

**AGENDA
PLANNING COMMISSION
CITY OF WYOMING, MINNESOTA
MAY 9, 2023
7:00 PM**

CALL TO ORDER:

CALL OF ROLL:

DETERMINATION OF A QUORUM:

PLEDGE OF ALLEGIANCE:

OPEN FORUM:

An opportunity for members of the public to address the Planning Commission on items not on the current Agenda. Items requiring Planning Commission action may be deferred to staff for research and future Planning Commission Agendas if appropriate. You will be limited to two (2) minutes and we ask that you conduct yourself in a professional, courteous manner, and refrain from the use of profanity. Failure to abide by this policy may result in the loss of your privilege to speak.

APPROVAL OF MINUTES:

1. Consider approving the minutes of the “Regular Meeting” of the Wyoming, Minnesota Planning Commission for April 25, 2023.

SCHEDULED PUBLIC HEARINGS:

2. Interim Conditional Use Permit for a Home Occupation: ICUP-23-002
Location: 24803 Kettle River Boulevard
Applicant: Tong Vang
Owner: Kathy Vang
Property ID Number: 21.10622.30

NEW BUSINESS:

OLD BUSINESS:

3. Architectural Standards: Example Draft Ordinance

COMMUNICATIONS:

UPDATES:

ADJOURN

UPCOMING:

**UNAPPROVED MINUTES
PLANNING COMMISSION
CITY OF WYOMING, MINNESOTA
APRIL 25, 2023
7:00PM**

CALL TO ORDER:

Planning Commission Chairman Lobermeier called the Regular Meeting of the Wyoming Planning Commission for April 25, 2023 to order at 7:00 PM

CALL OF ROLL:

On a Call of the Roll the following members of the Wyoming Planning Commission were present: Mark Lobermeier, Michael Naumann, Katie West, and Dan Iverson

ABSENT: None

Also Present: Fred Weck Zoning Administrator and Council Liaison Lisa Iverson

DETERMINATION OF A QUORUM:

PLEDGE OF ALLEGIANCE:

OPEN FORUM: NONE

APPROVAL OF MINUTES:

1. Consider approving the minutes of the “Regular Meeting” of the Wyoming, Minnesota Planning Commission for March 28, 2023

A MOTION WAS MADE BY COMMISSIONER IVERSON, SECONDED BY COMMISSIONER NAUMANN, TO APPROVE THE MINUTES OF THE “REGULAR MEETING” OF THE WYOMING, MINNESOTA PLANNING COMMISSION FOR MARCH 28, 2023 AS SUBMITTED.

<i>Voting Aye:</i>	<i>Iverson, Naumann, West, and Lobermeier</i>
<i>Voting Nay:</i>	<i>None</i>
<i>Abstain:</i>	<i>None</i>
<i>Absent:</i>	<i>None</i>

SCHEDULED PUBLIC HEARINGS: NONE

NEW BUSINESS: NONE

OLD BUSINESS:

2. Architectural Standards: Architect Comments, Community Ordinances, and Material Examples

Zoning Administrator Weck noted that in the packet he had included his e-mail communication with Widseth as well as information regarding ordinances from the cities of Brainerd and Baxter.

Chair Lobermeier stated that one of the things that came to mind as he was reviewing this material was the notion of a pre-design meeting as opposed to having a builder or architect come in and show their plans. He asked for Zoning Administrator Weck’s thoughts beyond just simply sending them the ordinance. He stated that he suspects that this is where the ‘dance’ begins and reiterated his questions about whether that type of meeting would help.

Zoning Administrator Weck stated that it would help, but many times he gets the phone call after they have already done half of the work. He stated that it why he tells them the City has architectural standards and encourages them to take a look at them.

Commissioner West stated that she had spoken with a few other architects that she works with about different standards and how they like to see them. She stated that she had shared the standards from the City, Chisago, and Forest Lake and they really like the example from Chisago because it was clear and comprehensive. She explained that they liked the idea of a tiered classification of the materials, but they like charts that stay consistent. She stated that they did not like the idea of having a supplemental or secondary manual because it would be hard to navigate. She stated that they also liked the idea of 'bolding' out the various sections so they are easier to follow and find the information they were searching for.

Commissioner Naumann stated that it sounds like the feedback was more on the format of the information and not necessarily about the content.

Commissioner West agreed and stated that one other comment they made was that it was important for the City to figure out what their 'feel' is for example more White Bear or more Lindstrom. She stated that the thought was that if you were going to set a 'standard' it should not really be negotiable because then the community will end up being more of a hodge podge. She stated that she thinks it may make sense to have a different list of materials for the downtown area and some of the structures near Hallberg. She reiterated that the architects she spoke with really liked Chisago's information.

