

ORDINANCE NO. _____

AN ORDINANCE AMENDING TABLE 200.03-8 OF PARAGRAPH 2 OF CLAUSE H OF SECTION 60.200.030, SUBPARAGRAPH (b) OF PARAGRAPH 23 OF CLAUSE D OF SECTION 60.300.020, SUBPARAGRAPH (b) OF PARAGRAPH 24 OF CLAUSE D OF SECTION 60.300.020, SUBPARAGRAPH (b) OF PARAGRAPH 25 OF CLAUSE D OF SECTION 60.300.020, SUBPARAGRAPH (b) OF PARAGRAPH 26 OF CLAUSE D OF SECTION 60.300.020, TABLE 300.01-1 OF PARAGRAPH 3 OF CLAUSE D OF SECTION 60.300.010, SUBPARAGRAPH (c) and (d) OF PARAGRAPH 1 OF CLAUSE F OF SECTION 60.300.020, CLAUSE E AND TABLE 400.08-1 OF CLAUSE E OF SECTION 60.400.080, PARAGRAPH 10 OF CLAUSE J OF SECTION 60.400.080, SUBSECTION 11 OF SUBPARAGRAPH C OF PARAGRAPH 2 OF CLAUSE B OF SECTION 60.500.030, AND VARIOUS DEFINITIONS OF THE UNIFIED DEVELOPMENT CODE.

THE COMMON COUNCIL OF THE CITY OF ROCHESTER DO ORDAIN:

Section 1. Table 200.03-8 of Paragraph 2 of Clause H of Section 60.200.030 relating to Dimensional Standards of the Unified Development Code is amended as follows:

2. Dimensional Standards

Table 200.03-8 MX-S Lot and Building Standards		
Lot Dimensions (Minimum)		
	Lot Area	None
	Lot Width	None
Building Setbacks (Minimum or Maximum, in feet)		
A	Front	None to 15 (maximum)
B	Interior Side	None
	Street Side	7
	Minimum Sum of Interior Side Yards	None
C	Rear	None
Building/Structure Height (Maximum in feet)		
D	Primary Structure	536
	Accessory Structure	15 [1]
NOTES		
[1] 24 feet for Accessory Dwelling Units.		

Section 2. Subparagraph (b) of Paragraph 23 of Clause D of Section 60.300.020 relating to Use-Specific Standards of the Unified Development Code is amended as follows:

b. Separation Requirements

Neighborhood retail uses selling off sale liquor or cannabis shall not be located on a parcel that is zoned residential, that is closer than 1,000 feet to the nearest public school parcel, 500 feet to the nearest day care and residential treatment facility public park parcel, or 500 ft to an attraction within a public park regularly used by minors, including a playground or ballfield ~~similar use that is regularly used by minors.~~

Section 3. Subparagraph (b) of Paragraph 24 of Clause D of Section 60.300.020 relating to Use-Specific Standards of the Unified Development Code is amended as follows:

b. Separation Requirements

Small retail uses selling off sale liquor or cannabis shall not be located on a parcel that is zoned residential, that is closer than 1,000 feet to the nearest public school parcel, 500 feet to the nearest day care and residential treatment facility, public park parcel, or 500 ft to an attraction within a public park that is regularly used by minors, including a playground or ballfield ~~similar use that is regularly used by minors.~~

Section 4. Subparagraph (b) of Paragraph 25 of Clause D of Section 60.300.020 relating to Use-Specific Standards of the Unified Development Code is amended as follows:

b. Separation Requirements

Small retail uses selling off sale liquor or cannabis shall not be located on a parcel that is zoned residential, closer than 1,000 feet to the nearest public school parcel, 500 feet to the nearest day care and residential treatment facility, public park parcel, or 500 ft to an attraction within a public park that is regularly used by minors, including a playground or ballfield ~~similar use that is regularly used by minors.~~

