



April 1, 2019

Citizens Environmental Quality Committee
Winona, Minnesota 55987

Dear Committee Members:

The next meeting of the Citizens Environmental Quality Committee meeting will be held on **Thursday, April 4th, 2019 at 4:30 p.m. in the Misato Room of City Hall.**

1. **Call to Order**
2. **Review and approval of March 7, 2019 meeting notes**
3. **GreenStep Cities Annual Reporting (10 Minutes)**
4. **Unified Development Code Review – Articles 4 and 5 (30 minutes)**
5. **SolSmart Review (10 minutes)**
6. **April Environmental Events (5 minutes)**
7. **Other Business (5 minutes)**
8. **Adjournment**

Sincerely,

John Howard

Natural Resources Sustainability Coordinator

CITIZENS ENVIRONMENTAL QUALITY COMMITTEE MEETING NOTES

DATE: Thursday March 7, 2019

TIME: Scheduled for 4:30 pm at the City Hall Misato Room

PRESENT: Dan Hall, Lynette Power, David Schmidt and Bruno Borsari

GUESTS:

STAFF: Natural Resources Sustainability Coordinator John Howard

1. **Call to Order:** Made by Chair Hall at 4:36 pm
2. **Review and approval of Feb. 7, 2019 meeting notes:** David noted that there seemed to be contradictory wording in a sentence describing invasive species under heading #5. David suggested revising the sentence to read as “not be invasive or noxious weeds, including but not limited to buckthorn, honeysuckle and Japanese barberry”. Motion by Bruno, seconded by David. All in favor.

3. **Recap of Council meeting on Energy Efficiency:**

John provided a brief summary of the report, presentation, and conclusions that he and Sarah made to the City Council earlier in the week regarding energy efficiency program options for the City to apply to their own facilities. He and Sarah recommended the Guaranteed Energy Saving Program (GESP) because of the high degree of state guidance within this program. The City Council was supportive of this recommendation.

Dan noted the ice dams and icicles on many houses are indicative of poor insulation. Thus need for energy efficiency at many houses in town.

John asked for suggestions and input on the report and recommendations.

Lynette asked about audit programs, and if utility has offering for the City. John said yes, but not exactly the same as the business or residential offering that he has discussed in the past.

Dan asked about the potential savings and opportunities. John did not have exact figures, but said almost all buildings have at least one project to do, and the least efficient buildings could easily make up the majority of savings of the project. Ten to thirty percent savings are in the realm of possibility.

Lynette shared her favorable experience with switching to a heat pump.

Lynette asked about the wastewater treatment plant turbine, and if it was working? John said yes, and running 24/7 at around 65 kW. The plant has the potential to utilize more. Lynette asked about what caused the initial issues, which John replied was impurities in the gas, specifically siloxanes. The City Council has asked about the turbine on multiple occasions.

4. Unified Development Code Review – Article 3, Division 7 (40 minutes):

Dan noted it was odd that solar panels are regulated the same way as a building in 43.03.79 L) (p.122). CEQC members believe any restrictions would impede renewable energy, and may not be in spirit of City objectives. John relayed that the current standard does not restrict solar on roofs, and that UDC really applies to new construction. Dan suggests asking solar developers about whether they feel restricted by the code. Current UDC language would prohibit solar panels and wind turbines from being in the side or front yards of buildings. David sees the main conflict would be when side yard is on the south side of property, and unable to place on roof. Lynette suggested viewing Paul Schollmeier's house, as it has a notable solar system, which would presumably not be allowable under the current UDC. David sees the Garvin Heights neighborhood as an example where solar use may be difficult with the existing code language as a number of houses do not have south facing roofs. David believes City should keep solar permissive.

Lynette was curious about size and standards of wind turbines. John read the definition, and stated it was developed by him.

Dan sees no reason to limit roadside stands to only sell what is produced on the site (43.03.79 D)). Seems this provision would prohibit the shrimp truck and similar, including farmer markets. Dan can only note one roadside stand that seems to be in compliance. CEQC suggests this standard be changed, so vendors can sell wares not produced on the property.

Discussion about allowing fowl other than chickens, such as ducks or quail, under 43.03.79 C). Lynette is supportive. No objection to allowing similar birds to be included with chicken ordinance.

John asked if the CEQC had thoughts on livestock provisions. David noted that the restrictions are based on animal unit, which is usually based on manure production. John read the definition of the animal unit from the last section of the UDC.

Bruno asked about allowing goats – does not seem to be listed. Bruno does not see any real difference between goats and a pet dog in terms of disruption or size. Bruno said 12 hens is a pretty large quantity, more than a single family would use.

Bruno disturbed by prohibiting slaughter of chicken, seems to make sense to allow slaughter as what else can they do with a chicken. Bruno believes it is good to reconnect with food system.

Bruno discussed allowing beehives, which are not currently addressed by code.

David noted that landscape requirements are generally vague throughout the section, may make sense to apply condition about not being invasives or noxious weeds. Bruno relayed personal experience with non-native lilacs on a neighbor's property, and how this species produces many seedlings on adjacent property.

5. Ongoing Initiatives Update (5 minutes)

5.1. Partners in Energy: John noted that the Partners in Energy program is wrapping up this month since the program runs for 2 years. He will have an accomplishment report and summary data at an upcoming meeting. The Partners in Energy goals will continue as will initiatives like the Green Ribbon Commission.

5.2. GreenStep Cities: John and Sarah have been reviewing the GreenStep criteria and recording new actions to our GreenStep page. John expects the City to be a Step 2 City this year, potentially a Step 3 city. Full report will be at the April meeting.

6. Other Business (5 minutes):

Bruno asked about available positions on the CEQC, and any updates on applicants? No new applicants, so one open position remains.

Lynette relayed a conversation with a member of the public who is afraid of fluoride in the water.

Bruno suggests reading the "Blue Death" book for those who want to better understand drinking water contaminants. Bruno described Potters for Peace that create water filters for rural Africans.

7. Adjournment: by acclamation at 6:06 pm.

Minutes prepared by John Howard.

CITIZENS ENVIRONMENTAL QUALITY COMMITTEE

AGENDA ITEM: 3. GreenStep Annual Report

PREPARED BY: John Howard

DATE: April 4, 2019

The GreenStep Cities program requires an annual update of completed actions by May 1st. City staff has reviewed the list of GreenStep actions and compiled the attached list of actions likely completed. Staff still needs to input the actions to the GreenStep system and be rated by the GreenStep program. City staff has high confidence that the City will be promoted to a Step 2 community based on the number of completed actions.

In the list, the dark green shaded boxes indicate that an action or best practice is completed. The lighter shaded green boxes indicate the action is in progress or was not completed recently or has room for improvement.

**MINNESOTA GREENSTEP CITIES BEST PRACTICES,
ACTION OPTIONS AND PROGRAM RECOGNITION
MINIMUMS** (March 2019 input data, criteria from Nov. 2018)

Initial inventory column: check off which actions are **completed, in-process, planned, not relevant.**
Note relevant responsible person / entity.

Buildings & Lighting Best Practices Category: BPs 1 - 5

Best Practice #1: Efficient Existing Public Buildings

Complete

<p>Action # 1. Enter building information into the Minnesota B3 Benchmarking database and routinely enter monthly energy, water use data for all city-owned buildings.</p>	<p>Newly Completed, not reported</p>
<p>2. Make no/low cost indoor lighting and operational changes in city-owned/school buildings to reduce energy costs.</p>	<p>In progress, previously completed in 2012</p>
<p>3. Invest in energy efficiency opportunities through larger financed projects or through smaller retro-commissioning/retrofit projects in city-owned/school buildings.</p>	<p>Completed (McKinstry), reported</p>
<p>4. Implement information technology efforts and city employee engagement to reduce plug loads and building energy use.</p>	<p>Opportunity</p>
<p>5. Document that the new construction or major remodeling of a public building has met the SB 2030 energy standard or has met or qualified under a green building or energy framework.</p>	
<p>6. Improve the operations & maintenance of city-owned/school buildings and leased buildings by using a customized online energy efficiency tool, asset management tool, green building framework or green lease.</p>	
<p>7. Install for one or more city-owned/school buildings one of the following efficiency measures:</p>	
<p>a. A ground-source, closed loop geothermal system.</p>	<p>Opportunity, ALC</p>
<p>b. A district energy/microgrid system.</p>	<p>WWTP?</p>
<p>c. A rainwater harvesting system for building water use.</p>	
<p>>>> For each best practice, see the web page listed to view detailed guidance, implementation tools and which cities are completing the actions: http://greenstep.pca.state.mn.us/bestPracticesDetail.cfm?bpid=1</p>	

2. Efficient Existing Private Buildings

<p>1. Create or participate in a marketing/outreach program to promote/achieve residential energy/water use reduction and energy efficiency.</p>	<p>Complete (PiE), not reported</p>
<p>2. Integrate green building best practices information and assistance into the building permit process.</p>	<p>Opportunity</p>
<p>3. Implement an energy rating/disclosure policy for residential and/or commercial buildings.</p>	<p>Opportunity</p>
<p>4. Describe energy/water efficiency actions and other green building practices at businesses located within/nearby the city.</p>	<p>In progress - Green Ribbon Commission</p>
<p>5. Conserve drinking/groundwater resources by creating a watering ordinance, water-wise landscaping ordinance/guidance, WaterSense purchasing program, or guidance on rainwater harvesting and home water softener use.</p>	

6. Provide a financial or other incentive to private parties who add energy/sustainability improvements, meet the SB 2030 energy standard, or renovate using a green building or energy framework.	
7. Customize a model sustainable building renovation policy that includes the SB 2030 energy standard and adopt the language to govern commercial renovation projects that:	Opportunity
a. Receive city financial support, and/or	
b. Require city regulatory approval (conditional use permits, rezonings, variances, PUD status).	No
http://greenstep.pca.state.mn.us/bestPracticesDetail.cfm?bpid=2	
3. New Green Buildings	
1. Require by city policy that new city-owned buildings be built using the SB 2030 energy standard and/or a green building framework.	Opportunity
2. Work with the local school district to ensure that future new schools are built using the SB 2030 energy standard and/or a green building framework.	Opportunity
3. Adopt a sustainable building policy for private buildings; include the SB 2030 energy standard; adopt language governing new development projects that:	Opportunity
a. Receive city financial support, and/or	
b. Require city regulatory approval (planned unit development, conditional use permit, rezoning, variance).	
4. Provide a financial or other incentive to private parties who build new buildings that utilize the SB 2030 energy standard and/or a green building framework.	?
5. Adopt environmentally preferable covenant guidelines for new common interest communities addressing issues such as stormwater, greywater, native vegetation, growing food, clothes lines and renewable energy.	Opportunity
http://greenstep.pca.state.mn.us/bestPracticesDetail.cfm?bpid=3	
4. Efficient Outdoor Lighting and Signals	
Complete	
1. Require energy efficient, Dark-Sky compliant new or replacement outdoor lighting fixtures on city-owned/private buildings and facilities.	Complete?
2. Purchase LEDs for all future street lighting and traffic signals.	Opportunity
3. Replace the city's existing street lighting with Dark Sky-compliant LEDs, modifying any city franchise/utility agreement and adding smart grid attributes.	Complete
4. Coordinate traffic signals and/or optimize signal timing so as minimize car idling at intersections yet maintain safe and publicly acceptable vehicle speeds.	
5. Use LED/solar-powered lighting for a flashing sign or in a street, parking lot or park project.	Partially Complete (Broadway)
6. Relamp/improve exterior building lighting for city-owned buildings/facilities with energy efficient, Dark-Sky compliant lighting.	Opportunity
7. Replace city-owned parking lot/ramp lighting with Dark-Sky compliant, energy efficient, automatic dimming lighting technologies.	Completed? In policy for dark skies
8. Replace the city's existing traffic signals with LEDs.	Complete
http://greenstep.pca.state.mn.us/bestPracticesDetail.cfm?bpid=4	

