPECIAL DISTRICT.**

Subd. 1. Pursuant to section 62.900, the Rochester Common Council hereby creates a special zoning district to be known as the Chateau Circle Special District ("Special District"). The Special District shall be an overlay-zoning district designed to encourage the attractive and compatible development of the Site. The regulations and guidelines set forth in this Special District shall prevail over the regulations of the noted underlying zoning district.

Subd. 2. The determination of the need for the creation of this Special District is based upon the following findings or land use principles:

- A. This type of redevelopment is ideal to create as an infill project that provides for a more compact commercial development adjacent to a major roadway which is consistent with the designated **commercial** land use and buffers the residential neighborhood from the negative impact of a major thoroughfare.
- B. Establishing a unique set of architectural controls and site design criteria that promote good intra-site relationships and aesthetically pleasing design.
- C. This special district is established to foster the development of a comprehensive-planned, pedestrian-oriented, and neighborhood compatible commercial development. This is accomplished by the use of skillful architectural and landscape design, pedestrian accessibility, good internal vehicular circulation, and building orientation to 55th Street NW.
- D. Chateau Circle **lies** within the city's Urban Service Area and is located between West Circle Drive (urban expressway) on the south and Villa Road (local collector) on the north. Reorientation and widening of Chateau Road is planned to occur with the project. Villa Road NW will also be improved to collector status to include pedestrian facilities. All perimeter streets will have bicycle pedestrian trails or sidewalks adjacent to them.
- E. Chateau Circle uses landscaping to accentuate and integrate the natural and built environments,



establish visual connectivity and community identity and provides environmental and public health benefits.

- F. The quantity, location and design of parking in Chateau Circle reinforces the pedestrian-friendly nature of the community and encourages use of alternative modes of transportation while still accommodating vehicular traffic.

64X.220. **UNDERLYING DEVELOPMENT STANDARDS**

- Subd. 1. Except where otherwise specified, standards for the development of this district shall be based on [Section 62.300](#), B-1 Commercial District.

64X.230. **SUBDISTRICT REGULATIONS**

Subdivision 1. Commercial District.

- Subd 2. **Neighborhood Commercial District:** The neighborhood commercial district permitted uses and appearance control standards shall comply with Section for the B-1 zoning district unless otherwise provided in this special district.

- A. Site Development Plan: The site shall go through a review by City's site development plan review process. A site development plan review is required as specified in section 61.580 and the approval process will be consistent with Section 61.583.

B. Site Standards:

- (1) Parking shall be on the front or to the side of the buildings.
- (2) A minimum **one and a half** façade is required.
- (3) Underground parking shall be allowed.



Subd. 3. **Permitted Uses:** The uses are limited to the following:

A. Permitted Uses:

- (1) Office Use
- (2) Personal Service
- (3) Business Service
- (4) Educational Services
- (5) Medical Facilities
- (6) Nursing and Personal Care
- (7) Veterinary Service and Animal Specialties
- (8) Repair and Maintenance
- (9) Auto Maintenance Services
- (10) Retail Trade
- (11) Neighborhood Retail
- (12) Convenience Retail – no fuel sales
- (13) Business Center
- (14) Standard Restaurants
- (15) Neighborhood Food Sales and Service
- (16) Fast Food
- (17) Retail Agricultural
- (18) Drive-in Facilities

B. Permitted use exception: Standard Restaurants and Fast Food uses will not be permitted on Lot 1, Block 2.



- C. Additional uses permitted in the Special District shall be as follows:
 - (1) Temporary Uses – art fairs, farmers’ market, flea markets, neighborhood gatherings, nursery. No exterior storage will be allowed except for temporary uses or special sales events by the tenants.