Section 5. Subparagraph (b) of Paragraph 26 of Clause D of Section 60.300.020 relating to Use-Specific Standards of the Unified Development Code is amended as follows:

b. Separation Requirements

Small retail uses selling off sale liquor or cannabis shall not be located on a parcel that is zoned residential, closer than 1,000 feet to the nearest public school parcel, 500 feet to the nearest day care and residential treatment facility, public park parcel, or 500 ft to an attraction within a public park regularly used by minors, including a playground or ballfield ~~similar use that is regularly used by minors.~~

Section 6. Table 300.01-1 of Paragraph 3 of Clause D of Section 60.300.010 relating to the Allowed Uses Table of the Unified Development Code is hereby amended as follows:

Table 300.01-1 Allowed Uses Table																
S = Staff approval; P = Planning Commission approval; C = City Council approval; V = vacant use; I = interim use;																
A = accessory use; T = temporary permit; Blank cell = prohibited; Uses with an * = use-specific standards apply																
	Residential and Agricultural					Mixed Use								Non-Residential		
Zoning districts and subdistricts (where applicable)	AG	R-1	R-2	R-2x	R-3	R-4	MX-N	MX-S	MX-C	MX-G	MX-I	Corridor	MX-T	MX-D		Use-Specific Standards
												Node	Village	Fringe	Medial	Business
Self Service Storage Facility								P*	S*	S				P*		S
Wholesale Facility								S*	S*	P						S*
Resource and Extraction																
Landfill																C
Quarry	C*														C*	C*
Sand or Gravel Excavation	I*	I*	I*	I*	I*	I*	I*	I*	I*	I*	I*	I*	I*	I*	I*	C*
Utility, Communication, and Energy Uses																
Commercial Wireless Telecommunication Service (CWTS)																
Co-Located on Existing Structure	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*
Freestanding	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*
Stealth on Existing Structure	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*
Communications Tower							P	P	P	P	P	P	P	S	P	P

Section 7. Subparagraphs (c) and (d) of Paragraph 1 of Clause F of Section 60.300.020 relating to Use Specified Standards of the Unified Development Code is amended as follows:

c. Maximum Height

- 1) Co-locations on any existing unconcealed CWTS tower or existing structure: 75 feet.
- 2) Freestanding CWTS: 65 feet in Residential zoning districts; 75 in Commercial, Industrial, and Agricultural zoning districts.
- 3) Subject to City Council approval, an additional 50 feet in height may be permitted if the applicant can demonstrate the following:
 - (a) Functional coverage cannot be provided through co-location;
 - (b) Functional coverage cannot be provided at a lower height; and
 - 2)(c) Functional coverage cannot be provided in a non-residential zoning district, if applicable.
- 3) 4) Stealth Facilities on Existing Structures: No taller than the existing structure, unless fully screened from view from all streets abutting the property, in which case the CWTS may exceed the existing structure height by 10 feet.

d. Location and Separation of Freestanding CWTS

- 1) A freestanding CWTS is prohibited in the following locations:
 - (a) Within 100 feet of the property line of any Residential zone district.
 - (b) Within 50 feet of an existing right-of-way.
 - (c) Within any setback required by the underlying zone district.
- 2) New freestanding CWTS shall be located a minimum of 1,000 feet from any other freestanding CWTS, as measured from the wall or fence of each freestanding CWTS. This requirement does not apply to a freestanding small-cell CWTS.
- 3) New freestanding CWTS shall be structurally designed to accommodate both the applicant's antenna and at least one (1) additional user.
- 4) No new freestanding CWTS shall be allowed unless the Community Development Director determines, upon the applicant's demonstration, that no existing tower, structure, or public utility structure can be used in lieu of new construction to accommodate the applicant's proposed CWTS. Evidence that demonstrates that co-location or public utility co-location cannot be used in lieu of new construction to reasonably accommodate the proposed CWTS shall consist of an affidavit with supporting exhibits submitted by the applicant addressing all of the following:
 - (a) That no existing tower, structure, or public utility structure within a ½ mile radius meets the minimum engineering requirements and/or lacks available space to support the proposed CWTS.
 - (b) That co-location or public utility co-location of the proposed CWTS would cause unavoidable electromagnetic interference with the antenna(s) on the existing towers,

structures or public utility structures, or the antenna(s) on the existing towers, structures, or public utility structures would cause interference with the applicant's proposed CWTS.