5. Building Redevelopment		Complete BP
1. Adopt an historic preservation ordinance/regulations to encourage adaptive reuse.		Complete (City Code 22.27)
2. Implement the Minnesota Main Street model for commercial revitalization.		Completed
3. Plan for reuse of large-format retail buildings, or work with a local school to either add-on space or repurpose space into non-school uses.		Old schools, Kmart?
4. Create/modify a green residential remodeling assistance/financing program to assist homeowners in adding space to their existing homes.		
5. Adopt development/design standards and programs that facilitate infill, redevelopment, and adaptable buildings.		
http://greenstep.pca.state.mn.us/bestPracticesDetail.cfm?bpid=5		
Land Use Category: BPs 6 - 10		
6. Comprehensive Plans		If action 2 is submitted, could be complete BP
1. Adopt a comprehensive plan or (for Category B & C cities) adopt a land use plan that was adopted by the county or a regional entity.		Complete, County has new one
2. Demonstrate that regulatory ordinances comply with the comprehensive plan including but not limited to having the zoning ordinance explicitly reference the comprehensive plan as the foundational document for decision making.		Completed
3. Include requirements in comprehensive and/or other plans for intergovernmental coordination addressing regional land use and watershed / wellhead impacts, infrastructure, transportation, economic development and city/regional services.		Work with county on water, well head protection, WRAPS (in process)
4. Include ecological provisions in the comprehensive plan that explicitly aim to minimize open space fragmentation and/or establish a growth area with expansion criteria.		Completed
5. Adopt climate mitigation and/or energy independence goals and objectives in the comprehensive plan or in a separate policy document, and include transportation recommendations such as becoming an EV-ready city.		Completed Partners in Energy (Mayor's climate pledges, University President's pledges,
http://greenstep.pca.state.mn.us/bestPracticesDetail.cfm?bpid=6		
7. Efficient City Growth		Complete
1. Limit barriers to higher density housing by including in the city zoning ordinance and zoning map:		
a. Neighborhood single-family density at 7 units/acre or greater.		Verify in UDC
b. Multi-family housing at a gross density of at least 15 units/acre adjacent to a commercial zoning district or transit node.		Verify with UDC
2. Achieve higher density housing through at least two of the following strategies:		
a. Incorporate a flexible lot size/frontage requirement for infill development.		
b. Use density and floor area ratio (FAR) bonuses in selected residential zoning districts.		

	c. Cluster residential development; tie a regulatory standard to comprehensive plan language defining compact city expansion zones that limit low-density development.	
	d. Allowing accessory dwelling units, senior housing, co-housing or tiny houses / apartments by right in selected zoning districts.	
	3. Achieve higher intensity commercial/industrial land uses through at least one of the following strategies:	
	a. Include in the city zoning ordinance and zoning map a commercial district with reduced lot sizes and zero-lot-line setbacks, or a FAR minimum of 1.	Yes, downtown (no setbacks)
	b. Set targets for the minimum number of employees/acre in different commercial zones.	
	4. Provide incentives for infill projects, or for life-cycle housing at or near job or retail centers, or for achieving an average net residential density of seven units per acre.	
	5. Modify the city zoning ordinance and zoning map to allow, without variance or rezoning in at least one district, developments that meet the prerequisites for LEED for Neighborhood Development certification.	
	http://greenstep.pca.state.mn.us/bestPracticesDetail.cfm?bpid=7	
8. Mixed Uses		
	1. Organize or participate in a community planning/design process for the city/a mixed use district.	Complete (EPA Workshop), school redevelopment
	2. Locate or lease a school, city building or other government facility that has at least two of these attributes:	Complete (City Hall, County Buildings)
	a. Adjacent to an existing employment or residential center.	Downtown
	b. Designed to facilitate and encourage access by walking and biking.	
	c. Accessible by regular transit service.	City Hall on at least 2 bus routes
	3. Modify a planned unit development ordinance to emphasize mixed use development or to limit residential PUDs to areas adjacent to commercial development.	Verify with UDC
	4. Report that a (re)development meets a city/community-determined minimum point threshold under the LEED for Neighborhood Development program or the Equitable Development Scorecard.	Verify with Udc
	5. Have a downtown zoning district that allows residential and compatible commercial development.	Completed
	6. Incorporate form-based zoning approaches into the zoning code, in those areas where a diverse mix of uses is desired.	Completed
	7. Create incentives for vertical mixed-use development in appropriate locations (downtown, commercial districts near colleges or universities, historic commercial districts).	Verify with UDC
	http://greenstep.pca.state.mn.us/bestPracticesDetail.cfm?bpid=8	
9. Efficient Highway- and Auto-Oriented Development		
	1. Establish design goals for at least one highway/auto-oriented corridor/cluster.	
	2. Participate in regional economic development planning with representatives from surrounding townships, cities, the county and business interests to:	
	a. Estimate commercial/industrial needs among all jurisdictions.	

	b. Jointly implement recommendations to stage highway/auto-oriented commercial development in order to avoid overbuilding and expensive low-density development.	
	3. Adopt infrastructure design standards that protect the economic and ecologic functions of the corridor through clustering of development and incorporating access management standards.	
	4. Adopt a commercial zoning district that permits only auto-oriented land uses.	
	5. Adopt development policies for large format developments, such as a scorecard approval process, tax productivity thresholds, size caps, bans, required decommissioning of vacant property.	
	http://greenstep.pca.state.mn.us/bestPracticesDetail.cfm?bpid=9	

10. Design for Natural Resource Conservation

	1. Conduct a Natural Resource Inventory or Assessment (NRI or NRA); incorporate protection of priority natural systems or resources such as groundwater through the subdivision or development process.	Complete (Tree inventory, bluff and shoreland zones for park plan)
	2. For cities outside or on the fringe of metropolitan areas, conduct a build-out analysis, fiscal impact study, or adopt an urban growth boundary and a consistent capital improvement plan that provides long-term protection of natural resources and natural systems, and agricultural practices outside the boundary.	
	3. For cities within metropolitan areas, incorporate woodland best management practices addressing protection of wooded areas into zoning or development review.	
	4. Adopt a conservation design policy and use a conservation design tool in negotiating development agreements in cities with undeveloped natural resource areas.	Opportunity
	5. Develop/fund a conservation easement program, such as a purchase of development rights program, in collaboration with a land trust.	
	6. Conserve natural, cultural, historic resources by adopting or amending city codes and ordinances to support sustainable sites, including roadsides, and environmentally protective land use development.	Complete (natural state area, bluff and shoreland protection zones). Park plan redevelopment
	7. Be recognized under the Bird City Minnesota or Community Wildlife Habitat program.	
	http://greenstep.pca.state.mn.us/bestPracticesDetail.cfm?bpid=10	

Transportation Category: BPs 11 - 14

11. Living Streets

		Complete
	1. Adopt a complete streets policy or a living streets policy, which addresses landscaping and stormwater.	Complete
	2. Adopt zoning language or approve a development project that follows green street and/or walkable streets principles.	
	3. Modify a street in compliance with the city's complete streets policy.	Complete - Main St. Rebuild

	4. Identify, prioritize and remedy complete streets gaps and lack of connectivity/safety within your road network by, for example, adding a bike route/lane, truck route, sidewalk or mid-block alley.	
	5. Identify and remedy street-trail gaps between city streets and off-road trails/bike trails to better facilitate walking and biking.	In progress -new parks plan
	6. Implement traffic calming policy/measures, including road diets, roundabouts, shared space and depaving, in at least one street redevelopment project.	Complete - roundabouts on Homer Rd, Gilmore Ave.
	http://greenstep.pca.state.mn.us/bestPracticesDetail.cfm?bpid=11	
12. Mobility Options		Complete BP
	1. Increase walking, biking and transit use by one or more of the following means:	Complete
	a. Produce/distribute route maps, signage or a web site.	Complete (Transit)
	b. Document increased bike facilities, such as racks, bike stations or showers.	In Process?
	c. Add bus infrastructure, such as signage, benches, shelters, park and ride lots, and real-time arrival data-streaming.	In Progress
	d. Increase the number of employers promoting multiple commuting options, including offering qualified transportation fringe benefits instead of only a tax-free parking fringe benefit.	Opportunity
	e. Be recognized as a Walk Friendly or Bicycle Friendly Community.	Complete
	2. Conduct an Active Living campaign such as a Safe Routes to School program.	
	3. Prominently identify mobility options: transit; paratransit/Dial-A-Ride; ridesharing/cab services; rental cars; bikes.	Opportunity
	4. Promote carpooling or ridesharing among community members, city employees, businesses, high schools and institutions of higher education.	Opportunity
	5. Launch telework/flexwork efforts in city government, businesses or at a local health care provider.	
	6. Add/expand transit service, or promote car/bike sharing.	Complete: Transit & Dial-a-Ride
	7. Implement multimodal transportation best management practices in the workplace for city employees.	Opportunity
	http://greenstep.pca.state.mn.us/bestPracticesDetail.cfm?bpid=12	
13. Efficient City Fleets		
	1. Efficiently use your existing fleet of city vehicles by encouraging trip bundling, video conferencing, carpooling, vehicle sharing and incentives/technology.	Opportunity
	2. Right-size/down-size the city fleet with the most fuel-efficient vehicles that are of an optimal size and capacity for their intended functions.	In progress
	3. Phase-in no-idling practices, operational and fuel changes, and equipment changes including electric vehicles, for city or local transit fleets.	Opportunity
	4. Phase in bike, foot or horseback modes for police, inspectors and other city staff.	
	5. Document that the local school bus fleet has optimized routes, start times, boundaries, vehicle efficiency and fuels, driver actions to cut costs including idling reduction, and shifting students from the bus to walking, biking and city transit.	
	6. Retrofit city diesel engines or install auxiliary power units and/or electrified parking spaces, utilizing Project GreenFleet or the like.	
	http://greenstep.pca.state.mn.us/bestPracticesDetail.cfm?bpid=13	

14. Demand-Side Travel Planning		
1. Reduce or eliminate parking minimums and/or add parking maximums.		Check with UDC for commercial
2. For cities with regular transit service, require or provide incentives for the siting of retail services at transit/density nodes.		
3. For cities with regular transit service, require or provide incentives for the siting of higher density housing at transit/density nodes.		
4. Adopt a travel demand management plan for city employees or incorporate into development regulations TDM or transit-oriented development standards or LEED for Neighborhood Development certification.		
http://greenstep.pca.state.mn.us/bestPracticesDetail.cfm?bpid=14		
Environmental Management Category: BPs 15 - 23		
15. Sustainable Purchasing		
1. Adopt a sustainable purchasing policy or administrative guidelines/practices directing that the city purchase at least:		In place, but not active
a. EnergyStar certified equipment and appliances and		
b. Paper containing at least 30% post-consumer recycled content.		
2. Purchase energy used by city government - via green tags, community solar garden, 3rd party - with a higher renewable percentage than required by Minnesota law.		Complete - Community Solar subscription
3. Establish a local purchasing preference and, working with a local business association, develop a list of locally-produced products and suppliers for common purchases.		Local purchasing of picnic tables
4. Require purchase of U.S. EPA WaterSense-certified products.		Opportunity
5. Set minimum standards for the percentage of recycled-content material in asphalt and roadbed aggregate or other construction materials, and for compost and warm mix asphalt use.		MNDOT Standards
6. Require printing services to be purchased from companies certified by Minnesota Great Printers or by the Sustainable Green Printing Partnership.		Opportunity
7. Lower the environmental footprint of meetings and events in the city.		
8. Use state and national green standards/guidelines for at least 3 categories of purchasing/investments such as electronics, cleaning products, flooring/coatings.		Opportunity
http://greenstep.pca.state.mn.us/bestPracticesDetail.cfm?bpid=15		
16. Urban Forests		Complete by May 1st
1. Certify as a Tree City USA.		In progress
2. Adopt best practices for urban tree planting/quality; require them in private developments and/or use them in at least one city project.		In process
3. Budget for and achieve resilient urban canopy/tree planting goals.		In process
4. Maximize tree planting along your main downtown street or throughout the city.		Boulevard tree planting, WSU Tree Campus
5. Adopt a tree preservation or native landscaping ordinance.		Opportunity
6. Build community capacity to protect existing trees by one or more of:		Complete
a. Having trained tree specialists.		Complete (city forester)

