

LOUISVILLE TOWNSHIP ORDINANCE # _____
LOUISVILLE TOWNSHIP LAND USE AND PERFORMANCE REGULATIONS
FOR THE HWY 169 CORRIDOR

SECTION ONE Purpose and Intent

The purpose of these additional controls on development in the areas of Louisville Township ON THE EAST SIDE OF HWY 169 AND ALL AREAS LOCATED SOUTH OF AN EAST/WEST LINE TANGENT TO THE MOST SOUTHERLY EDGE OF THE CUL DE SAC OF DEM – CON DRIVE OCCURRING AT APPROXIMATELY 133RD ST EXTENDED which are designated by the Scott County Zoning Ordinance as C-1 General Commercial District and I-1 Rural Industrial District THAT ARE MORE RESTRICTIVE THAN ALLOWED IN THE COUNTY ORDINANCE is allowing commercial and industrial uses in Louisville Township to develop without creating an excessive burden on public facilities and utilities which serve or are proposed to serve the area, are sufficiently compatible with existing and planned uses there will be no deterrence to the use or development of adjacent land and use, and will be consistent with the purposes of the County Zoning Ordinance and the purposes of the zoning district; and consistent with the policies provided in the Scott County 2020 Comprehensive Plan Update specifically in sections IV. Land Use, B. Proposed Land Use General Goals and Policies and V. Growth Management, A. General Goals and Policies and the Land Use Policies adopted by the Louisville Town Board to implement these Comprehensive Plan Policies found in Resolution 2006 – 1 adopted January 5, 2006; AND IMPLEMENTING THE LOUISVILLE TOWNSHIP LAND USE PLAN FOR IMPLEMENTING THE GOALS AND POLICIES OF THE SCOTT COUNTY COMPREHENSIVE PLAN IN THE HWY 169 CORRIDOR; and in a manner compatible with the specific conditions found in the Hwy 169 Corridor in Louisville Township and not shared with the other General Commercial AND RURAL INDUSTRIAL Districts in the County. These regulations are TO BE applied WITH AND in addition to the regulations of the Scott County Zoning Ordinance, not as a substitute for the provisions and regulations of that Ordinance. The following additional standards are specific to Commercial and Industrial development in Louisville Township and are not a substitute for the standards of the County Zoning Ordinance and shall only be applied when they are more restrictive than the requirements of the County Zoning Ordinance AS PROVIDED IN CHAPTER 1 1-3 ADMINISTRATION 3 STANDARD, REQUIREMENT OF THAT ORDINANCE. All other provisions of the County Zoning Ordinance including the regulations found in Chapters 3, 4, 5, 10, 11 and other chapters of similar intent and purpose in that Ordinance will continue to provide guidance and be enforced in Louisville Township.

SECTION TWO Permitted Uses

Subject to the applicable provisions of the Scott County Zoning Ordinance, the following are permitted uses in the C-1 and I-1 Districts in THE AREAS OF Louisville Township ADDRESSED BY THIS ORDINANCE:

1. Agricultural use.
2. Essential services – public or government utility uses.
3. Railroad right-of-way.

SECTION THREE Permitted Accessory Uses

Subject to the applicable provisions of the Scott County Zoning Ordinance, the following are permitted accessory uses in the C-1 and I-1 Districts in THE AREAS OF Louisville Township ADDRESSED BY THIS ORDINANCE:

1. Accessory buildings and structures

- a. In the General Commercial District accessory buildings shall not exceed thirty (30) percent of the gross floor space of the principal building, except by conditional use permit. ~~Accessory buildings shall not exceed the height of the principal building.~~
 - b. In the Industrial District accessory buildings and structures shall not exceed fifty (50) percent of the gross floor space of the principal building, except by conditional use permit. ~~Accessory buildings shall not exceed the height of the principal building.~~
2. Fences as regulated by the County Zoning Ordinance.
 3. On-site loading as regulated by the County Zoning Ordinance
 4. On-site parking as regulated by the County Zoning Ordinance.
 5. Accessory use antennas or satellites and dishes the County Zoning Ordinance.
 6. Outdoor storage within the industrial district shall be an allowed accessory use under the following conditions:
 - a. The outdoor storage area occupies space other than a required front yard setback and is located behind the front line of the most forward building located on the lot.
 - b. The outdoor storage area shall be fenced, screened and/or landscaped according to a plan in compliance with Section 4-4-1 of the County Zoning Ordinance and subject to the approval of the Planning Department.
 - c. The outdoor storage area shall be located on a paved surface.
 - d. All lighting shall be hooded and so directed that the light source shall not be visible from the public right-of-way or from neighboring residences and shall be in compliance with Section 4-4-3 of the County Zoning Ordinance.
 - e. The outdoor storage area shall not encroach upon required parking space or required loading space as required by the County Zoning Ordinance.
 - f. The outdoor storage area shall not encroach into the required rear yard or side yard setback.
 7. Signs as regulated by Chapter 11 of the County Zoning Ordinance except section 11-4 Signs permitted in Commercial and Industrial Districts where the standards of Section Seven Performance Standards 11. Signs of this Louisville Township Ordinance shall apply.

