



ORDINANCE NO. 2022-004

**CITY OF ARDEN HILLS
RAMSEY COUNTY, MINNESOTA**

**AN ORDINANCE AMENDING CHAPTER 13,
ZONING CODE, SECTION 1320 AND
SECTION 1325 OF THE ARDEN HILLS CITY CODE**

THE CITY COUNCIL OF THE CITY OF ARDEN HILLS, MINNESOTA, ORDAINS:

SECTION 1. Chapter 13 - Zoning Code, Section 1320 – District Provisions, subsections 1320.085, Subd. 3; subsection 1320.09, Subd. 3; and subsection 1320.10, Subd.4, are hereby amended by deleting ~~strike~~through language and adding the underlined language as follows:

1320.085 Special Requirements for the B-2 General Business District.

Subd. 3 Special Regulations for Drive-up Windows. Section 1325.04 of the Zoning Ordinance specifies additional requirements for drive-up windows and automobile service stations. In accordance with Section 1320.085, Subd. 1, the City Council as part of the land use application review shall require the following conditions to be met in determining site suitability for drive-up windows: ~~The provision whereby the proximity requirement of one thousand three hundred and twenty (1,320) feet between drive-up windows may be waived if the following conditions are met as determined by the City Council:~~

- A. The architectural treatment, circulation plan, and signage system of such businesses shall be designed to visually and functionally integrate the building and the site on which it is located.
- B. The applicant shall submit a circulation plan that demonstrates that the use will not interfere or reduce the safety of non-motorized movements, specifically pedestrian and bicyclists.
- C. Requested modifications to the provisions in section 1325.04 shall be stated in writing along with an explanation of why the modifications would be in the public interest and would be consistent with the purpose of the B-2 District.

1320.09 Special Requirements for the B-3 Service Business District.

Subd. 3 Special Regulations for Drive-Up Windows in the B-3 District. Section 1325.04 of this Code, specifies additional requirements for drive-up windows and automobile service stations. In accordance with Section 1320.09 Subd. 1, the City Council as part of the land use application review shall require the following conditions to be met in determining site suitability for a drive-up windows and automobile service

~~stations: The provision whereby the proximity requirement of one thousand three hundred and twenty (1,320) feet between drive-up windows may be waived if the following conditions are met:~~

A. The operation consists of one or more drive-up windows and is an integral part of a building containing one or more other allowed uses, or the operation is part of an architecturally unified complex containing two or more businesses using drive-up windows

B. Shared access drives and shared parking are utilized by all such businesses using drive-up windows in said building or complex.

C. Only one building or architecturally unified complex containing two or more businesses using drive-up windows will be allowed in addition to one freestanding business using a drive-up window.

D. The architecture and the site, grading, circulation, landscaping, screening and signage plans shall unify the appearance and function of the complex or building.

E. An architecturally unified complex may consist of one or more buildings on one or more parcels if the intent of providing a unified appearance and function is not compromised.

F. The applicant shall submit a circulation plan that demonstrates that the use will not interfere or reduce the safety of non-motorized movements, specifically pedestrian and bicyclists.

1320.10 Special Requirements for the B-4 Retail Center District.

Subd. 4 Special Regulations for Drive-Up Windows in the B-4 District. Section 1325.04 of this Code, specifies additional requirements for drive-up windows and automobile service stations. In accordance with Section 1320.10 Subd. 1, the City Council as part of the land use application review shall require the following conditions to be met in determining site suitability for drive-up windows: ~~The provision whereby the proximity requirement of one thousand three hundred and twenty (1,320) feet between drive-up windows may be waived if the following conditions are met:~~

A. The architectural treatment, circulation plan, and signage system of such businesses shall be designed to visually and functionally integrate the building and the site on which it is located.

B. The applicant shall submit a circulation plan that demonstrates that the use will not interfere or reduce the safety of non-motorized movements, specifically pedestrian and bicyclists.

C. Requested modifications to the provisions in section 1325.04 shall be stated in writing along with an explanation of why the modifications would be in the public interest and would be consistent with the purpose of the B-4 District.

SECTION 2. Chapter 13 - Zoning Code, Section 1325 – General Regulations, subsection 1325.04 is hereby amended by deleting ~~strike through~~ language and adding the underlined language as follows:

1325.04 Additional Minimum Requirements for Drive-In Businesses, Drive-up Windows, Fast Food Restaurants and Automobile Service Stations.

(revised ~~12/17/08~~ 06/27/22)

Because drive-in businesses, drive-up windows, fast food restaurants and automobile service stations present certain unusual problems, they are hereby required to meet the following requirements in addition to the general requirements applicable to them in the zoning district in which they are to be located, unless otherwise regulated in this Code:

Subd. 1 Location.

A. Proximity to Schools, Churches, Public Recreational Areas and Residential Lots. No drive-in business, drive-up window, or fast food restaurant shall be located on a site that is within four hundred (400) feet of a public, private or parochial school, a church, a public recreation area, or any residentially zoned property.

B. Proximity to Other Establishments. In any Business Zoning District, nNo drive-in business, drive-up window, or fast food restaurant shall be located on a site that ~~is within one thousand three hundred twenty (1,320) feet of the boundaries of another one~~ the proximity of the boundaries of another one is determined by the City Council through the PUD process to be incompatible with the area in which it the proposed use is to be located. A drive-in business, drive-up window, fast food restaurant, and automobile service station may be limited in proximity as deemed appropriate by the City Council so as not to unreasonably interfere with adjacent and nearby uses.

C. Unreasonable Traffic Volume. No drive-in business, drive-up window, or fast food restaurant shall be located on a site if the probable result of such location would be to unreasonably increase traffic volume on nearby streets.

D. Size of Lot. No drive-in business, drive-up window, or fast food restaurant shall be located on a lot of less than twenty-four thousand (24,000) square feet.

SECTION 3. This Ordinance shall become effective immediately upon its passage and publication according to law. A Summary of this Ordinance will be published in accordance with state statute.

PASSED and ADOPTED this 27th day of June, 2022, by the City Council of the City of Arden Hills, Minnesota.

CITY OF ARDEN HILLS

By _____
David Grant, Mayor

ATTEST:

Julie Hanson, City Clerk