	b. Supporting volunteer forestry efforts. forest	In progress - Urban forestry projects EAB plan from 2012
	http://greenstep.pca.state.mn.us/bestPracticesDetail.cfm?bpid=16	
17. Stormwater Management		Complete
	1. Adopt and use Minnesota's Minimal Impact Design Standards (MIDS).	
	2. Complete a stormwater management assessment and be recognized for implementing the actions therein.	
	3. Adopt by ordinance one or more of the following stormwater infiltration/management strategies:	Opportunity
	a. A narrower streets provision that permits construction of 22- or 24-foot roads for public, residential access and subcollector streets (with fewer than 500 average daily trips).	
	b. For sites less than one acre, retain the water quality volume of 1.1 inches of runoff from all impervious surfaces for new and fully-redeveloped construction sites.	
	c. For non-MS4 permittees, adopt an illicit discharge prohibition rule or ordinance and an erosion and sediment control ordinance.	
	4. Create a stormwater utility that uses variable fees to incentivize enhanced stormwater management, minimize the volume of and pollutants in runoff, and educate property owners.	Complete - stormwater fee based on land cover
	5. Adopt and implement guidelines or design standards/incentives for at least one of the following stormwater infiltration/reuse practices:	Complete
	a. Rain gardens/infiltration practices.	Residential rain gardens, 2 city lots
	b. Rainwater harvesting practices.	2018 Rain barrel program
	c. Green alleys or green parking lots.	
	d. Pervious/permeable pavement or pavers.	Opportunity
	e. Green roofs / green walls.	
	f. Tree trenches / tree boxes.	
	6. Reduce de-icing salt use to prevent permanent surfacewater and groundwater pollution.	
	http://greenstep.pca.state.mn.us/bestPracticesDetail.cfm?bpid=17	
18. Parks and Trails		Complete
	1. Make improvements within your city's system of parks, offroad trails and open spaces.	Sugarloaf, and in progress with Bluff Traverse
	2. Plan and budget for a network of parks, green spaces, water features and trails for areas where new development is planned.	New Parks Plan
	3. Achieve minimum levels of city green space.	Potentially complete, depending on level of minimum?
	4. Adopt low-impact design standards in parks and trails that infiltrate or retain all 2 inch, 24-hour stormwater events on site.	Opportunity
	5. Create park/city land management standards/practices that maximize at least one of the following:	

	a. Low maintenance turf management; native landscaping; organic or integrated pest management; pollinator/monarch-safe policies.	Pollinator resolution, and in progress with Parks Plan
	b. Recycling/compostables collection; use of compost as a soil amendment.	
	c. Sources of nonpotable water, or surface/rain water, for irrigation.	
	6. Certify at least one golf course in the Audubon Cooperative Sanctuary Program.	
	7. Document that the operation and maintenance, or construction / remodeling, of at least one park building used an asset management tool, the SB 2030 energy standard, and/or a green building framework.	In progress - B3 database for Bud King, Masonic Theater, park lodges
	8. Develop a program to involve community members in hands-on land restoration and stewardship projects.	Complete - Healthy Lake Winona, Urban forestry grants
	http://greenstep.pca.state.mn.us/bestPracticesDetail.cfm?bpid=18	
19. Surface Water		Complete
	1. (Action deleted on 09/22/2015)	
	2. Conduct or support multi-party community conversations around improving local water quality and quantity.	Complete - Healthy Lake Winona
	3. Adopt and report on measurable, publicly announced surface water improvement targets for water bodies, including the percent of lake, river, wetland and ditch shoreline with at least a 50-foot vegetation buffer.	In process?
	4. Adopt a shoreland ordinance for all river and lake shoreland areas.	Complete
	5. Adopt goals to revegetate shoreland and create a local program or outreach effort to help property owners with revegetation.	In process - with Healthy Lake Winona
	6. Implement an existing TMDL implementation plan.	Planned
	7. Create/assist a Lake Improvement District.	
	http://greenstep.pca.state.mn.us/bestPracticesDetail.cfm?bpid=19	
20. Efficient Water and Wastewater Facilities		
	1. Compare the energy use and performance of your facilities with other peer plants using standardized, free tools.	In process - B3
	2. Plan and budget for motor maintenance and upgrades so as to assure the most energy efficient, durable and appropriate equipment is available when upgrades or break downs occur.	
	3. Establish an on-going budget and program for decreasing inflow and infiltration into sewer lines and losses in drinking water systems.	
	4. Assess energy and chemicals use at drinking water / wastewater facilities and report on implemented changes that had a short payback period.	
	5. (Action deleted on 06/17/2012)	
	6. Implement a wastewater plant efficiency project (co-generation, water reuse) or a program for local private business operations (water conservation, water reuse, business co-location).	Potentially complete? - (Pretreatment coordinator); In process (Next Step Partners water

	7. Create a demand-side pricing program to reduce demands on water and wastewater systems.	
	http://greenstep.pca.state.mn.us/bestPracticesDetail.cfm?bpid=20	
21. Septic Systems		
	1. Report to landowners suspected noncompliant or failing septic systems as part of an educational, informational and financial assistance and outreach program designed to trigger voluntary landowner action to improve septic systems.	
	2. Use a community process to address failing septic systems.	
	3. Clarify/establish one or more responsible management entities for the proper design, siting, installation, operation, monitoring and maintenance of septic systems.	
	4. Adopt a subsurface sewage treatment system ordinance based on the Association of Minnesota Counties' model ordinance.	
	5. Create a program to finance septic system upgrades.	
	6. Work with homeowners and businesses in environmentally sensitive areas and areas where standard septic systems are not the least-cost option to promote innovative waste water systems, including central sewer extensions.	
	7. Arrange for assistance to commercial, retail and industrial businesses with water use reduction, pollution prevention and pretreatment prior to discharge to septics.	
	http://greenstep.pca.state.mn.us/bestPracticesDetail.cfm?bpid=21	
22. Solid Waste Reduction		
	1. Prevent, recycle and compost waste/toxics generated from internal city operations, including libraries, parks, schools, and municipal health care facilities.	In progress
	2. Address concerns over consumer products and packaging through encouragement/implementation of one or more of: (a) Education on needless consumption, waste prevention and alternatives, including product stewardship / producer responsibility; (b) Reuse options; (c) Recycling / composting options; (d) Credits, fees; (e) Mandates, bans.	
	3. Improve profitability, legal compliance and conserve resources through adoption of ordinance language, licensing and resource management contracts.	
	4. Publicize, promote and use the varied businesses/services collecting and marketing used, repaired and rental consumer goods, especially electronics, in the city/county.	County Reuse Center?
	5. Arrange for a residential and/or business/institutional source separated organics collection/management program.	Opportunity
	6. Improve recycling services and expand to multi-unit housing and commercial businesses.	Potentially Complete?
	7. Improve/organize residential trash, recycling and organics collection by private and/or public operations and offer significant volume-based pricing on residential garbage and/or incentives for recycling.	
	8. Adopt a construction and demolition ordinance governing demolition permits that requires a level of recycling and reuse for building materials and soil/land-clearing debris.	

	http://greenstep.pca.state.mn.us/bestPracticesDetail.cfm?bpid=22	
23. Local Air Quality		
	1. Conduct an education/financial assistance campaign around one of the following residential wood burning/auto exhaust issues:	
	a. Indoor and outdoor wood burning behavior, to ensure that wood burning is only done with seasoned wood and in a manner that lessens the impact on neighbors.	
	b. Indoor wood burning technology, to result in community members upgrading from inefficient/more polluting fireplaces and wood stoves to pellet/gas/biogas devices, air source heat pumps, or the most efficient	
	c. Smoker cars - older model/high polluting vehicles, to result in repairs spurred by repair vouchers.	
	2. Regulate outdoor residential wood burning, using ordinance language, performance standards and bans as appropriate, for at least one of the following:	
	a. Recreational burning.	
	b. Outdoor residential wood boilers.	
	3. Conduct one or more policy or education/behavior change campaigns on the topics below and document:	
	a. Decreased vehicle idling in specific locations.	
	b. Participation in the Air Aware Employers program.	
	c. Adoption of a smoking-free policy at one or more multi-unit housing buildings, private or public.	
	d. Replacement of gasoline-powered small equipment with lower polluting equipment.	
	e. Increased sales by retail stores of low and no-VOC household products.	
	4. Document the participation of businesses in emission/idling reduction efforts/programs.	
	5. Install, assist with and promote one or more public fueling stations for plug-in hybrid and full electric vehicles, flex-fuel ethanol vehicles, CNG vehicles.	In progress?
	http://greenstep.pca.state.mn.us/bestPracticesDetail.cfm?bpnum=23	

Economic & Community Development Category: BPs 24 - 29

24. Benchmarks & Community Engagement		If actions 1 and 2 are submitted, could be completed BP
	1. Use a city commission, or a committee to lead, coordinate, and report to and engage community members on implementation of sustainability best practices.	CEQC
	2. Organize goals/outcome measures from all city plans and report to community members data that show progress toward meeting these goals.	In progress via CEQC goals
	3. Measure and report progress on sustainability indicators including energy use/greenhouse gas emissions, social vitality/social inclusion outcome measures.	CEQC?
	4. Conduct or support a broad sustainability education and action campaign involving:	In progress: Sustain Winona, Healthy Lake Winona
	a. The entire community.	
	b. Homeowners.	

	c. Front yards/sidewalks, block clubs, neighborhood associations.	
	d. Congregations.	
	e. Schools, colleges.	
	5. Conduct or support a community education, visioning and planning initiative using a sustainability framework such as:	Complete (EPA Workshop, Partners in Energy)
	a. Strong Towns, resiliency, transition initiatives.	
	b. Eco-municipalities, Smart Cities.	
	c. Healthy communities, environmental justice, race equity.	
	6. Engage community youth and college students by creating opportunities to participate in city government.	City internships, community forestry, WSU sustainability fair
	http://greenstep.pca.state.mn.us/bestPracticesDetail.cfm?bpnum=24	
25. Green Business Development		
	1. Grow new/emerging green businesses and green jobs through targeted assistance and new workforce development.	Opportunity, zero-waste
	2. Create or participate in a marketing/outreach program to connect businesses with assistance providers, including utilities, who provide personalized energy, waste or sustainability audits and assistance.	In process (PiE, PACE, Green Ribbon Commission?)
	3. Promote sustainable tourism in your city, and green tourism resources to tourism and hospitality businesses in/around the city.	Opportunity - included in park plan?
	4. Strengthen value-added businesses utilizing local "waste" products and renting products/services.	Buy local movement, urban hardwoods
	5. Lower the environmental footprint of a brownfield remediation/redevelopment project.	Ash harvesting
	6. Promote green businesses that are recognized under a local, regional or national program.	In progress - Green Ribbon Commission
	7. Conduct or participate in a buy local campaign for community members and local businesses.	Through Chamber of Commerce?
	http://greenstep.pca.state.mn.us/bestPracticesDetail.cfm?bpnum=25	
26. Renewable Energy		
	1. Adopt solar energy standards, wind energy/biomass ordinance that allows or encourages appropriate renewable energy installations.	Complete UDC
	2. Consistently promote resident/business purchases/generation of clean energy by means of:	
	a. A local utility's green power purchasing program that allows residents/businesses to order/buy new renewable energy.	In process - PiE
	b. Local, state and federal financial incentives for property owners to install renewable energy systems.	
	3. Promote financing programs for clean energy, such as PACE for commercial property owners, to install generation capacity/energy efficiency equipment.	Complete - marked as action 26.4 online?
	4. Support a community solar garden or help community members participate in a community renewable energy project.	SolarStone Community Solar subscription
	5. Install a public sector/municipally-owned renewable energy technology, such as solar electric (PV), biomass, solar hot water/air, micro-hydro or wind.	WWTP microturbine
	6. Report installed private sector-owned renewable energy / energy efficient generation capacity with at least one of the following attributes:	
	a. Fueled by flowing water, sun, wind, or biogas.	