SECTION FOUR Conditional Uses

Subject to the applicable provisions of the Scott County Zoning Ordinance, the following are permitted Conditional Uses in the C-1 and I-1 Districts in THE AREAS OF Louisville Township ADDRESSED BY THIS ORDINANCE:

1. Accessory buildings.
 - a. In the Commercial district larger than thirty (30) percent of the gross floor space of the principal building provided the accessory building does not exceed seventy (70) percent of the gross floor space of the principal building.
 - b. In the Industrial District larger than fifty (50) percent of the gross floor space of the principal building provided the accessory building does not exceed seventy (70) percent of the gross floor space of the principal building.
2. Animal hospital.
3. An animal kennel as a use accessory to the veterinary clinic in compliance with the provisions of the County Zoning Ordinance
4. Auto and truck repair, including when allowed by the County Zoning Ordinance major repair and body shops, provided all vehicles awaiting repair or retrieval after repair are parked on a paved surface located behind the front line of the most forward building on the lot and is not located in a required front, rear or side yard setback.
5. Sale and rental of farm implements and construction equipment only when in conjunction with service and repair of these implements and equipment. Outdoor sales, rental, and storage including storage of all implements or equipment awaiting repair or retrieval after repair is allowed provided:
 - a. A display area is delineated with a paved surface. No outdoor display or storage of implements or equipment offered for sale or rent or stored on site shall occur outside the delineated display area.
 - b. The display area must be accompanied with a building having a minimum floor area of one thousand (1,000) square feet.
 - c. All lighting must comply with Section 4-4-3 of the County Zoning Ordinance.
 - d. The outdoor display or storage area is located behind the front line of the most forward building on the lot and is not located in a required front, rear or side yard setback.
 - e. The sales lots shall be landscaped in accordance with Section 4-4-1 of this County Zoning Ordinance
6. Contractor yard
7. Essential services – governmental uses, building and storage.
8. Essential services – public utility uses, transmission services, building and storage. Where essential services, utility or transmission lines follow a public road corridor, the utility or transmission line and/or support structure shall be located one (1) foot inside the public road right-of-way.
9. Indoor storage space or garage rental.
10. Lumber yard.
11. Manufacturing, processing, packaging or assembly of products and materials.

12. Properties with more than one (1) principal structure provided that:

- a. The property shall have a properly designed and sized private well and independent sewage treatment system to accommodate multiple principal structures.
- b. Off-street parking and loading shall comply with the performance standards of Chapter 5 of the County Zoning Ordinance.
- c. The site shall be under single private ownership. The property owner shall be responsible for site operations and maintenance.
- d. All buildings must meet the industrial building type and construction standards of Section 4-3-5 of the County Zoning Ordinance.
- e. Any change of building occupancy or use may be grounds for conditional use permit review to determine if the site remains in compliance with the performance standards of the County Zoning Ordinance.

13. Security structure. A dwelling unit for security purposes accessory to the principal use of the site provided the dwelling unit is part of the principal building and the unit complies with all applicable building and fire codes.

14. Warehousing.

15. Wholesaling.

16. Office and office building

SECTION FIVE Interim Uses

Subject to the applicable provisions of the Scott County Zoning Ordinance, the following are permitted Interim Uses in the C-1 and I-1 Districts in THE AREAS OF Louisville Township ADDRESSED BY THIS ORDINANCE and require an interim use permit based upon the procedures and criteria set forth in Section 2-7 of the County Zoning Ordinance:

- 1. Private campground.
- 2. Mining subject to the provisions of the County Zoning Ordinance and the provisions of Louisville Township Ordinance ____ "Mining in Louisville Township".