Subd. 4. **Limitation of Permitted Uses:**

- A. With the exception of office buildings and medical facilities individual businesses shall not exceed 15,000 square feet of floor area on the ground floor.
- B. The hours of operation are 5:00 a.m., until 11:00 p.m.
- C. Up to four drive-in facilities shall be allowed to be located on the site. The drive-in facilities shall conform to the stacking requirements and location as shown on the Site Development Plan for each use that has a drive-thru with a maximum of four drive-thru’s for the entire Special District.
- D. The hours of operation for truck deliveries to all businesses within the Special District shall be limited to 7:00 am to 7:00 pm.

Subd. 5. Lot Development Standards

- A. Facilities for tenant refuse disposal and recycling shall be contained within each building proposed in the Special District Plan for use by each business and its employees.
- B. Utility boxes, water backflow prevention, meters, electrical boxes, air conditioners, and other on the ground utilities shall be located so they are out of the public view where feasible or allowed by the utility companies. They shall be screened from view with landscaping, walls, or fence to the extent permissible by governmental or regulatory authorities.
- C. Buildings shall be oriented to face the interior of the site, West Circle Drive, or Chateau Road. Extended awnings,



canopies or large umbrellas shall be permitted and located to provide shade. Restaurants shall be permitted to operate outdoor cafes on patios provided that pedestrian circulation and access to store entrances are not impaired.

- D. Bicycle-locking stands are required in neighborhood commercial area. One stand, which holds a minimum of six bicycles, shall be provided for every 8,000 square feet of gross leasable space. These stands must harmonize with the architectural of the retail area.
- E. Street trees are required along the public streets at a minimum spacing of 35 feet on center. These trees shall be planted in planting beds with a minimum size of 30 square feet and a minimum horizontal dimension of five feet.
- F. Bufferyards will be provided as shown on the Special District Plan and Exhibits. The bufferyards shall comply with the minimum standards of section 63.260.
- G. The maximum allowable size of the neighborhood commercial structures, collectively, shall not exceed 81,500 square feet of gross leasable floor area except the square footage can be increased if the use for the entire structure is office and/or medical facilities. The size and intensity of the allowable uses noted in subdivision 3 of this section, is limited by the approved traffic impact report. A request for a use or uses that will exceed the vehicle trip limitations of the approved traffic study dated June 20, 2014; Supplemented #1 dated August 27, 2014; and Supplemented #2 dated October 16, 2014 shall require an amendment to the traffic study and must be reviewed by City Public Works and approved by the Common Council before said use or uses are permitted. A Type III, Phase II application and procedure is required for an amendment to the Traffic Study and Special District Plan.
- H. The property can be subdivided to change the lot lines from what is shown on the final plat.
- I. A 25-foot wide two-way vehicular drive aisle shall be provided around the perimeter of the building envelopes as shown on the Special District Plan.



J. Special District Plan – **Exhibit A** shows the location of buildable envelope for Lots 1-4, Block 1. All structures must be located within the buildable envelope. Parking areas and drive-in facilities for each business must be located within the buildable envelope. Additional parking areas outside the buildable envelope are shown on **Exhibit A**.

Subd. 6. Parking

A. Parking requirements for the Neighborhood Commercial District shall use business center parking standards of the Rochester Zoning Ordinance and Land Development Manual.

B. Parking Lot Screening: All parking areas not screened by the building from public roads, must be screened with a hedgerow along Villa Road; with plantings along Chateau Road and landscape area along 55th Street as shown on the Special District Plan. These landscape areas must be a minimum of four feet wide unless grades require a larger width to maintain slopes of 3:1 or shallower. Hedgerows should be planted at a maximum of four feet on center and should reach a minimum height of three feet and a maximum height of six feet.

C. Reciprocal parking agreements shall be created for Lots 1-3, Block 1, so businesses on these Lots shall have the abilities to drive and park on both lots. Cross access agreements for ingress and egress shall apply to Lots 1-4, Block 1.