Chair Lobermeier stated that in comparing the City's with others he noticed that the language starts out with what the City does 'not want' rather than what they 'want'. He stated that he thinks it may be a good idea to take a step back and have the Commission try to figure out what problem the City is trying to solve and the intent of the ordinance. He noted that he was surprised that the feedback Zoning Administrator Weck and Commissioner West got was not really related to the actual materials.

Commissioner West noted that it looks like the issue may not really be the materials. She noted that her input also touched on percentages and if they are going to say 50% of Class 1, they want to know what the means for the whole building. She reiterated that the input was related to the readability and that it be clear and concise and not so much related to the actual materials. She stated that she thinks it is important for them to know who is in the community and what their price point is for those that can afford to bring their businesses to the City.

Chair Lobermeier stated that he had highlighted some things included in the minutes from the last meeting and read aloud the statement about cities the size of Wyoming not getting into design details. He stated that usually smaller towns are happy to get development and try not to get in the way too much. He stated that he feels they end up walking the fine line between the intent and not over-specifying. He stated that the Commission was given some 'homework' at the last meeting to take a look around town at some of the buildings they may or may not like. He shared examples of facilities that he really liked such as Ebenezer, Wyoming Dental, and Lakes Gas. He stated that he also feels the Pfeiffer Chiropractic office has character.

Commissioner West stated that she is happy that they switched the entrance to the drug store, but noted that it is still not one of her favorite buildings.

Chair Lobermeier asked if the Commission could paint a picture that is not too restrictive of what they would like the City to look like that still allows development to come.

The Commission discussed some of the difficulty in situations where they are not a chain so they do not have the same financing available. The Commission shared examples of buildings and details that they would not necessarily want to see more of in the City.

Zoning Administrator Weck shared examples of various development projects that have happened in the City.

Commissioner West stated that one of the reasons that she thinks this conversation is important is because there is currently kind of a mismatch of things going on in the downtown area. She stated that she thinks windows are huge and things like light pollution because people move out here so they don't have that. She referenced the liquor store and noted that while it may meet the standards, it looks very 'unique' in how it was actually put together.

Commissioner Naumann stated that you see the word uniformity and the direction to make it look like it belongs and he thinks that is important. He stated that he feels it should look like that was the way it was intended to look and with remodeling they sometimes lose that.

Chair Lobermeier reiterated that he thinks it is important to focus on the intent and that it is concise. He stated that he was part of the group who put together these architectural standards, but acknowledged that the very first sentence is 4 lines long, which is not concise. He noted that another section he feels needs work is the section where 'other' materials can be allowed but questioned how they could state it without allowing things to go forward that don't really meet the ordinance but they decided to let it go through as kind of a loop hole. He asked if the right place for things to come when developers have a proposal is the Planning Commission or whether a staff member should make a recommendation.

Zoning Administrator Weck stated that as a Building Official, the building code allows him to make interpretations of the code, but it does give him standards on how to do that. He stated that when it comes to building materials, or an aesthetic detail, it is subjective. He explained that he could think something looks great, but the Commission could disagree and wonder what he was thinking. He explained that without a standard in the ordinance to clarify where the City is going, he thinks it is hard for one person to say what it is or is not.

Commissioner West asked if when there is a questionable or new material if that could be part of what is presented before the Commission so it can be addressed at the time of approval. She stated that way it would not just be left up to one person.

Zoning Administrator Weck shared examples of the process and materials discussion for recent projects, such as the one for Hallberg.

Commissioner West noted that views on materials can change over time and noted that communities like Lindstrom and White Bear have an aesthetic that really has not changed and with time, has become even more beautiful which is what she hopes for the City. She stated that she would like to be able to find materials that age gracefully. She reiterated that she loves the ideas of windows for the wellbeing of the people who have to work in these buildings and if the City does not already have something that speaks to that she would like to see that added.

Chair Lobermeier referenced the industrial park in Stacy that seems to be growing like gangbusters, but noted that there is a real mix of things they have going in there and does not appear to be a theme to what is being approved. He stated that if he goes back to the original statement, he would like to attempt to eliminate the negative statements. He gave the example of it saying that the City wants visual harmony, complement surrounding properties, and contribute to the character and the appearance of the district.

The Commission discussed other buildings around the town.

Commissioner West stated that she has nothing against pole barns but she really does not want to see that in the downtown area.