	b. Fueled in part or whole by manure or woody biomass, optimized for minimal air and other environmental impacts and for energy efficiency and water conservation.	
	c. Distributing heating/cooling services in a district energy system.	
	d. Producing combined heat and power; using a microgrid.	
	e. Energy storage integrated into a renewable energy installation.	
	7. Become a solar-ready community, including an expedited permit process for residents and businesses to install solar energy systems.	In progress with SolSmart
	http://greenstep.pca.state.mn.us/bestPracticesDetail.cfm?bpnum=26	Note - online BP details are in a different order?
27. Local Food		Complete BP
	1. Incorporate working landscapes - agriculture and forestry - into the city by adopting an ordinance for one or more of the following:	
	a. An agriculture and forest protection district.	
	b. A local food production district.	
	c. Performance standards for minor and major agricultural retail.	
	2. Facilitate creation of home gardens, chicken & bee keeping, and incorporation of food growing areas/access in multifamily residential developments.	Complete
	3. Create, assist with and promote local food production/distribution within the city:	
	a. A farmer's market or co-op buying club.	Complete - provide space for farmers' market
	b. An urban agriculture business or a community-supported agriculture (CSA) arrangement between farmers and community members/employees.	
	c. A community or school garden, orchard or forest.	Complete: Winona Orchard, East Rec Community Garden
	4. Measurably increase institutional buying, and sales through groceries and restaurants.	
	a. Purchasing of local/organic/humane/equitable foods by schools, hospitals, nursing homes and event centers.	
	b. Sales of local/organic/humane/equitable food in markets, retail food co-ops, rural grocery stores, urban convenience stores, food carts/trucks, hotels and restaurants.	Farmer's market, Co-Op
	http://greenstep.pca.state.mn.us/bestPracticesDetail.cfm?bpnum=27	
28. Business Synergies and EcoDistricts		
	1. Help businesses register as users of the Minnesota Materials Exchange and document their exchanges/sales of byproducts with other local/regional businesses.	
	2. Document that at least one business/building uses waste heat or water discharge from another business.	
	3. Require, build or facilitate at least four attributes in a business/industrial park project:	
	a. Shared parking/access OR shared recreation/childcare facilities.	
	b. Green product development, manufacturing or sales OR a green job training program..	
	zoning.	

	d. Renovated buildings OR buildings designed for reuse.	
	e. Green buildings built to exceed the Minnesota energy code by 20% OR renewable energy generated on-site.	
	f. Combined heat and power (CHP) generation capacity, shared geothermal heating/cooling, microgrid OR energy storage.	
	g. Low-impact site development.	
	4. Use ecodistrict tools to structure, guide and link multiple green and sustainable projects together in a mixed-use neighborhood, aiming to deliver superior social, environmental and economic outcomes.	
	http://greenstep.pca.state.mn.us/bestPracticesDetail.cfm?bpnum=28	
29. Climate Adaptation and Community Resilience		
	1. Prepare to maintain public health and safety during extreme weather and climate-change-related events, while also taking a preventive approach to reduce risk for community members.	In process - hazard mitigation at county level, fire & police evacuation plans
	2. Integrate climate resilience into city or tribal planning, policy, operations, and budgeting processes.	Opportunity (emergency preparedness)
	3. Increase social connectedness through engagement, capacity building, public investment, and opportunities for economically vulnerable residents to improve their economic prosperity.	Complete (Next Step Partners, EPA sustainable communities, affordable community gardens)
	4. Encourage private sector action and incentivize investment in preventive approaches that reduce risk and minimize impacts of extreme weather and the changing climate for human health and the built environment.	
	5. Protect public buildings and natural/constructed infrastructure to reduce physical damage and sustain their function during extreme weather events.	Complete - Floodplain management plan in UDC. Levee certification in progress.
	6. Reduce the urban heat impacts of public buildings, sites, and infrastructure and provide resiliency co-benefits.	Opportunity
	7. Protect water supply and wastewater treatment facilities to reduce physical damage and sustain their function during extreme weather events.	
	8. Improve local energy resilience by minimizing fuel poverty, installing distributed renewable energy systems, and developing microgrids that can improve energy system resiliency.	
	http://greenstep.pca.state.mn.us/bestPracticesDetail.cfm?bpid=31	
<p>>> To be recognized as a Step 3 GreenStep City, implement (1) the minimum number of BPs under each BP category, (2) any specific BPs and BP actions noted, and in total implement at least this many best practices:</p>		
	>> To be recognized as a Step 2 city, simply implement any BPs to total:	

CITIZENS ENVIRONMENTAL QUALITY COMMITTEE

AGENDA ITEM: 4. Unified Development Code Review – Articles 4 & 5

PREPARED BY: John Howard

DATE: April 4, 2019

For this meeting, please review Articles 4 & 5: Subdivision standards and signage.

If you would like to read ahead or see past parts of the UDC, the full document is available here: <https://www.cityofwinona.com/city-services/planning-zoning/development-code-update/>.

- 7) All gates on required fences shall be self-closing and self-latching with a latch on the inside of the gate, not readily available to children and in good repair. Gates shall be able to be securely locked.
 - 8) Above ground or partially sunken pools that are accessed by deck must be provided with a gate that meets the above standards and a guardrail. The guardrail around the pool must be at least 36 inches high above the deck surface and at least 48 inches high above the surrounding grade. Gaps in the guardrail shall be no more than four inches. The required fence must be erected prior to filling of the pool.
 - 9) Exempt from the fencing requirement shall be hot tubs with locking solid structural covers that shall be in place when the hot tub is not in use.
 - 10) Yard Placement. Permanent and temporary private swimming pools are not permitted in front yards.
- N) Vending Machines – Residential Districts.
- 1) The sale or display of a product or commodity by vending machine shall be prohibited except by vending machines that are neither visible nor accessible to nonresidents of the property. This prohibition shall apply to any property or building, any portion of which is used for residential purposes.

Article 04 Subdivision Standards

Division 1 Basic Subdivision Requirements

43.04.11 Purpose

- A) The purpose of this article is to protect and provide for the public health, safety, and general welfare of the City and its people, and to specifically achieve the following purposes:
- 1) The implementation of the Comprehensive Plan
 - 2) The subdivision of land in an orderly manner which provides for the wise use and management of land and natural resources throughout the City.
 - 3) The provision of adequate public infrastructure, facilities, and services.

43.04.12 Jurisdiction

- A) The rules and regulations governing plats and subdivisions of land contained herein shall apply within the corporate limits of the City of Winona, and within the unincorporated area within 2 miles beyond such corporate limits.

43.04.13 Required Minimum Improvements

- A) Minimum improvements shall be installed:
- 1) In the case of subdivisions within the city, in accordance with the requirements of **Article 04, Division 2** Subdivision Design Standards
 - 2) In the case of subdivisions outside the corporate limits of the city, in accordance with rules and regulations adopted by the board of county commissioners, provided, such county rules and regulations are equally or more restrictive than the requirements of **Article 04, Division 2**

Subdivision Design Standards. In the event that the applicable county requirements are less restrictive, the provisions of **Article 04, Division 2** Subdivision Design Standards shall govern.

Division 2 Subdivision Design Standards

43.04.21 Streets and Blocks

- A) The subdivision layout shall conform to the official Roadway Functional Classification map. Whenever a tract to be subdivided embraces any part of an arterial, collector, or local street, so designated on said plan, such part of such public way shall be platted by the subdivider in the location and at the width indicated in Section **43.04.21(D)**.
- B) The street layout of the subdivision shall be in general conformity with a plan for the most advantageous development of adjoining areas and the entire neighborhood.
- 1) Where appropriate to the design, proposed streets shall be continuous and in alignment with existing, planned or platted streets with which they are to connect.
 - 2) Proposed streets shall be extended to the boundary lines of the tract to be subdivided, unless prevented by topography or other physical conditions or unless, in the opinion of the commission, such extension is not necessary or desirable for the coordination of the layout of the subdivision with the existing layout or the most advantageous future development of adjacent tracts. Dead-end streets of reasonable length will be approved where necessitated by topography, or where, in the opinion of the commission, they are appropriate for the type of development contemplated.
 - 3) Proposed streets shall intersect one another as nearly at right angles as topography and other limiting factors of good design permit.
 - 4) Wherever there exists adjacent to the tract to be subdivided a dedicated or platted and recorded half-width street or alley, the other half width of such street or alley shall be platted.
 - 5) Alleys shall be platted in all business districts. To provide safe access to residential lots fronting on arterials and collectors, alleys shall be platted in the rear of such lots or service drives provided in front thereof. Alleys will not be approved in other locations in residence districts, unless required by unusual topography or other exceptional conditions.
 - 6) Lands abutting arterials should be platted with the view of making the lots, if for residential use, desirable for such use by cushioning the impact of heavy traffic on such traffic ways; and with the view also of minimizing interference with traffic on such traffic ways as well as the accident hazard. This may be accomplished in one of the following ways.
 - a) By platting the lots abutting such traffic ways at very generous depth; and by providing vehicular access to them by means of either alleys or service drives in the rear, or frontage access roads next to the highway, connected therewith at infrequent intervals.
 - b) Another more desirable and usually more economical method consists of not fronting the lots on the highway but on a minor street paralleling the highway at a distance of a generous lot depth. Private driveways in this case would, of course, connect with such minor street.
 - c) Under still another scheme, a collector street may be platted more or less parallel with the highway, 600 to 1,000 feet distant therefrom, from which loop streets or dead-end streets would extend toward the highway, the ends of which give access to the lots abutting the highway to their rear. Selection, in a specific case, among the foregoing or other methods

for accomplishing the purposes in view, must necessarily be made in consideration of topography and other physical conditions, the character of existing and contemplated developments and other pertinent factors that apply in each case.

- 7) Subdivisions abutting a stream or lake are required to provide at least 60 feet wide access to the low water mark so that there will be access at 1/2 mile intervals as measured along the stream or lake shore.
- C) Blocks shall have sufficient width to provide for 2 tiers of lots of appropriate depth.
- 1) The lengths of blocks shall be such as, in the opinion of the commission, are appropriate for the locality and the type of development contemplated, but shall not exceed 1,800 feet where the average size of lots does not exceed 2 acres in area.
 - 2) In any block over 900 feet in length the commission may require that a crosswalk or pedestrian way, not less than 10 feet wide, be provided near the center and entirely across such block.
 - 3) The number of intersecting streets along arterials and collectors shall be held to a minimum. Wherever practicable, blocks along such traffic ways shall not be less than 1,200 feet in length.
- D) Minimum Right-of-way Widths of Streets, Alleys, and Easements for Utilities.
- 1) Arterials, as specified in the official Roadway Functional Classification map, but not less than 100 feet wide in any case.
 - 2) Collectors, as specified in the official Roadway Functional Classification map, but not less than 80 feet wide in any case.
 - 3) Local streets or collector streets; 60 feet.
 - 4) Minor streets and dead-end streets; 60 feet. All dead-end streets shall terminate in a circular turnaround having a minimum right-of-way diameter of 120 feet.
 - 5) Where easements are required for utilities their width shall be at least 10 feet along rear or side lot lines.
- E) Minimum Pavement Widths.
- 1) Minimum pavement widths, face to face of curb, required to be installed at subdivider's expense, shall be as follows:
 - 2) Arterials; local streets or collector streets; and minor streets over 600 feet long; 36 feet. Local or collector streets that extend into or within the Bluffland Protection Overlay District and the Shoreland Management Overlay District must be at least 26 feet in width with bump outs provided to serve neighborhood parking needs.
 - 3) Minor and dead-end streets not over 600 feet long; 32 feet. The pavement of a turning circle at the end of a dead-end street shall have a minimum outside diameter of 100 feet.
 - 4) Alleys and service drives; 18 feet.
- F) Street Grades, Curves, and Sight Distances.
- 1) The grades of streets shall not exceed the following, except that where unusual or exceptional conditions exist the commission may modify these regulations:
 - a) Arterials; 4 percent.
 - b) Collectors; 7 percent.

- c) Local streets, minor streets, service drives, and alleys; 10 percent.
 - d) Pedestrian ways or crosswalks; 5 percent.
 - 2) All changes in street grades in excess of one percent shall be connected by vertical curves meeting standard sight distance requirements.
 - 3) The radii of curvature on the center line shall not be less than the following:
 - a) Arterials; 500 feet.
 - b) Collectors; 300 feet.
 - c) Local streets, minor streets and service drives; 100 feet.
- G) Intersections.
- 1) Street curb intersections shall be rounded by radii of at least 15 feet.
 - 2) The above minimum radii shall be increased when the smallest angle of intersection is less than 60 degrees.