Subd. 7. Parking Lot Landscape

A. Parking areas shall have internal landscaping at the ends of each row of parking.

B. At least one canopy tree or two understory trees (minimum size for canopy trees in 1- 1/2" caliper and minimum size for understory tree is one inch caliper) shall be planted for each island. The landscape islands shall not be used for snow storage and any planting must be maintained in a healthy condition and appearance. These areas may be depressions or rain gardens to temporarily store rainwater. These areas may contain external standard lighting fixtures.



Subd. 8. The Chateau Circle Property Owner's Association shall be responsible for the repair and maintenance of service drives, parking lots, entry roads, and landscaping constructed on the property.

Subd. 9. **Landscape Standards**

- A. The density and approximate location of landscape trees and shrubs shown on the Special District Plan shall be the basis for the landscape requirements in this District.
- B. The buffyard area along the west side of Lot 1, Block 1; the north side of Lots 1-4, Block 1, and the east side of Lot 1, Block 2, shall be provided and installed in accordance with the buffyard plans as shown on exhibits D, D-1, and D-2 of this Special District. The required bufferyards shall comply with the minimum standards of section 63.260.
- C. Bufferyard D-2: There are existing mature trees along the east property line within the bufferyard of Lot 1 Block 2. Every attempt will be made to save these trees. However, where it is not possible to save the existing tree's due to grade, disease, or other circumstance's the tree's that are removed shall be replaced with a minimum 4" caliper tree.

Subd. 10. **Community Open Space**

- A. Community Open Space for use by the tenants on **Outlot A** the Business Center and general public shall be located in this Special District as shown on the Special District plan.
- B. The space shall be for the quite enjoyment of the patrons and staff of the business in the center and the general public. The space shall be easily accessible to pedestrian traffic and bicyclists.
- C. The Property Owner's Association shall own, manage, maintain, operate, and repair all facilities in the Community Open Space.



Subd. 11. **Architectural Standards**

A. Standards for all uses:

- (1) Each building shall avoid long, monotonous-uninterrupted walls or roof planes. The facade of a building should be divided into distinct modules, no longer than 200 feet. Interior parking lot facade shall incorporate offsets in the form of projections and/or recesses in the facade plane at least every 40 feet of facade frontage. Wall offsets shall have a minimum depth of two feet.
- (2) Orientation of Building to Street: Buildings shall be oriented so that primary entrances face the interior of the site or West Circle Drive. Primary entrances shall be defined by scale and design detail and should be covered by a canopy or awning.
- (3) Mechanical equipment, electrical and communication transformers, cabinets and service areas shall be located out of public view where feasible or screened from public view with fences, walls or landscaping. Roof mount equipment, not including a standalone pipe, such as a vent pipe, will be screened from ground level view by the surrounding residential neighborhoods. Any standalone pipe shall be painted to match the building.
- (4) Maximum height of 35 feet including roof mounted equipment or parapet wall.
- (5) All sides of the building facade shall be designed to provide architectural and visual interest. Building design shall provide consistent architectural treatment on all building walls. All sides of a building must display compatible materials, although decorative elements and materials may be concentrated on interior facing facades and main entry facades.
 - (a) A minimum of 50% of the building along the interior parking area at ground level must be clear or lightly tinted windows, doors or other treatment that are sufficiently transparent to provide pedestrian views into the building.



- (b) Where buildings front the interior parking areas the following shall be required on the façade.
 - (1) Each use shall have a door with at least 50% glass.
 - (2) Each door shall have a canopy or other overhang with a minimum depth of four feet.
 - (c) Awnings, covered walkway, open colonnades, or similar weather protection must be provided by at least 50% of the facade side of the commercial (retail and service) uses.
 - (d) Doorways, windows and other openings in the facade of a building shall be proportioned to reflect pedestrian scale and movement, and to encourage interest at street level.
 - (e) Exterior materials shall include brick, architecturally treated concrete, stone, tile, stucco-like panels, other cultured stone, natural stone or exterior finish and insulation system (EFIS) and similar high quality architectural materials.
 - (f) Restaurants shall be permitted to operate outdoor cafes on sidewalks or patio areas. Patio areas must be included in floor areas capacity calculations and a part of the vehicle trip limitations specified in the approved traffic study.
 - (g) Benches, planters, landscaping for building entry areas will be allowed.
- (6) The building on Lot 1, Block 2 may have a pitched roof line.
- (7) Interior demising walls of each building



can be adjusted to meet the lease demands of each tenant.