Chair Lobermeier noted that he feels the church that is just south of the liquor store did a good job when they redid their façade. He stated that it was just a warehouse type building, but when they redid it they added some brick and color that really made it work well. He stated that he thinks that

if the Commission can figure out what problem they are trying to address and get the intent statement so it is clear and address some of the formatting, which will help.

Zoning Administrator Weck stated that he can try to work on the opening statement so it is positive rather than negative. He stated that he can also look at keeping the text that is there, but perhaps moving the information into some tables and charts as recommended by Commissioner West.

Chair Lobermeier noted that Kim Lindquist, WSB, stated that she thought the list of materials was good and did not think this needed a big overhaul. He stated that he would agree, but would suggest that it really be read for intent to make a determination if it is too open or if there are areas that need clarification.

The Commission discussed roofing and window additions.

Chair Lobermeier noted that Mayor Iverson had mentioned that she would like to hook the EDA into this process and asked if she felt they would have input in the area of 'fit'.

Mayor Iverson stated that she brought that up because they want to have a certain aesthetic on Highway 61. She stated that there has been discussion about certain franchise businesses coming to town, such as Caribou, that have set standards that they have to meet. She referenced the difference if you travel to someplace like Hilton Head where everything is all the same, no matter what. She stated that the goal is to have some character and have some standards, but for it to be more updated. She stated that their hope is to get some apartment buildings that will attract or keep the younger people in town, which means it will have to have more of a 'hip' vibe. She noted that the problem becomes that a 'hip' vibe can look different to everyone.

Commissioner West stated that she has long thought that the City needed another restaurant or something like a bar/pub or brewery.

Mayor Iverson stated that from the EDA side she and City Administrator Linwood work very closely in inviting businesses and restaurants to come to the City. She stated that they are also part of MnCAR and invite people to consider the City and what they have to offer as well. She stated that they are working with some possible 3D images of certain pieces of land so they can draw images of what they would like to see there. She reiterated that this was why she felt it was important to work alongside the EDA in these efforts.

Zoning Administrator Weck stated that he thinks the Commission has made a good start in this discussion and recommended that they take a look at how they want to define or tweak the comparable materials so it is clear to everyone.

Chair Lobermeier stated that he thought the information included in the packet was very helpful. He stated that having something that is just 2-3 pages that has some of the nicer looking buildings that fit a bit more closely to what the City is looking for. He stated that it can serve as a bit of a 'hint-hint', 'nudge-nudge' for developers.

Commissioner Iverson stated that it may help them design something that fits into the area rather than just designing it the way they usually do without consideration for what may be nearby.

Chair Lobermeier stated that there are some really nice buildings in town, but they are scattered around and not just in one spot. He stated that if those could be represented to people coming in, it will set up the idea for them without having to write it down.

Commissioner Naumann noted that the example of the code from Baxter highlighted the positive language rather than the negative. He stated that he found it interesting to see how often they used terms like 'community image' and 'visual environment' in their first points. He noted that he also liked the feedback shared by Commissioner West about changing some of the formatting to the tables/charts so it makes the information stand out and be understood more easily.

Commissioner Iverson suggested utilizing some of the information from the Comprehensive Plan

that talks about rural character, small-town feel, balance rural setting, and urbanization. He stated that he feels that this may give a developer and idea of what they should be shooting for.

Mayor Iverson reminded the Commission to keep Highway 8 in mind because eventually there will also be more businesses along that corridor. She stated that they know what the area looks like now but questioned whether that was really the image that the City wanted to have as people travel the highway heading towards Wisconsin.

COMMUNICATIONS:

UPDATES:

Zoning Administrator Weck noted that for the next meeting there is a possible public hearing for a Home Occupation for a slaughter house at a farm that is not zoned Agricultural. He explained that this family purchased the property without calling to find out if they could do what they wanted to do on the property. He stated that he expecting there to be a fairly large turnout from the neighbors.

Chair Lobermeier stated that he visited with City Administrator Linwood about the recent public hearing. He stated that they had a conversation that people come to a public hearing thinking that what they tell the Commission will make a difference. He stated that it can be challenging because the Commission is really there to take their testimony, but at the end of the day, their decision has to be based on what the ordinance says they can and cannot allow. He stated that their conversation was about how that information can be communicated to residents because people tend to walk away discouraged and thinking that the Commission just did whatever it wanted to and did not listen to them. He stated that he has been trying to think of a way to word a statement that will clearly communicate this to residents.

Commissioner Iverson stated that he thinks making it clear that the Commission is a recommending body and not the decision maker would be helpful.