43.04.22 Lots

- A) The size, shape and orientation of lots shall be appropriate for the location of the proposed subdivision and for the type of development contemplated.
- B) Excessive depth in relation to width shall be avoided. (A proportion of 2 to 1 shall normally be considered as appropriate, except in the case of narrow lots.)
- C) Every lot shall abut on a street.
- D) Double frontage lots and reversed frontage lots shall be avoided.
- E) Side lot lines shall be approximately at right angles to the right-of-way line of the street on which the lot faces.
- F) Corner lots for residential use shall be platted wider than interior lots in order to permit conformance with the front yard setback on the side street.
- G) Residential lots fronting or abutting on arterials and collectors should have extra depth to permit deep setbacks for the buildings from such traffic ways.
- H) Permanent iron monuments shall be placed at all lot corners.

43.04.23 Public Improvements

- A) Water, Sanitary, Storm Sewers.
 - 1) Upon petition by a developer, the City will consider designing and constructing a water, sanitary and storm sewer collection system from the existing systems up to a proposed subdivision.
 - 2) All design, construction and other costs for construction within the subdivision shall be the responsibility of the developer. In extraordinary circumstances, the City Council may, upon written request, consider assessing all costs of design and construction of improvements but only if the developer remains the sole owner of all lots within the subdivision and the developer has signed a waiver of its rights to appeal the assessments. If the request is granted upon extraordinary circumstances being shown, the cost of improvements, or any portion allowed by the City Council, at its election, will be reimbursed and assessed upon satisfactory completion of the improvement construction.

- 3) If the City determines that a pipe larger than 8 inches is required within a subdivision for future extensions of water or sanitary sewer, the City shall pay for the additional cost due to the required oversizing. All costs for construction up to the subdivision shall be paid by the City.
- 4) An access fee for water, sanitary and storm sewer access shall be paid in advance by the developer prior to the recording of a final plat. The access fee shall be established annually by the City Council and shall be set forth in Section 51.01 of this Code. The fee shall be based on platted acreage within the subdivision, excluding required natural state areas and floodways. All work must be guaranteed for a period of two years by the contractor and backed by a performance bond.

B) Curb and Gutter.

- 1) Curb and gutters are required in all subdivisions within the corporate limits except where determined by the City Engineer as inappropriate due to drainage and erosion concerns.
- 2) The developer shall design, construct and pay for all curb and gutter. All curb and gutter shall be constructed to standard city specifications.
- 3) The developer shall also pay for all necessary grading and construction of the street between the curb and gutter to within 4 inches of finished grade. The city will determine the amount and type of base required both for curb and gutter and the roadway.
- 4) The city will furnish inspection for all street construction and, if street construction conforms to the specifications, acceptance of the work.
- 5) All work must be guaranteed for a period of two years by the contractor and backed by a performance bond.

C) Sidewalks.

- 1) Sidewalks are not required on all streets. New subdivisions shall provide a sidewalk on one side of any arterial or collector. Subdivisions being created within existing neighborhoods shall provide sidewalks in a manner that matches the existing pattern of the surrounding streets that intersect the subdivision.
- 2) If sidewalks are required by the city council, the developer shall pay for the same.
- 3) The same regulations that apply for curb and gutter under subsection (e) above shall apply for sidewalk. All work must be guaranteed for a period of two years by the contractor and backed by a performance bond.

D) Street Surfacing.

- 1) Subdivision streets shall be designed to meet a 16 gravel equivalent (GE) value with a minimum of 3 inches of bituminous pavement or be paved with a minimum of 6 inches of concrete pavement on a minimum of 6 inches of Class 5 Aggregate.
- 2) The construction of the street shall comply with Minnesota Department of Transportation Specifications for roadway construction in effect at the time of construction.
- 3) The developer shall design, construct, and pay for all streets. The street shall not be constructed prior to the time all water services and sewer laterals are constructed by the developer.
- 4) All work, including lack of trench settlement, shall be guaranteed for a period of two years by the contractor and backed by a performance bond in favor of the city.

43.04.24 Land for Public Purposes

- A) Purpose. The City Council recognizes that it has a responsibility for vigilance over those factors that affect the health, safety, and welfare of the residents of Winona. Council further recognizes that the development and preservation of park, playground and open public land within the City is one of these factors. The purpose of this section is to assure that the development and preservation of such lands keeps pace with the development of the City as a whole.
- B) The need for parks, playground and open public spaces (hereafter referred to as public recreational space) is directly related to the density and intensity of the development of other lands within the City. All new subdivision(s) and residential developments of land affect the density and intensity of land use within the City. Consequently, the Council establishes the following policies and guidelines to assure that the development of public recreational space progresses in parallel with all other land development.

The accepted national standard for neighborhood parks within the City is four (4) acres per 1,000 population. Pursuant to the Winona Comprehensive Plan, the City of Winona has slightly in excess of two (2) usable acres of neighborhood park land per 1,000 population.

- C) Procedure. All new subdivision(s) of land within the City which are to be developed for residential uses shall provide for the enhancement of public recreational space within the City. Said enhancement shall be the responsibility of the subdivider who shall discharge the responsibility as follows:
- 1) The subdivider shall, subsequent to approval of the final plat by the City Council, submit a cash payment to be placed in a special fund which is reserved by the City for the acquisition and development of public recreational space or for the retirement of debt incurred in connection with public recreational space. Unless special arrangements are made pursuant to [43.04.24\(E\)](#), this cash payment shall be received by the City Finance Director prior to the registration of the final plat by the City Clerk and Mayor. The amount of the cash payment shall be determined in accordance with paragraph (c) below. Cash payments received shall be used only for the purposes for which the money was obtained.
 - 2) In lieu of the cash payment, the subdivider may propose the dedication of a specific parcel of land equal in value to the cash payment. The Commission shall review such a proposal during consideration of the preliminary plat. The Commission shall accept or reject such a proposal based upon the provisions of [43.04.24\(F\)](#). Should the Commission accept such a proposal, the final plat submitted for approval shall contain provisions for dedication of said parcel to the City. Unless authorized by the City, no proposal for land dedication in lieu of the cash payment shall be considered unless the parcel being proposed for dedication is at least three (3) acres in size. In determining whether this minimum will be achieved, 523 square feet of public recreational space for every dwelling unit is required. This figure is the result of utilizing a public recreational space requirement of four (4) acres per 1,000 population and an average family unit size of three persons.
 - 3) In lieu of cash payment, the City may determine that the recreational needs of the subdivision could best be met through the dedication of land. In this case, the City may require that all or a portion of the required square footage be met through public dedication. If only a portion of the area is to be dedicated, the difference between the required area and land actually dedicated shall be made through a cash payment as determined in paragraph (c) below.
- D) Required Fees.

- 1) The developer of any land which is to be used for residential purposes shall pay to the City a park land dedication fee as set forth in Chapter 51 of this Code.
 - 2) Any amendment to an approved residential development which will either increase or decrease the requirements of this section shall be reviewed by the City and appropriate fees or land adjustments may be made at this time.
 - 3) No credit for private open space/parks will be permitted.
 - 4) Required Fees - Other Developments. A developer of a mobile home park or any residential development which will result in a net increase of dwelling units on a property, and for which no subdivision of land is required, shall comply with the requirements of paragraph (c). All cash payments shall be made to the City Finance Department prior to approval of a required site plan or prior to the issuance of building and housing certification permits.
 - 5) Land-in-lieu of cash donations may be made subject to recommendation by the Planning Commission and acceptance by the City Council in accordance with provisions of paragraph (f). Unless authorized by the City, no proposal for land dedication shall be considered unless the parcel being proposed for dedication is at least three (3) acres in size. In determining whether this minimum will be achieved, 523 square feet of public recreational space for every dwelling unit is required.
- E) Installment Payments. During consideration of the final plat, the City Council, at its option, may permit the developer to submit the cash payment over a period of time pursuant to an installment payment agreement approved by the City Attorney.
- The agreement shall require the payment of interest on the unpaid principal and shall require final payment within eighteen months. The City may withhold development or building permits if the developer does not comply with the terms of the installment agreement.
- F) Criteria for Determining Suitability of Land to be Dedicated in Lieu of Cash. Subdividers wishing to propose the dedication of land in lieu of cash payments must specify the precise parcel of land that would be dedicated. Council shall obtain the opinion of the City Planning Commission as to the acceptability of that parcel for public recreational space utilization. The Planning Commission, in arriving at its recommendation, shall review the proposal with the City Parks and Recreation Department. The following factors shall be relevant in the review process: the size, shape, accessibility, maintainability, usability, contour and slope. The question of whether the proposed parcel, in conjunction with other public recreational space in the vicinity, would best meet the needs of the area or whether the City could better use the cash to enhance public recreational space in other ways shall also be a factor in the deliberations of the Commission.
- G) Exemptions. This section shall not apply to any approved preliminary or final subdivision or any residential development for which fee donations and/or park land provisions have been made, nor to residential dwelling units existing prior to the effective date of this ordinance.

43.04.25 Protection from Flood Damage

- A) All subdivision design shall be consistent with the need to minimize flood damage.
- B) All public utilities and facilities, such as sewer, gas, electrical and water systems, shall be located, elevated and constructed to minimize or eliminate flood damage.
- C) Adequate drainage shall be provided so as to reduce exposure to flood hazards.

- D) Water and sewer systems shall be designed to minimize or eliminate infiltration of flood waters into the system and discharges from the system into flood waters.
- E) On-site waste disposal systems shall be located so as to avoid impairment of them or contamination from them during flooding.

43.04.26 Natural State Areas (NSA)

- A) Establishment. The following environments shall be designated as NSA on any approved preliminary or final plat:
 - 1) Any delineated wetland that is not to be impacted, or otherwise replaced, pursuant to MN Rules Chapter 8420.
 - 2) Land located within a Bluff Impact Overlay District as defined in [43.02.32\(B\)](#).
 - 3) All lands located within 100 feet from the normal high water mark of any Special Water river or stream, as defined per [43.02.34\(D\)](#). This requirement does not apply to water crossings, or limited water access if documented pursuant to requirements of 68.07 (K) (8).
 - 4) Any other environment that is, following special study, or by state/federal law, required to be maintained in an undisturbed condition.
- B) Disturbance. Once designated, no person shall conduct any land disturbance activity, within an NSA, unless in accordance with this section and Section [43.02.32](#). The term "Land Disturbance Activity" shall be defined as a change in the use of land that would result in any form of topographic modification, increase in impervious surface coverage, or vegetative alteration.
 - 1) Land Disturbance activity shall include, but not be limited to:
 - a) Any grading, grubbing, filling, and excavating
 - b) The construction of any structure, building, impervious walk/path, swimming pool, deck, patio, driveway, street, retaining wall, and public/private utility.
 - c) The establishment of formal lawns and gardens, or the cutting, thinning, and/or removal of existing living and dead vegetation.
 - 2) This term shall not include:
 - a) The removal of an immediate safety hazard to persons or property from a designated NSA. Following documentation of a hazard by the City Planner, or designated representative, the underlying property owner of the NSA shall be responsible for the immediate correction of the hazard. This action may employ any reasonable method necessary to mitigate the hazard, provided that adjacent NSA lands are not impaired. Should the property owner fail to correct the hazard, it may be abated in accordance with provisions of Chapter 32.
 - b) The removal of noxious weeds, as defined by Minnesota Rules Section 1505.0751, subp. 8 from a designated NSA, provided that the method of removal is by hand pulling, hand cutting, and/or the hand application, excluding sprays, of appropriate herbicides. If the method of noxious weed removal involves the use of motorized or mechanical equipment, spraying, or the disturbance of vegetation which is not classified as noxious, approval shall be required.
- C) Determination of Maximum Density. Natural State Areas may not be used in calculating the maximum density of a lot but may be used in meeting lot area and yard requirements of a developable lot

provided that the lot directly abuts a Natural State Area. Natural State Areas shall not be disturbed unless in conformance with this section and Section [43.02.32](#).