Subd. 12. **Exterior Lighting.** Only light sources with full cut-offs are allowed. All lighting shall be directed away from on-site and off-site residential areas. See section 63.213(3) of the [City of Rochester Zoning Ordinance and Land Development Manual](#). External Light Standard shall be Type B except for Lot 1, Block 2 shall be Type A as defined in section 63.213(3) "Luminaires with total cutoff less than 90-degrees." All wall pack lighting, [including security lighting](#), shall be downward directed. Signs that are lighted shall operate during the specified business hours only.

Spot lights, other than spot lights illuminating a monument sign, are not permitted. Permitted spot light bulbs shall not be visible to the neighborhoods to the north, east, and west.

Subd. 13. **Signs**

A. Signage type details and specifications shall comply with the standard of the B-1 district unless otherwise specified in this text. Signs should add interest to the street level environment. They can only unify the overall architectural concept of the building, or provide unique identity for a commercial space. Signage shall be appropriate for the scale, character and use of the project and surrounding area. Signs should be oriented and scaled for both pedestrians on sidewalks and vehicles on streets. The following sign types satisfy these requirements:

- (1) Pedestrian-oriented projecting (blade) and window signs.
- (2) Marquee signs and signs on overhead weather protection.
- (3) Neon signs complying with the Land Development Manual for building facade sign.

B. Type B general sign standards shall be used with the following modifications:

- (1) Free standing sign- maximum height 20 feet.



- (2) Projecting sign - maximum area - 20 square feet, maximum height-12feet.
 - (3) Graphics sign - maximum area of 10% of wall and may be painted directly on building facade.
 - (4) Auxiliary sign- maximum height- six feet.
 - (5) Billboards shall be prohibited.
 - (6) All wall signage should be compatible with other signs and architecture. Signage shall be allowed on two sides of buildings.
 - (7) Roof signs shall be prohibited.
- C. Type B sign Detailed Standards shall be used with the following modifications:
- (1) Free standing signs
 - (a) Directional signs:
 - (1) Maximum four directional signs per tract. Additional traffic directional signs may be allowed for the safe and orderly flow of traffic upon the written approval of the Planning Department staff.
 - (2) Setbacks shall match the setbacks of the principal building.
 - (3) Single-faced signs shall be set parallel to the front building lines.
 - (4) Double-faced signs may have two faces which are parallel to each other and set perpendicular to the front building lines.
 - (5) Sign size and location:
 - (a) Not to exceed four square feet measured from grade at sign location to top of highest point of



sign and from maximum dimension side to side.

(b) Maximum height not to exceed three feet measured from grade at sign location to top of highest point on sign and from maximum dimension side to side.

(6) All free standing signs shall be located in the areas as shown on the Special District Plan which are located in the southerly one-third of the site.

(b) Monument signs:

(1) Maximum one monument sign per entrance to the Business Center.

(2) Monument signs shall be set back a minimum of six feet from all property lines.

(3) Double-faced signs may have two faces which are parallel to each other and set perpendicular to the property line.

(4) Sign size:

(a) Not to exceed 36 square feet. The square footage is measured from grade at sign location to top of highest point on sign and from maximum dimension side to side.

(b) Maximum height not to exceed six feet, six inches measured from grade at sign location on top of highest point on sign and from maximum dimension side to side.

(c) In addition, drive-in merchandising businesses shall be allowed informational signage



(menu, price, etc) as monument and/or mounted signs not exceeding 32 square feet in total gross surface area.