SECTION SIX Uses by Administrative Permit

Subject to the applicable provisions of the Scott County Zoning Ordinance, the following uses are allowed by administrative approval are permitted Interim Uses in the C-1 and I-1 Districts in THE AREAS OF Louisville Township ADDRESSED BY THIS ORDINANCE and require an administrative permit based upon the procedures and criteria set forth in Section 2-8 of the County Zoning Ordinance:

- 1. Indoor commercial recreation limited to bowling, billiards, and skating rinks.
- 2. Office and office building, including professional services such as medical and dental clinics, engineers, architects and attorneys, finance, insurance and real estate services offices.
- 3. Park and ride facilities if located with frontage on a County Road.

4. Wireless communication antennas, towers and related antenna accessory buildings located upon an existing structure or tower or temporary mobile tower, as regulated by Chapter 13 of this Ordinance.
5. Wind energy conversion systems (WECS), as regulated by Chapter 12 of the County Ordinance.

SECTION SEVEN District Performance Standards

Subject to the applicable provisions of the Scott County Zoning Ordinance, the following performance standards shall be observed in the C-1 and I-1 Districts THE AREAS OF Louisville Township ADDRESSED BY THIS ORDINANCE:

1. Platting Required. No building shall be constructed on unplatted property, except for the addition of accessory structures or additions to existing buildings.
2. Lot Size: A minimum of five (5) acres.
3. Lot Width: A minimum of two hundred (200) feet at the minimum building setback line and extending to the location of the principal building.
4. Front Yard Setback: One hundred (100) feet from the nearest right of way line of Hwy 169. One hundred (100) feet from the nearest right of way of any other public street. As part of the front yard setback from Hwy 169 a 60 ft wide, open, landscaped area must be maintained on the edge of the site adjacent to Hwy 169.
5. Side Yard Setback: Twenty (20) feet, or on corner lot, see Front Yard Setback. One hundred fifty (150) feet from an existing rural residential, residential suburban, or urban expansion district.
6. Rear Yard Setback: Thirty (30) feet, one hundred fifty (150) feet from an existing rural residential, residential suburban, or urban expansion district or boundary of the Minnesota Valley National Wildlife Refuge.
7. No structure shall be located within an easement.
8. Building Height: Thirty-five (35) feet. THE TOWN BOARD MAY APPROVE additional height FOR ANY BUILDING OR structure THAT is essential for its efficient use and by its design, including color and location on the site is compatible with the development of the site and the purpose of this ordinance, and in no case may exceed FORTY Five (45) feet in height.
9. Impervious Lot Coverage: No more than fifty (50) percent of the lot.
10. Service Streets. Uses fronting on a collector or arterial street shall have a paved service street to provide access to the collector or arterial street at specified intersections.
11. Signs. Freestanding Signs must be monument type ground signs with the copy resting on and supported by a solid base limestone block. The limestone material of the base must extend at least one half way up the sides of the sign face. Two sign faces are permitted, each sign face may not exceed 100 sf. or 16 ft in height. Freestanding signs must be illuminated by means of external light fixtures directed at the sign, not light

sources internal to the sign face. Wall signs mounted parallel to the front building facade are permitted with a combined sign area of not more than 100 sf. Wall signs may not extend above the wall they are mounted on, or more than 18" from the wall they are attached to.

12. Building Type and Construction. In complying with the permitted exterior building finishes as required by section 4-3-6 2 b of the County Zoning Ordinance, incorporating more than one finish in each building facade and the use of limestone as an exterior building finish is encouraged.

SECTION EIGHT Adjustments and Variances

The Town Board AFTER RECEIVING THE RECOMMENDATION OF THE TOWN PLANNING COMMISSION/BOARD OF ADJUSTMENT may consider requests for variances and grant the requested variance or adjustment to provide a means of departure from the literal provisions of this ordinance from the literal provisions of this ordinance in instances where their strict enforcement would cause undue hardship because of circumstances unique to the individual property under consideration, and to grant such variances only when it is demonstrated that such actions will be in keeping with the spirit and intent of the ordinance. "Undue hardship" as used in connection with the granting of a variance means the property in question cannot be put to a reasonable use if used under conditions allowed by the official controls, the plight of the landowner is due to circumstances unique to the property not created by the landowner, and the variance, if granted, will not alter the essential character of the locality, be injurious to the use or enjoyment of other property in the vicinity and adequate utilities, access roads, stormwater management and other necessary facilities or other measures, have been or will be provided. No variance may be granted that would allow any use that is prohibited in the zoning district in which the subject property is located. The Board of Adjustment MAY SUGGEST AND THE TOWN BOARD may impose conditions in the granting of variances to insure compliance and to protect adjacent properties and the public interest.