- 1) Modification of Natural State Area. Following final plat approval, no boundary of a defined Natural State Area may be modified unless a revised final plat for the lot is submitted for approval.
- D) Preservation Method. The applicant for subdivision approval shall demonstrate to the satisfaction of the Planning Commission and City Council that a required Natural State Area will be permanently maintained. Methods acceptable for this purpose include: special agreements, easements, or donation or dedication to the City, or other public entity. Once the method of preservation is defined, it shall clearly be referenced on the final plat. Any agreement, easement, or other preservation document shall be recorded with the plat and shall serve as a restriction to the Natural State Area designation.
- E) Natural State Areas B Field Identification
- 1) Upon final plat approval, no portion of the development may be disturbed until such time that Natural State Areas are clearly field identified and protected pursuant to methods as outlined in the approved final grading management plan. Once identified, it shall be the responsibility of the developer, property owner, or, in the case of those public improvements which may be administered by the City of Winona, the City, to advise contractors of the location, purpose and intent of such areas, and to ensure that such areas are not disturbed. For purposes of this section, all Natural State Area boundaries shall be field staked by a Minnesota Registered land surveyor. Once established, the developer shall locate steel sign posts at all points where a Natural State Area intersects with a lot line, or at 150 foot intervals, whichever is less. Such posts shall have a total length of six feet, when installed have an exposed height of three feet above the ground, and shall include a 10"X10" metal sign identifying land beyond the post as a Natural State Area. Although the City will specify the design and supplier of signs, the developer shall be directly responsible for their order and payment. All signs, required under this provision, shall be constructed prior to initiating any land disturbance of the site, and shall remain intact/identifiable at all times. If a stake is removed or lost, the underlying property owner of the Natural State Area shall be responsible for its replacement.
- F) Natural State Areas – Previous Approval. Any Natural State Area that was created prior to adoption of this ordinance shall continue to be managed and maintained in accordance with terms and conditions of its initial approval.

Article 05 Signage

43.05.11 General Provisions

- A) Purpose.
- 1) Because signs are an important and necessary element to business and organizations in all segments of the community, the purpose of this section is to promote growth in an orderly and attractive manner and to provide standards to safeguard life, health, property and public welfare, by regulating the type, area, height, construction, illumination, location, and maintenance of all signs and sign structures in the City.
 - 2) In furthering this purpose, it is recognized that not all signs existing at the time of adoption of this section will conform with it. Therefore, provisions are included whereby certain

nonconforming signs will be given a period of ten years in which to conform while others may be continued for an indefinite period. The purposes of such provisions are to promote conformance within a reasonable time-frame and to minimize hardships on property owners of nonconforming signs.

B) Sign Area.

1) Measurements.

- a) The area of a wall, projecting, or ground sign where the sign consists of letters, numerals, or symbols painted on, hung, or affixed to a supporting structure shall be the entire area within a continuous perimeter enclosing the extreme limits of the message delineated by said letters, numerals, or symbols.
- b) The area of a wall, projecting, or ground sign where the letters, numerals, or symbols are on a sign face, shall be the total area of the hung or affixed surfaces visible from the public right-of-way or other area from which the sign is intended to be viewed.
- c) In all cases, the area of each face of a multi-faced sign shall be considered separately.

2) Calculation of Allowable Sign Area on Corner Lots. On corner lots where a building abuts two streets, the permitted sign area, as determined by each frontage, shall be placed only on the frontage from which it is determined, provided that if a sign is intended to be viewed from both fronting streets, a maximum of 50% of the allowable area of each frontage may be transferred to the sign

3) Calculation of Aggregate Gross Surface Area. The aggregate gross surface area of all signs permitted on a property shall be the sum total of all single or double faced display surfaces.

C) Non-Conforming Signs.

1) All signs existing on the effective date of this section that are found to violate any portion of this section shall be deemed nonconforming signs and shall be subject to removal or rehabilitation by September 1, 2001, provided that:

- a) All nonconforming signs shall be subject to the provisions of Section [43.01.25](#).
- b) On-premise or off-premise signs with valid permits in existence on the effective date of this section and which do not conform with all provisions of this section, may be continued for an indefinite period of time under the provisions of paragraph (C)(1)(a) above.
- c) Any residential district on-premise sign which identifies a legal nonconforming or permitted use existing at the effective date of this chapter and which does not meet the requirements of Section [43.05.14\(E\)](#) may be continued for an indefinite period of time under the provisions of paragraph (C)(1)(a) above.

D) Severability Clause/Penalties.

- 1) If any paragraph, part or portion of this section is declared invalid by a court of competent jurisdiction, it shall not be held to invalidate any other portion thereof.
- 2) A violation of any provision of this section shall be declared to be a nuisance which shall be remedied pursuant to Chapter 32.

43.05.12 Permit Requirements

A) Generally. It shall be unlawful for any person to erect, alter, relocate or keep within the City of Winona any sign or other advertising structure as defined in this chapter, except as exempted under Sections

43.05.13(B), **43.05.13(C)**, or **43.05.13(E)**, without first obtaining a sign permit from the Community Development Department pursuant to this section.

- B) Application for Sign Permit. Any application for a sign permit shall be made upon forms provided by the Community Development Department and shall contain or have attached thereto the following information:
- 1) Name, address and telephone number of the applicant.
 - 2) Location of building, structure, or lot to which or upon which the sign or other advertising structure is to be attached or erected.
 - 3) Position of the sign or other advertising structure in relation to nearby buildings or structures.
 - 4) Two (2) blueprints, photocopy, or ink drawings of the plans and specifications and method of construction and attachment to the building or in the ground.
 - 5) Name of person, firm, corporation or association erecting structure.
 - 6) Written consent of the owner of the building, structure or land to which or on which the structure is to be erected.
 - 7) Such other information as the City Planner shall require to show full compliance with city ordinance.
- C) Sign Permit Fees. Every applicant, before being granted a permit hereunder, shall pay to the City Finance Department, required fees as established in Chapter 51. In determining this fee, each face of a multi-faced sign shall be considered separately.
- D) Issuance of Sign Permit. It shall be the duty of the Community Development Department, upon the filing of an application for a sign permit, to examine such plans and specifications and other data and the premises upon which the proposed sign or other advertising structure is to be erected. If it shall appear that the proposed structure is in compliance with all the requirements of this chapter and City of Winona building and electrical codes, a sign permit shall be issued. If the work authorized under a sign permit has not been completed within six (6) months after date of issuance, the said permit shall become null and void.
- E) Sign Permit Revocable. All rights and privileges acquired under the provisions of this section or any amendment thereto, are mere licenses which, upon a finding of noncompliance with any paragraph of this section, may be revoked at any time by the City of Winona. All such permits shall contain this provision.

43.05.13 Sign Types

- A) Prohibited Signs. The following signs shall not be allowed within the limits of the City:
- 1) A sign which copies or imitates or in any way approximates an official highway sign or any sign which obscures a sign displayed by public authority for the purpose of giving traffic instruction or direction or other public information.
 - 2) A sign which displays continuous flashing or intermittent beams of lights, except as provided for in Section **43.05.13(C)**; and signs which possess dynamic displays, except as provided for in Section **43.05.14(F)**.
 - 3) A sign which obstructs any window or door opening used as a means of egress or prevents free passage from one part of a roof to any other part thereof. A sign which interferes with an opening required for legal ventilation.

- 4) A sign in a public right-of-way unless authorized by the City Council, excepting therefrom governmental and public service company signs used to control traffic and provide safety warnings.
- 5) A sign or illumination that causes any direct glare into or upon any building other than the building to which the sign may be accessory.
- 6) A sign that violates any provision of any law of the State relative to outdoor advertising.
- 7) "A" frames or sandwich board signs and other signs of a temporary nature except as provided for in Sections [43.05.13\(C\)](#) and [43.05.13\(E\)](#).
- 8) Signs attached to or mounted on abandoned, unlicensed, or inoperative vehicles.
- 9) Roof signs.
- 10) Mobile signs used for off-premise commercial advertising and displayed on a lot or public right of way for viewing (non-utility) purposes. This does not apply to ornamental objects part of a landscape plan, rental trucks (e.g. U-Hauls), active construction vehicles, and advertisements on city transportation.

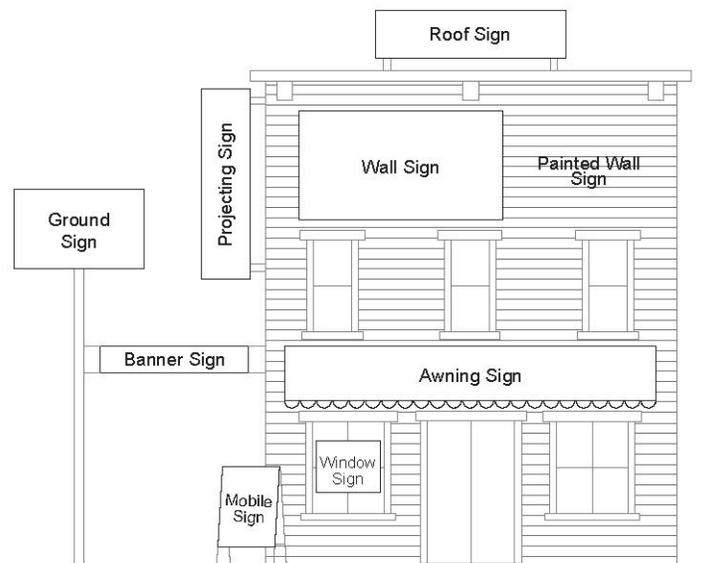
B) Exempt Signs. Signs found on [Table 43-20](#) are hereby exempt from the provisions of this section, excepting for such instances where any sign listed herein is found to be unsafe or unlawful as provided for in [43.05.16](#):

Table 43-20: Signs Not Requiring Permit

Type Of Sign	Maximum Surface Area Per Sign (Sq. Ft)	Additional Restrictions
Awning, Canopy, Marquee	4	No advertising material of any kind. Name of activity or business only
Directional/Instructional	4	No advertising material.
Governmental/Warning Directional	None	None
Holiday Decorations	None	Removal upon holiday termination
Memorial Plaques/ Marquees	2	No advertising material
Residential District - Name, address, home occupation	2	Attached flat to building
Commercial District – Business name, address	6	1 sign per street frontage, no commercial advertising, Attached flat to wall, window or door
No Trespassing, Parking, Towing, Private Property	R Districts – 2 Non R Districts - 4	No more than two per zoning lot
Parking Lot Direction	4	One per entrance 5 foot maximum height
Parking Lot Instructional	16	Wall signs - 10' height Ground signs - 7' height
Vehicle Signs	None	Accessory to primary use of vehicle: subject to paragraph (c) (10) of this section
Symbols, insignia		For noncommercial purposes
Vending Machines	4	None

Table 43-20: Signs Not Requiring Permit

Type Of Sign	Maximum Surface Area Per Sign (Sq. Ft)	Additional Restrictions
Garage Sale	6	Remove upon sale termination
Temporary Construction/ Subdivision	32	Unlit, remove upon project completion
Banners	None	As regulated by paragraph (i)
Municipal, State/ Federal Flags	R Districts-24 Non R Districts-60	Flown in accordance with proper protocol
Real Estate Residential Zoning District (For sale, lease or rent)	12 with a maximum surface area of any sign face not to exceed 6 square feet	Unlit - maximum of one sign per street frontage, maximum height of 6 feet above the ground
Real Estate Non-residential Zoning District (For sale, lease or rent)	36 with a maximum surface area of any sign face not to exceed 18 square feet	Unlit - maximum of one sign per street frontage, maximum height of 12 feet above the ground
Maintenance of Existing Signs	None	None
Election Campaign	None	Remove within 10 days following final election
Time and Temperature	None	No commercial advertising
Interior	None	None
Window	Not exceeding 10% of glass surface	
Volunteer Organization	None	No commercial advertising Collection Boxes
Utility Service	None	Remove upon completion of utility work
Religious	30	None



Examples of Sign Types

- C) Temporary or Seasonal Signs. Signs, other than those listed under Section **43.05.13(B)**, which are designed to advertise or promote special events, shall be permitted under the conditions of individual sign districts, provided:
- 1) That such signs are temporarily displayed no more than thirty (30) days per calendar year.
 - 2) The establishment wishing to display such sign shall contact the office of the UDC Administrator, prior to displaying, to give notice of the intent, and the period during which the sign will be displayed. No permit is required.
 - 3) That such signs not exceed in area an amount equal to 50% of the permitted gross sign area of the property.
 - 4) That such signs shall be located on the zoning lot on which the special event is occurring and shall not violate any provision of this section.
 - 5) That such signs are located, constructed and supported in conformance with Sections **43.05.15** and **43.05.16** and shall not project over public property.
 - 6) In addition to the above, one sign may be displayed more than thirty days per calendar year if it meets the requirements under Section **43.05.13(E)**.
- D) Park Signs. No permanent or temporary signs, other than the following, shall be permitted within any city owned park or open space area.
- 1) Permanent signs used to identify parks and park activity areas and those signs incidental to park activity areas which further direct, define or explain their use. (Examples: ballfields, tennis courts, information center, arboretum and plant identification system, game rule boards, etc.)
 - 2) Permanent signs for the purpose of directing pedestrians or vehicular traffic flow and signs informing the public of laws or statutes pertaining to park use.
 - 3) Temporary signs associated with special events or activities approved by the City Council. Such signs shall be located within the park in which the approved activity is located and shall be removed upon completion of the activity. (Examples: Steamboat Days, Winter Carnival, Victorian Fair, rallies, marathons, etc.)
 - 4) Permanent signs associated with seasonal concession activities approved by the City Council. Such signs shall be unlit and attached directly to the structure housing the concession. Such signs shall be approved by the Planning Commission relative to size, color, and location prior to the approval of formal agreements.
- E) Sidewalk Signs. Signs, other than those listed under Section **43.05.13(B)**, which are to be placed in the public right-of-way, shall be permitted under the conditions of individual sign districts. In lieu of a sidewalk sign, a business property may place a sign on its own property. A sign may only be placed provided the following conditions are met:
- 1) A person desiring to place a sidewalk sign in the public right-of-way shall apply for a permit from the Community Development Department. The applicant shall provide evidence of liability insurance with limits not less than the maximum liability limits for a municipality as provided in Minnesota Statutes Section 466.04; the City of Winona shall be a named insured. The applicant's insurance policy and certificate shall not be cancelled or its conditions altered in any manner without ten (10) days prior written notice to the City Clerk of Winona. The insuring company shall deliver to the City Clerk certificates of all insurance required, signed by an authorized representative and stating that all provisions of the specified requirements are satisfied. Failure to maintain such insurance coverage shall result in a revocation of the permit.

