

## CHAPTER 1082

### INS, INSTITUTIONAL DISTRICT

#### SECTION

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**1082-1: PURPOSE:** The INS District is intended to provide a specific zoning district for facilities devoted to serving the public. It is unique in that the primary objective of uses within this district is the provision of services, frequently on a non-profit basis, rather than the sale of goods or services. It is intended that uses within such a district will be compatible with adjoining development, and they normally will be located on an arterial street or thoroughfare.

**1082-2: PERMITTED USES:** Subject to applicable provisions of this Ordinance, the following are permitted uses in an INS District:

- A. Governmental or public regulated utilities, buildings or structures necessary for the health, safety, and general welfare of the City.
- B. Pre-school, elementary, junior or senior high schools having a regular course of study accredited by the State of Minnesota.
- C. Publicly owned civic or cultural buildings, such as libraries, city offices, auditoriums, public administration buildings and historical developments.
- D. Religious institutions, such as churches, chapels, temples and synagogues.

**1082-3: PERMITTED ACCESSORY USES:** Subject to applicable provisions of this Ordinance, the following are permitted accessory uses in an INS District:

- A. Accessory buildings and structures provided that such use shall not exceed thirty percent (30%) of the gross floor space of the principal use.

- B. Fences as regulated by Chapter 1020 of this Ordinance.
- C. Keeping of animals as regulated by Chapter 1022 of this Ordinance.
- D. Off-street parking and loading as regulated by Chapter 1019 of this Ordinance, but not including semi-trailer trucks, except in designated loading areas not to exceed four (4) hours.
- E. Parks, playgrounds, and athletic fields.
- F. Secondary or accessory use antennas or satellites as regulated by Chapter 1023 of this Ordinance.
- G. Signs as regulated by Chapter 24 of this Ordinance.

**1082-4: CONDITIONAL USES:** Subject to applicable provisions of this Ordinance, the following are conditional uses in an INS District and require a conditional use permit based upon procedures set forth in and regulated by Chapter 1005 of this Ordinance. Besides the specific standards and criteria which may be cited below for respective conditional uses, each request for a conditional use permit shall be evaluated based upon the standards and criteria set forth in Sections 1005-3 and 1005-4 of this Ordinance.

- A. Automobile parking lots as a principal use provided that the use and design is in conformance with Chapter 1019 of this Ordinance.
- B. Cemeteries or memorial gardens provided that:
  - 1. The site is landscaped in accordance with Section 1020-4 of this Ordinance.
  - 2. The use is available to the “public.”
  - 3. The land area of the property containing such use or activity meets the minimum established for the district.
  - 4. The use meets the minimum setback requirements for principal structures.
- C. Colleges, seminaries and other institutions of higher education provided that:
  - 1. Adequate parking is provided in conformance with Chapter 1019 of this Ordinance.

2. Provisions are made to buffer and screen any surrounding residential uses.
  3. The site is served by an arterial or collector street of sufficient capacity to accommodate traffic which will be generated.
- D. Commercial and public radio and television transmitting antennas, and public utility microwave antennas, as regulated by Section 1023 of this Ordinance.
- E. Community centers provided that:
1. Adequate screening from abutting and adjoining residential uses and landscaping is provided.
  2. Adequate off-street parking and access is provided and that such parking is adequately screened and landscaped from adjoining and abutting residential uses.
  3. Adequate off-street loading and service entrances are provided and regulated where applicable by Chapter 1019 of this Ordinance.
- F. Hospitals and residential care facilities including extended care facilities for mentally disabled, rest homes and care for the aged, ill and infirmed provided that:
1. Interior side yards are screened.
  2. Only the rear yard shall be used for play or recreational areas. Said area shall be fenced and controlled and screened in compliance with Section 1020-4 of this Ordinance.
  3. The site shall be served by an arterial or collector street of sufficient capacity to accommodate traffic which will be generated.
  4. All signing and informational or visual communication devices shall be in compliance with Chapter 1024 of this Ordinance.
  5. All State laws and statutes governing such use are strictly adhered to and all required operating permits are secured.
  6. Adequate off-street parking is provided in compliance with Chapter 1019 of this Ordinance.
  7. Off-street loading space in compliance with Chapter 1019 of this Ordinance.