(1) The portion of the monument sign used for changeable copy shall not exceed 16 square feet.

(c) All free standing signs shall be located in the areas as shown on the Special District Plan which are located in the southerly one-third of the site.

2. Façade signs

(a) Marquee signs

(1) One marquee sign is permitted for each facade visible from internal parking lot or facing West Circle Drive or Chateau Road NW.

(2) Marquee signs shall be used primarily to list tenants and/or occupants of the building to which it is applied.

(3) Marquee signs shall be aligned with the plane of the façade.

(4) Marquee signs shall be located at or near building corners or at the entrance of a building.

(5) Marquee signs shall not obscure or cover transom windows, any upper floor windows, piers or architectural features except those specifically designed to receive signs.

(6) Sign size must not exceed 12 square feet as measured from the lowest point on sign on top of highest point on sign and from maximum dimension side to side.



- (7) Projection from façade not to exceed six inches.
- (b) Wall signs
- (1) One mounted wall sign is allowed for each facade visible from internal parking lot or facing West Circle Drive or Chateau Road NW . Sawtooths, projections and short lengths of wall shall not be considered as a major facade.
 - (2) Mounted wall signs may be applied to any façade.
 - (3) Mounted wall signs may not obscure or cover windows, piers or architectural features except those specifically designed to receive signs.
 - (4) Bottom of mounted sign must be a minimum of seven feet, six inches above the street level.
 - (5) Sign size:
 - (a) Ten percent of the wall areas.
 - (b) Maximum size shall not exceed 120 square feet.
 - (c) The portion of the mounted signs used for changeable copy shall not exceed 16 square feet. These signs shall not face Villa Road.
 - (6) Projection from the façade may not exceed six inches.
 - (7) Signs may be painted directly on the building facade.



(c) Sun Canopy/Awning Signs

- (1) Signage may be incorporated onto awnings applied to any facade.
- (2) Size of signage applied to awnings shall be an additional 10% or 120 square feet, whichever is smaller.
- (3) Lettering and graphics shall be applied flat to awning skirt or awning face only, and shall not extend horizontally or vertically beyond it.
- (4) Maximum of one sign per canopy or awning permitted.

(d) Hanging and Projecting Signs

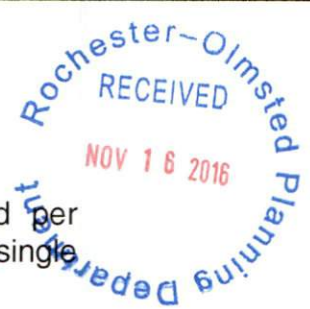
- (1) One hanging or projecting sign is allowed per tenant per façade.
- (2) Hanging signs shall be set perpendicularly to the facade and hang from a top support.
- (3) Projecting signs shall be set perpendicularly to the facade and are supported at the top, bottom or on the face of the sign only.
- (4) Hanging or projecting signs when used shall be placed above or near entrances, or in a locator which is consistent with the façade.
- (5) Bottom of hanging or projecting signs shall be a minimum of eight feet above the ground level and no higher than 12 feet above the ground level.
- (6) Hanging or projecting signs may be set on building corners at 135 degrees to each façade.



- (7) Sign face size must not exceed four square feet per side.
- (8) Projection from façade:
 - (a) Sign and apparatus shall project no greater than four feet from façade.
 - (b) Sign and apparatus may extend beyond building setback line, but no greater than the closer of four feet or the back of curb.
- (e) Window Graphics
 - (1) Lettering and graphics, when used, shall be applied to glass only.
 - (2) The combined total square footage of lettering and graphics applied to a window shall not exceed 30% of the clear glass size.
 - (3) Neon signs shall be placed on the inside face of glass only.
 - (4) Neon signs are limited to a maximum size of four square feet.
 - (5) Neon used within the structure is not restricted.