- 2) The sign may only be placed on right-of-way that is adjacent to the property that houses the business(es) being advertised or on the property that houses the business(es) being advertised.
- 3) Only one sign is to be utilized by each business.
- 4) Commercial properties with multiple tenants are permitted one sign upon which all interior tenants may advertise.
- 5) The sign shall have a maximum of two opposing faces.
- 6) Sign height shall be not less than 30 inches and shall not reach more than 48 inches off of the ground. Sign width shall be no more than 36 inches. Sign height and width shall include sign faces and any support structure.
- 7) The sign shall not be placed nearer than 24 inches from the street curb face. The sign shall be placed so that the continuous, unobstructed width of the sidewalk remains at a minimum of six (6) feet.
- 8) No sign may obstruct an entrance to a building or any steps.
- 9) Where two streets intersect at a 90 degree angle, no sign may be placed in the area created by extending both intersecting property lines to the centerline of the streets. Where two streets do not intersect at a 90 degree angle, no sign may be placed in the triangular area scribed by two lines extending from the intersection of two streets to the far end of the pedestrian curb ramp/s. In no case shall a sign be placed within four feet of an alley or driveway.
- 10) No advertising for off-premise parties shall be permitted on the sign.
- 11) The sign may not be chained or in any way fastened to boulevard trees, tree guards, signs, bollards, street lights or any City streetscape furniture or any street furniture owned or placed by the building or business owner.
- 12) Sign colors shall be non-reflective.
- 13) The sign may not contain "dispensing pockets" or be used in any way to dispense materials such as, but not limited to, menus, flyers and advertising brochures.
- 14) No materials (i.e. paper, flags, balloons, etc.) may be attached to the sign.
- 15) The sign shall not contain lights of any kind or any devices that emit sound, odor, smoke or other airborne materials.
- 16) The sign may only be displayed during a business' open hours.

43.05.14 Sign Districts

A) Downtown District.

- 1) Defined: Any non-residentially zoned parcel of land located within a MU-DC or MU-DF district.
- 2) Off-Premise Signs: All off-premise signs shall meet the requirements of Sections **43.05.14(A)(4)-(7)**, and the following:
 - a) Location. No portion of any off-premise sign structure shall:
 - i. Project over any public street or alley.
 - ii. Be located within a distance of 200 feet from any residential or agricultural zoning district.

- iii. Be located within a distance of 200 feet from the nearest line of any property which is occupied by a public park, school, or religious facility.
 - iv. Be located within any designated National Register or Local Historic District of the City.
 - b) Area. Off-premise signs shall not exceed one (1) display to each facing or 250 square feet per display.
 - c) Spacing. No portion of any off-premise sign shall be located within 650 feet from the closest projection of any other off-premise sign which is oriented toward the same street right-of-way, provided that, in no event shall any off-premise sign be located within a distance of 300 feet from any other off-premise sign.
- 3) On-Premise Sign Area: All on-premise signs shall meet the requirements of Section **43.05.14(A)(4)-(7)** and the following:
 - a) At any time, the aggregate gross surface area of all on-premise signs located on a property shall be no greater than two square feet of display surface for every lineal foot of street frontage provided that:
 - i. In the case of buildings under one ownership containing more than one business or use, sign area for each business or use may be determined separately.
 - ii. A property under single ownership containing more than four businesses shall be entitled to one shopping center sign. Such sign shall not exceed a surface area of one-half square foot for each lineal foot of street frontage and shall display only the name and address of the shopping center.
 - iii. In the case of a corner lot, the amount of permitted sign area per street frontage shall be based upon the provisions of Section **43.05.11(B)(2)**.
- 4) Wall Signs
 - a) Location: A wall sign may be located on the outermost wall of any principal building.
 - b) Height: A wall sign shall not project above the parapet line of the wall to which the sign is to be affixed or exceed 24 feet in height, as measured from finished grade to the sign's uppermost feature, whichever is lower.
- 5) Projecting Signs
 - a) Height: The lowest part of any projecting sign which is located over any public or private walkway or within a radius of 30 feet of any intersecting curb shall be not less than 8 feet above the finished grade of the surface below it. Projecting signs shall not be permitted over any public alley and shall not project above the parapet line of the wall to which it is attached, or exceed 24 feet in height and measured from finished grade to the sign's uppermost feature, whichever is lower.
 - b) Setback: Projecting signs shall not extend to more than 8 feet from a building or 2 feet from the inner curb line of the nearest street, whichever is less.
- 6) Ground Signs
 - a) Location: A ground sign may be located within any yard, provided that no ground sign shall be located closer to any residential district line a distance equal to the height of the sign, and shall not project over a public alley.

- b) Height: The lower edge of any ground sign which is located over any public or private walkway or within a radius of 30 feet of any intersecting curb shall be no less than 8 feet above the finished grade of the surface below it. A ground sign may be constructed to a maximum height of 24 feet above the ground on which it is located.
- 7) In addition to the previous requirements, any person designing and erecting any sign shall be encouraged to:
 - a) Utilize sign materials which will compliment building materials of the principal structure, and
 - b) Locate signs in such a way as to minimize negative impacts on significant building components.
- B) Highway District.
- 1) Defined: Any parcel of non-residentially zoned land which shares a common lot line with rights-of-way for Highway 61, 14, and 43 within the city limits excluding any such property located within the Downtown District defined above.
 - 2) Off-Premise Signs: All off-premise signs shall meet the requirements of Section [43.05.14\(A\)\(2\)](#) provided that:
 - a) Any ground sign may be 40 feet in height above the ground upon which it is located.
 - b) All signs permitted under this section shall be subject to provisions of State Law 1971, Chapter 883, and approval by the Minnesota Department of Transportation.
 - c) Off-premise signs shall not exceed two (2) displays to each facing or 300 square feet per display.
 - 3) On-Premise Signs: All on-premise signs shall meet the requirements of Section [43.05.14\(A\)\(4\)-\(7\)](#). In addition, the following shall apply:
 - a) Area: At any time, the aggregate gross surface area of all on-premise signs shall be no greater than three (3) square feet of display surface for every lineal foot of street frontage, provided that:
 - i. A property under single ownership, containing more than four businesses, shall be entitled to one shopping center sign not to exceed a surface area of one (1) additional square foot for each lineal foot of street frontage. Such sign shall display only the name and address of the shopping area upon which it is located.
 - b) All signs permitted under this section shall be subject to provisions of State Law 1971, Chapter 883, and approval by the Minnesota Department of Transportation.
- C) Neighborhood Retail District.
- 1) Defined: Any property located within a MU-N, B-1, B-2, or B-3 district which does not fall within the defined Downtown or Highway Districts.
 - 2) Requirements: Same as Downtown District.
- D) Industrial District.
- 1) Defined: Any property located within an I-1 or I-2 zoning district and which does not fall within the defined Downtown or Highway Districts.
 - 2) Requirements: Same as Downtown District provided that one industrial park sign may be erected for each defined industrial park. Such signs shall not exceed 350 square feet in total surface area and shall identify only the name and location of the industrial park.
- E) Residential District.
- 1) Defined: Any property located within any residential zoning district.
 - 2) Permitted Signs: Any sign listed and as regulated under Section [43.05.13\(B\)](#). In addition:

- a) Any multi-family residential complex consisting of more than one building or more than six units shall be permitted one identification sign which shall not exceed 64 square feet of total surface area, or 32 square feet of area per sign face. Such signs shall not exceed a height of five feet or be located closer than 10 feet to any property line. Such signs may be indirectly lit and shall serve to identify only the name and address of residential complex.
 - b) One permanent subdivision identification sign may be permitted. Such signs shall not exceed 32 square feet of total surface area or a height of 8 feet. Such signs may be indirectly lit and shall be located at the primary entrance into the subdivision.
 - c) Legal non-conforming nonresidential uses are permitted 1 square foot of signage for each foot of lineal street frontage. Maximum sign height allowed is 14 feet. Lighting of signs is prohibited. Ground signs and projecting signs are prohibited. Only one sign per street frontage is permitted. Maximum size of an individual sign is 100 square feet.
 - d) Any nonresidential use permitted under these districts is permitted 1 square foot of signage for each foot of lineal street frontage. Maximum sign height allowed is 14 feet. Projecting signs are prohibited. Ground signs shall not exceed a height of five feet or be located closer than 10 feet to any property line. Lighting of wall signs is prohibited. Ground signs may be indirectly lit. Only one sign per street frontage is permitted. Maximum size of an individual sign is 100 square feet.
 - e) Sign standards for home occupations are contained in [43.03.79\(I\)](#).
- F) Dynamic Display Overlay District. Entities desiring dynamic displays on signs must first follow applicable sign regulations of the rest of [Article 05](#), Signage, and then the following language (where applicable) to obtain a dynamic display permit in accordance with Section [43.05.12](#).
- 1) Dynamic displays are permitted for all uses in manufacturing and business districts (I-1, I-2, B-1, B-2, and B-3). Dynamic displays are prohibited in residential districts (R-R, R-S, R-1, R-1.5, R-2, R-3), the agricultural and conservancy districts (C-1 and A-G), and all historic districts.
 - 2) Off-premise dynamic display permits may only be obtained in exchange for the removal of at least two existing non-conforming off-premise sign faces within city limits. The removal shall occur within 15 days after the issuance of the dynamic display permit. The removal must include the complete removal of the structure and the foundation supporting each sign face. The permit applicant must agree that the city may remove the sign if the applicant does not timely do so, and the application must be accompanied by a cash deposit or letter of credit acceptable to the city attorney sufficient to pay the city's costs for that removal. The applicant must also agree that it is removing the sign voluntarily and that it has no right to compensation for the removed sign under any law. If the removed sign faces are those for which a state permit is required by state law, the applicant must surrender its permit to the state upon removal of the sign. The dynamic sign cannot begin to operate until proof is provided to the city that the state permit has been surrendered.
 - 3) On-premise dynamic displays may occupy no more than 50 percent of the actual copy and graphic area of a sign. Off-premise dynamic displays may occupy 100 percent of the actual copy and graphic area. For all signs - only one, contiguous dynamic display area is allowed on a sign face.
 - 4) On-premise dynamic displays may not change or move more often than once every 8 seconds. Off-premise signs may not change or move more often than once every 8 seconds. Sign owners are encouraged to provide public service announcements such as Amber Alerts during these time intervals.