(c) That there are other limiting factors that render existing towers, structures, or public utility structures within the ½ mile radius unsuitable.

(d) That the owners of existing towers, structures, or public utility structures within the ½ mile radius will not allow the applicant to place its CWTS on that facility, or such owners are requiring payments for such placement that substantially exceed commercially reasonable prices.

Section 8. Clause E and Table 400.08-1 of Clause E of Section 60.400.080 relating to Minimum and Maximum Vehicle Parking Required of the Unified Development Code is amended as follows:

E. Minimum and Maximum Vehicle Parking Required

Unless otherwise provided in this UDC, each development shall provide a number of off-street parking spaces that complies with the requirements of Table 400.08-1 ~~Table 400.08-1~~, Minimum and Maximum Vehicle Parking Required.

Table 400.08-1 Minimum and Maximum Vehicle Parking Required				
DU = Dwelling Unit; BR = Bedroom; Sq. ft. = square feet of enclosed gross floor area (unless stated otherwise); Blank Cell or Use Not Listed = No Requirement				
Use	All Districts Except the MX-D District		MX-D District	
	Minimum	Maximum	Minimum	Maximum
Residential Uses				
Household Living				
Dwelling, Single-Family Detached	1 per DU			
Dwelling, Twin-Home	1 per DU			
Dwelling, Attached	1 per DU			
Dwelling, Duplex, Same Lot	1 per DU			
Dwelling, Triplex	1 per DU			
Dwelling, Fourplex	1 per DU			
Dwelling, Multifamily	0.5 per DU	2 per DU	0.5 per DU	1.5 per DU
Dwelling, Live/Work			0.75 per DU	

Dwelling, Cottage Development	1 per DU	2 per DU	4 per DU	1.5 per DU
-------------------------------	----------	----------	----------	------------

Section 9. Paragraph 10 of Clause J of Section 60.400.080 relating to Parking, Loading, and Stacking of the Unified Development Code is amended as follows:

10. Electric Vehicle Charging

Parking areas with more than 50 parking spaces shall provide a minimum of one parking space dedicated to electric vehicles for every 25 parking spaces provided on site. The provision of three or fewer electric vehicle parking spaces shall not count toward the maximum allowed number of parking spaces. The provision of four or more electric vehicle parking spaces shall count toward the maximum allowed number of parking spaces. Electric Vehicle Charging stations may be used to meet the minimum parking requirement. The electric vehicle parking space shall be:

- a. Located on the same lot as the principal use;
- b. Signed in a clear and conspicuous manner indicating exclusive availability to electric vehicles; and
- c. Outfitted with a standard “Level 2” electric vehicle charging station.

Section 10. Subsection 11 of Subparagraph C of Paragraph 2 of Clause B of Section 60.500.030 relating to Common Procedures of the Unified Development Code is amended as follows:

11) The application for development shall be submitted within 30 60 calendar days from the date of the Neighborhood Information Meeting.

Section 11. The following Definitions of Section 60.600.030 of the Unified Development Code is amended as follows:

GRADE

~~The lower point of elevation of the finished surface of the ground, paving or sidewalk within the area between the building and the property line, or between the building and a stabilization structure such as a retaining wall, or, where the property line or structure is more than five feet from the building, between the building and line five feet from the building.~~

A reference plane representing the average of finished ground level adjoining the building at exterior walls. Where the finished ground level slopes away from the exterior walls, the reference plane shall be established by the lowest points within the area between the building and the lot line or, where the lot line is more than 6 feet (1829 mm) from the building, between the building and a point 6 feet (1829 mm) from the building.

Section 12. This ordinance shall become effective from and after its publication.

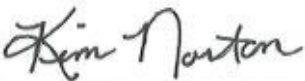
PASSED AND ADOPTED BY THE COMMON COUNCIL OF THE CITY OF
ROCHESTER, MINNESOTA, THIS 5th DAY OF January, 2026.

ATTEST: 
CITY CLERK


PRESIDENT OF SAID COMMON COUNCIL

APPROVED THIS 8th DAY OF January, 2026.




MAYOR OF SAID CITY