3. Flags

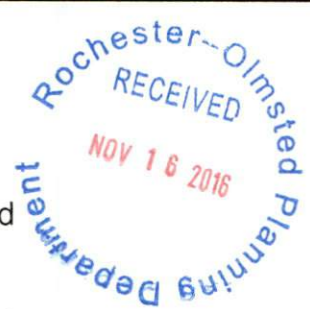
- (a) Permitted flags shall be limited to those of governmental entities, including nations, states and agencies or the display of corporate logos.
- (b) Flagpoles are allowed on any façade or on the ground.
- (c) Flagpoles may be parallel or perpendicular, vertical, or set at an angle to the façade.



- (d) A maximum of three flags are allowed per building and shall be located on a single façade.
- (e) Bottom of flag shall be a minimum of eight feet above the adjacent grade/sidewalk.
- (f) Height of flagpole shall be no higher than the building it serves. Maximum height shall not exceed 35 feet.
- (g) Projection from façade:
 - (1) Flag, when extended, and apparatus shall project no greater than six feet from facade.
 - (2) Flag, when extended, and apparatus may extend beyond building line but no greater than the closer of four feet or the back of the curb.
- (h) Flag size:
 - (1) Not to exceed 24 square feet per face.
 - (2) Maximum height not to exceed five feet.

4. Sandwich Signs:

- (a) Maximum one sandwich sign per leased space or business.
- (b) Sandwich signs shall have two faces and be connected at their top.
- (c) Sandwich signs shall be located at or near the entrance of a building.
- (d) Sandwich signs shall not obscure or cover patio furniture or landscaping.
- (e) Sandwich signs shall not block more than one-half of the sidewalk travel space.



- (f) Sandwich signs shall be rectangular and of a vertical proportion.
- (g) Sign size shall not exceed 15 square feet per face measured from the sidewalk grade to top of highest point on sign and from maximum dimension side to side.
- (h) Maximum height not to exceed four feet, six inches measured from the grade on which the sign sits.

5. Other Signs

- (a) Temporary signs announcing or advertising any educational, charitable, philanthropic, civic, grand opening, leasing or religious event shall be permitted for a period not to exceed 21 days preceding the event and shall be removed within five days following the event. The location of such signs shall be limited to the boundaries of the property where the event is to take place. Signs can be two faced each face not more than 32 sq. ft. in gross surface area, so long as the internal angle between the two faces does not exceed 60 degrees. A sign permit from the City is required.
 - (b) Temporary all-weather banners shall be allowed on designated light standards within the parking lot. Such banners shall each be limited to a total gross surface area of six square feet and be in compliance with section 63.2241. Banners shall not be allowed to face Villa Road.
- D. No lighted signs shall face Villa Road and no lighted signs shall face the east property line or west property line except those permitted in the southerly one-third of the site or as required by the City.



Subd. 14. **Outdoor Storage.** No outdoor storage shall be permitted.

64X.300. **BOUNDARIES**

The regulations established herein shall apply to the land described in Section 64X .150 and shall be designated "SD" on the zoning map.

64X.400. **EXHIBITS**

The following documents shall be submitted with the Special District application and included as exhibits of this Ordinance:

- A. Exhibit A: Chateau Circle Special District Plan
- B. Exhibit B: Chateau Circle General Development Plan
- C. Exhibit C: Street Types and Cross Sections
- D. Exhibit D: North Bufferyard
- E. Exhibit D-1: West Bufferyard
- F. Exhibit D-2: East Bufferyard
- G. Exhibit E: Landscape Plan and Monumentation
- H. Exhibit F: Pedestrian Circulation and Connection to Public Streets

64X.500. **GENERAL DEVELOPMENT PLAN AND GUIDE FOR DEVELOPMENT**

The Chateau Circle General Development Plan, following Special District approval and a rezoning of the area to Special District, together with the attached Exhibits A, B, C, D, D-1, D-2, E, F, and G are, in combination, recognized as the guide for the development of the Special District.