- 5) Dynamic display images and messages displayed must be static, and the transition from one static display to another must be instantaneous.
- 6) Images and messages displayed must be complete in themselves, without continuation in content to the next image or message or to any other sign.
- 7) Only one dynamic display is allowed per entity/business. A ground sign with two faces counts as one dynamic display; a wall sign also counts as one dynamic display. A sign with more than two dynamic display faces is prohibited.
- 8) Dynamic displays must be designed and equipped to freeze the device in one position if a malfunction occurs. The displays must also be equipped with a means to immediately discontinue the display if it malfunctions, and the sign owner must immediately stop the dynamic display when notified by the city that it is not complying with the standards of this ordinance.
- 9) In addition complying with brightness standards described in Section **43.05.15(B)**, dynamic displays must face toward the nearest right-of-ways and away from residential and scenic areas - which include the Mississippi River, Lake Winona, and the Agricultural/Natural Resources zoning district (AG/NR).
- 10) In accordance with the brightness standards described in Section **43.05.15(B)**, all dynamic displays must be equipped with a dimmer control or other device which allows the luminance of the display to be adjusted. Dynamic displays also must be equipped with a photo cell or other means by which the sign can automatically adjust luminance to varying ambient light conditions. Both the dimmer and ambient light device must be in full operational capacity – non-operation of these devices is deemed a malfunction and dealt with according to clause 8.
- 11) Dynamic displays existing on 9/15/2008 are exempt from the provisions of this paragraph. Existing displays may not be enlarged, expanded, moved, or otherwise improved except for the purpose of normal maintenance (example: repainting, relamping, or replacing faces); and may not exceed a level 3 operating mode as described below. If an existing dynamic display is destroyed by any means by more than 50 percent of its value and/or is replaced it must comply with this paragraph.
 - a) Operating Modes for Dynamic Displays:
 - i. Level 1: Segmented static display only (message change with no transition).
 - ii. Level 2: Static display with “fade” or “dissolve” transitions and frame effects that do not have the appearance of moving text or images.
 - iii. Level 3: Static display with “travel” or “scrolling” transitions, or similar transitions and frame effects that have text or animated and frame effects that have text or animated images that appear to move or change in size or be revealed sequentially rather than all at once.
 - iv. Level 4: Full animation, flashing and video.

43.05.15 Design and Construction Standards

- A) Wind load. All signs shall be constructed to withstand a wind pressure of at least 30 pounds per square foot of surface and shall comply with all local adopted building codes of the City
- B) Illumination. No sign shall be illuminated by other than electrical means and electrical devices and wiring shall be installed in accordance with the requirements of the State of Minnesota Electrical Code. No sign shall be illuminated to a degree of brightness that is greater than necessary for clear

and adequate visibility. The light from any illuminated sign or from any light source, including interior of a building, shall be so shaded, shielded, or directed that the light intensity or brightness shall not adversely affect surrounding or facing residential districts or adversely affect safe vision of operators of vehicles moving on public or private roads, highways, or parking areas; and be of such intensity or brilliance that it interferes with the effectiveness of an official traffic sign, device or signal.

- 1) Illumination enforcement and appeal. A person owning or controlling a sign must adjust the sign to meet brightness standards in accordance with the city's instructions. The adjustment must be made immediately upon notice of non-compliance from the city. The person owning or controlling the sign may appeal the city's determination through the following appeal procedure:
 - a) After making the adjustment required by the city, the person owning or controlling the sign may appeal the city's determination by delivering a written appeal to the community development department within 10 days after the city's non-compliance notice. The written appeal must include the name of a person unrelated to the person and business making the appeal, who will serve on the appeal panel.
 - b) Within five business days after receiving the appeal, the city must name a person who is not an official or employee of the city to serve on the appeal panel. Within five business days after the city names its representative, the city's representative must contact the sign owner's representative, and the two of them must appoint a third member to the panel within five days, who has no relationship to either party.
 - c) The appeal panel may develop its own rules of procedure, but it must hold a hearing within five business days after the third member is appointed. The city and the sign owner must be given the opportunity to present testimony, and the panel may hold the hearing, or a portion of it, at the sign location. The panel must issue its decision on what level of brightness is needed to meet the brightness standards within five business days after the hearing commences. The decision will be binding on both parties. Either the person owning or controlling the sign or city staff may, within ten business days from the date of the written decision of the panel, appeal the decision to the City Council.

43.05.16 Maintenance

- A) Any person owning or controlling a sign shall keep such sign, together with all supports, braces, guy wires, and anchors in good repair at all times.
- B) Any sign, or other advertising structure regulated herein, which is unsafe or insecure, is a menace to the public, is abandoned or maintained in a dilapidated condition, or has been constructed or erected or is being maintained in violation of the provisions of this chapter, shall be declared a nuisance and shall be abated through the provisions of Section 32.02.
- C) Every sign or other advertising structure requiring a permit under this section shall display in a conspicuous place thereon and which is visible from the ground, the permit number.

Article 06 Administration and Procedures

Division 1 General Provisions

43.06.11 Purpose

- A) The purpose of this article is to identify the review procedures used in the administration of this UDC.

CITIZENS ENVIRONMENTAL QUALITY COMMITTEE

AGENDA ITEM: 5. SolSmart Review

PREPARED BY: John Howard

DATE: April 4, 2019

The City is participating in the national SolSmart (<https://www.solsmart.org/>) solar energy certification process that is geared to reduce unnecessary barriers to solar energy projects. As part of this process, the City's zoning rules were reviewed for possible barriers to solar by the SolSmart partners. The attached memo summarizes their findings.

If the CEQC feels prepared to review this document, any input to would be appreciated before bringing it to the Planning Commission.

PZD-1: Review zoning requirements and identify restrictions that intentionally or unintentionally prohibit solar PV development. Compile findings in a memo.

This SolSmart prerequisite requires communities to conduct a review of zoning requirements and identify restrictions that prohibit PV development. To assist your community, solar specialists at Great Plains Institute have conducted an initial review of your community’s code to assess possible obstacles (i.e. height restrictions, set-back requirements, etc.) and gaps. Below, please find the outcome of their review. By reading the narrative, reviewing the example code language provided, and signing the statement at the bottom of the page, your community will satisfy PZD-1 and be one step closer to achieving SolSmart designation

Considerations for incorporating solar into municipal zoning codes

Section(s)	Element	Reviewer Comments	Example(s) from other codes	SolSmart Credit	Priority Level
43.07.12	Definitions	Ordinance currently defines “solar farm” as an installation exceeding 100 kW in nameplate capacity and “solar panel” Recommendation: Include definitions for rooftop solar and ground-mount solar, as these are distinct uses.	Minnesota Local Government Solar Toolkit Model Ordinance Section III	Enables Several Credits	High
43.02.23, Table 43-2	Rooftop Solar Accessory Use	Solar panels are permitted in all major zones except agricultural, where “solar farms” are permitted. Recommendation: Explicitly allow rooftop solar energy systems as an accessory use in all zoning districts where buildings are allowed, including agricultural.	Minnesota Local Government Solar Toolkit, Model Ordinance, Section IV.	PZD-2	High
43.02.22, Table 43-1	Principal Use Solar Land Uses	Principal use solar, called “solar farm” in the ordinance, is allowed as a conditional use in the Agricultural district.	Minnesota Local Government Solar Toolkit, Model Ordinance, Section V.	PZD-12a	Done
43.02.23, Table 43-2	Ground-Mount Accessory Use	Solar panels are permitted in all major zones except agricultural, where “solar farms” are permitted. The ordinance needs to clarify that ground-mount solar is included in this permitting process.	Minnesota Local Government Solar Toolkit Model Ordinance	PZD-10a	Completed , clarity advised

		<p>Recommendation: Explicitly allow ground-mount accessory solar as a permitted accessory use in at least one major district, consider allowing in all districts if solar design standards are developed (see examples in model ordinance for more information)</p>	Section IV		
43.02.16 (C)	Rooftop Solar Height Standard exemption	<p>Recommendation: Add rooftop solar arrays to height regulation exceptions, especially in instances in which the solar generation is enhanced by the difference.</p>	Minnesota Local Government Solar Toolkit Model Ordinance Section IV.A	PZD-10b	Moderate
43.03.42	Rooftop Solar Aesthetics/ Screenings	<p>Ordinance does not specify that rooftop solar must be screened, nor does it currently have restrictions on aesthetics. For future development, we recommend clarifying that rooftop solar is exempt from such regulations insofar as they effect the array's functionality.</p> <p>Recommendation: Exempt rooftop solar energy systems from screening requirements (except in special districts such as historic districts), or explicitly limit aesthetic standards to maintain the design function of the solar array.</p>	Minnesota Local Government Solar Toolkit Model Ordinance Section IV.C.2	PZD-10b	Moderate
43.03.79	Setbacks for ground-mounted solar	<p>Current language states that no accessory structure shall be erected in any required front or side yard within any "R" district.</p> <p>Recommendation: Consider exemption or different standard with greater flexibility for ground-mount solar.</p>	Minnesota Local Government Solar Toolkit Model Ordinance Section IVB.2	PZD-10c	Moderate/ Low
43.02.16 (C)	Screening of ground-mount solar	<p>Ordinance does not specify that rooftop solar must be screened. For future development, we recommend clarifying that ground-mount solar is exempt from such regulations insofar as they effect the array's functionality.</p> <p>Recommendation: Exempt ground-mount solar energy systems from screening requirements that could affect the functioning of the system, or add "except that screening shall not affect the designed operation of a solar array."</p>	Minnesota Local Government Solar Toolkit Model Ordinance Section IV.C	PZD-10c	High

43.02.32.7. F	Lot Coverage for ground-mount solar	Ordinance specifies a maximum impervious surface coverage amount of 25% for Ridgeland Overlay District, Shoreland Management Overlay District. For impervious surface standards, Recommendation: Exempt accessory-use ground-mount solar from impervious surface standards, provided the soil under the collector is not compacted and vegetated.	Minnesota Local Government Solar Toolkit Model Ordinance Section IV.D	PZD-10c	Moderate
New section	Solar Rights	Recommendation: Develop standards for cross-property solar access, including procedures for solar easements, consistent with Minnesota Statutes.	Minnesota Local Government Solar Toolkit Model Ordinance Section IV	SR-3; SR-4	Moderate
43.02.23, Table 43-2	Solar Carport Incentives	Recommendation: Recognize solar carports or parking structures as a permitted accessory use in non-residential or multi-family districts. Consider parking requirement incentives (reduction of required spaces) to encourage such solar development, particularly if coupled with EV charging infrastructure	EV parking incentives, Plug-in Georgia model ordinance	PZD-8	Consider
New Overlay District, 43.02	Principal Use Solar Development Pathway	Recommendation: Consider creating an overlay district identifying where principal solar uses are desired.	Minnesota Local Government Solar Toolkit Model Ordinance Section V	PZD-12b	Low
43.04.2	Subdivisions/ HOAs	Recommendation: Include a provision in the subdivision ordinance that requires new HOAs to allow solar accessory uses, subject to reasonable design standards	Minnesota Local Government Solar Toolkit Model Ordinance, Section VII	SR-5	Consider

CITIZENS ENVIRONMENTAL QUALITY COMMITTEE

AGENDA ITEM: 6. April Environmental Events

PREPARED BY: John Howard

DATE: April 4, 2019

The City is hosting and participating in a number of environmentally focused events in April. The following are included for your reference, and you and others are welcome to attend.

April 6th (Sat.) 5-8 pm at Blue Heron Coffeehouse. Event to celebrate pollinator species.

April 13 (Sat.), 8:30-3:30 pm Minneapolis: Minnesota Environment Commission Conference: <https://www.eventbrite.com/e/environment-commission-conference-tickets-58833923850>

April 22 (Monday), 7pm at Holzinger Lodge: "Weeds to watch out for: The nastiest invasive plants in the Winona area". Presentation to help residents identify the most destructive invasive plants.

April 27 (Sat.) 10-2 pm at East Rec. Center: Winona Earth and Arbor Day Celebration. Tabling and fun events at the ERC. The City will have a table to share what we are doing.

April 27 (Sat.), 2:30 pm at Prairie Island Latsch pavilion: Prairie Island tree planting with TreeTrust. Volunteers are sought to plant approximately 40-45 trees.

April 29 (Monday), 6:30 pm at Lake Lodge: Selecting the Right Tree. Learn about suitable native tree species, tips on how to plant and care for your young tree, and City tree planting events.