- G. Living quarters which are provided as an accessory use to a principal or conditional use in this section provided that:
1. The use shall not be used as commercial rental property.
  2. A maximum of one (1) such dwelling shall be allowed.
  3. There shall be a demonstrated and documented need for such a facility.
- H. Personal wireless service antennas not located on an existing structure or tower, as regulated by Chapter 1023 of this Ordinance.
- I. Planned unit development as regulated by Chapter 1010 of this Ordinance.
- J. Public or semi-public recreational facilities provided that:
1. The site is landscaped.
  2. The use is available to the “public.”
  3. The land area of the property containing such use or activity meets the minimum established for the district.
  4. The use meets the minimum setback requirements for principal structures.
  5. The site accesses on a minor arterial.
- K. Lot areas less than twenty thousand (20,000) square feet provided that:
1. The use is permitted in the INS District.
  2. It is determined that the use is compatible with existing and anticipated uses which surround the site.
- <sup>2</sup> L. Commercial daycare facilities provided that:
1. All requirements of the Minnesota Department of Health and Human Services, as may be amended, are satisfactorily met and the structure and operation is licensed accordingly.
  2. Screening is provided along all shared property lines. Such required fencing and screening shall be in compliance with the applicable provisions of Section 1020-5 of this Ordinance.

3. Adequate off-street parking is provided in a location separated from any outdoor play area(s).
4. Adequate off-street loading spaces in compliance with Chapter 1019 of this Ordinance.

**1082-5: INTERIM USES:** Subject to applicable provisions of this Ordinance, the following are interim uses in an INS District and require an interim use permit based upon procedures set forth in and regulated by Chapter 1006 of this Ordinance:

- A. Wind energy conversion systems (WECS) as regulated by Chapter 1029 of this Ordinance.

**1082-6: USES BY ADMINISTRATIVE PERMIT:** Subject to applicable provisions of this Ordinance, the following uses are allowed by administrative permit in an INS District based upon procedures set forth in and regulated by Chapter 1008 of this Ordinance:

- A. Essential services, except transmission pipelines and transmission or substation lines in excess of 35kV and up to 100kV, as regulated by Chapter 1026 of this Ordinance.
- B. Other uses of the same general character as those listed as a permitted use in this district.
- C. Personal wireless service antennas located upon an existing structure or tower or temporary mobile tower, as regulated by Chapter 1030 of this Ordinance.
- D. Temporary, outdoor promotional and sales events and sales provided that:
  1. The event shall not exceed the period specified in the administrative permit. In no case shall the event exceed thirty (30) consecutive calendar days per event.
  2. There shall be no more than two (2) events per calendar year per property.
  3. Signage related to the event shall be in compliance with the temporary sign standards of Chapter 1024 of this Ordinance and shall be allowed for the duration of the event. Special signage for purposes of traffic direction and control may be authorized by the zoning administrator; the erection and removal of such signage shall be the responsibility of the applicant.

E. Temporary structures as regulated by Chapter 1017 of this Ordinance.

**1082-7: LOT REQUIREMENTS AND SETBACKS:** The following minimum requirements shall be observed in an INS District subject to additional requirements, exceptions and modifications set forth in this Ordinance:

A. Lot Area: Twenty thousand (20,000) square feet.

B. Setbacks:

1. Front Yard: Forty feet (40').
2. Rear Yard: Fifty feet (50').
3. Side Yard: Twenty feet (20').

**1082-8: BUILDING HEIGHT:** All buildings shall be limited to a maximum height of four (4) stories or forty-five feet (45').

**1082-9: IMPERVIOUS SURFACE COVERAGE:** In no event shall off-street parking space, structures of any type, buildings or other features cover more than sixty-five percent (65%) of the lot area resulting in less than thirty-five percent (35%) pervious landscaped area.