64X.600. **EFFECTS OF REGULATIONS**

The General Development Plan and Final Plat together with the conditions and restrictions imposed, if any, shall govern the use and development of the land. In the event there should be a discrepancy or conflict in the language within previous Special District ordinances, the language applicable to section 64X.230 shall govern.

64X.700. **EXTENSION OF SPECIAL DISTRICT**

An amendment to the Special District may be initiated by the owner of contiguous undeveloped property or by the City of Rochester. The amendment must support the intent of this Special District. A petition to

extend said district shall be accompanied by a General Development Plan application and additional submittals consistent with this chapter.



64X.800. DEVELOPMENT PROCEDURES

Subdivision 1. Except as herein described, development procedures for property within the Special District shall be consistent with the requirements of this Code. Additional plans and information shall be submitted, as necessary, for development within the Special District, as outlined below. If determined necessary by the Zoning Administrator, additional plans or information necessary for development approvals shall also be submitted. A site development plan for each phase of development shall be prepared and submitted for review in accordance with the standard requirements of the existing Zoning Ordinance and Land Development Manual for the City of Rochester. **All Site Development Plans shall be a Type I review.** The City Planning Department will conduct a site plan review without a public hearing for uses permitted by the Special District to determine whether the plans are consistent with the overall architectural standards and character of this Special District.

Subd. 2. Final Plat Application. Final plat applications within the Special District shall include plans and information consistent with the requirements of this Code and shall be submitted at least three weeks prior to the City Council meeting at which they will be considered. If requested by the Zoning Administrator, additional information needed in order to judge the nature and propriety of the proposal shall also be submitted.

Subd. 3. Zoning Certificate and Building Permit. Applications for building permits and zoning certificates within the Special District shall include submission of a site development plan. This document must verify a review of building locations and plans for compliance with this Special District's intent as outlined in the covenants submitted with the final plat.

Subd. 4. Staff Authorized Changes to the Special District. Staff authorized changes may be permitted in accordance with the standards set forth in section 61.148. Changes that exceed the standards of section 61.148 will be subject to approval by a Type III, Phase II procedure.

64X.900. RESCINDING APPROVAL.

Subdivision 1. After six years from the date of approval of the Special District, the Council may, following a public hearing, rescind approval of this Special District upon finding that no progress has been made in the construction of the development.



Section 2. Section 60.327 of the Rochester Code of Ordinance is amended and reenacted to read as follows:

60.327 SD SPECIAL DISTRICTS: Existing Special Districts approved by Ordinance numbers 3443, 3404, 2726, 2516, 2247, 3385, 3468, 3497, 3503, 3520, 3534, 3604, 3615, 3691, 3730, 3814, 3889, 3919, 4003, 4122, 4194, and 4199 are recognized as separate zoning districts and the plans and procedures established for each Special District will continue in force. When a Special District Ordinance does not specify the procedure or criteria to amend an approved site development plan, the proposed amendment will be reviewed under section 61.148. When a Special District Ordinance requires a specific site/development plan review process, but does not specify the criteria by which to review the site/development plan, the development will be reviewed under section 61.148. When a Special District Ordinance requires a two-phase review, the development will be reviewed under section 61.146 and either section 62.708 (1) (for preliminary plans) or section 62.708 (2) (for final plans).

Section 3. This Ordinance shall become effective on and after the date of its publication.

PASSED AND ADOPTED BY THE COMMON COUNCIL OF THE CITY OF ROCHESTER, MINNESOTA, THIS _____ DAY OF _____, 2016.

PRESIDENT OF SAID COMMON COUNCIL

ATTEST: _____
CITY CLERK

APPROVED THIS _____ DAY OF _____, 2016.

MAYOR OF SAID CITY

(Seal of the City of Rochester, Minnesota)