Mayor Iverson stated that she feels that there are some things that are not clearly written and understands that there needs to be some interpretation, but feels that there are some things that are not clear for the lay person. She referenced the example of Katie's Glen and noted that is why sometimes she thinks the public comes in with the idea that the City does not have any rules or regulations. She stated that she is hoping that by making things more clearly understood that there will be less situations where it is just brought to the Council so they can say no.

Commissioner Naumann stated that you cannot write code so everything is black and white for every situation so there will need to be a certain amount of interpretation.

Chair Lobermeier stated that he will try to work on a statement to help people understand the role of the Commission. He asked that when the notices are sent out that it be made clear that the Commission is a recommending body and that it will be based on how well the proposal meets with the existing Comprehensive Plan and Zoning Ordinances.

A MOTION WAS MADE BY COMMISSIONER WEST, SECONDED BY COMMISSIONER NAUMANN, TO ADJOURN THE APRIL 25, 2023 "REGULAR MEETING" OF THE WYOMING, MINNESOTA PLANNING COMMISSION AT 8:07 PM.

<i>Voting Aye:</i>	<i>Iverson, Naumann, West, and Lobermeier</i>
<i>Voting Nay:</i>	<i>None</i>
<i>Abstain:</i>	<i>None</i>
<i>Absent:</i>	<i>None</i>

**CITY OF WYOMING
PLANNING AND ZONING**

TO:	Planning Commission
DATE:	5/9/23/2022
FROM:	Kim Lindquist, City Planner Fred Weck, Zoning Administrator
RE:	IUP Home Occupation
APPLICANT:	Tong Vang
PROPERTY OWNER:	Kathy Vang
PROPERTY:	24803 Kettle River Blvd. 21.10622.30
FILE NO.:	ICUP-23-002

OVERVIEW

The applicant is requesting approval of an Interim Conditional Use Permit to allow a home occupation at 24803 Kettle River Blvd. The property is a residential property which has a principal structure with a detached accessory structure. The property is zoned R2 Rural Residential II which is consistent with the lots to the north of the site. Properties to the south are agricultural. The site is 8 acres and is guided for Semi-Rural Neighborhood with a wetland overlay toward the back of the property.

The approximate 8-acre lot is surrounded by single family development with most surrounding properties varying in size from 3 to 10 acres. The site is the border between the A-Agriculture and the R2-Rural Residential II zoning districts. The site gains access from Kettle River Blvd with the gravel driveway providing access to the existing accessory structure and ultimately the residence. The driveway is graveled and based upon the google maps may be hard to find given the existing overbrush near the entrance. The site is well-treed and not too visible from adjoining properties. There is an outbuilding of approximately 650 square feet in close proximity to the residence along with some other obsolete structures. The applicant is required to bring the site into compliance with the accessory structure standards relating to square footage and number.

The applicant is proposing to introduce a butchering and processing use at the site as a home occupation. In speaking with the applicant, she indicated that they are proposing to construct a new approximately 600 square foot accessory structure about 15 feet from the on-site residence. Construction of the coop would also occur as a part of this project. A trailer will be used for the butchering activity and must meet all sanitation requirements as regulated by the State and County.

The applicant proposes to have 70-80 chickens at the site, picking the chickens up from a supplier and transporting them to the property on Thursdays. The chickens will be caged in crates during transport and then would be put into the chicken coop or left outside for the night. Over the weekend the chickens would be crated, butchered, cleaned and processed in the trailer and the new garage structure. The applicant indicates they will have a designated septic tank specifically for this use. After processing the chickens will be

bagged and delivered to customers. It is noted that some clients may come to the residence to pick up the chickens; the applicant projects 1 to 2 customers a day. After delivery the chicken coop, processing facility, and trailer will be fully cleaned. It is estimated this will occur on Sundays. Waste will be bagged and stored in freezers and will be thrown away in dumpsters where it will be picked up on Wednesday and Friday by the dumpster company.

The applicant indicates that one additional employee aside from those residing at the site will be employed. The City is aware that a sewing business, a permitted accessory home occupation, currently exists at the site. Due to the type of business proposed and the ordinance criteria for home occupations, this request requires approval of an Interim Conditional Use Permit. The ordinance does not preclude both operations at the site.

The R-2 Rural Residential II district allows home occupations that may require additional parking, an accessory building, or an attached garage, or generate a noticeable increase in traffic, and which are in accordance with Article VII, Division 13. The ordinance requires thirteen conditions be met for granting of a conditional use permit. Additionally, the Division 13 of the zoning ordinance lists ten performance standards for granting of an interim conditional use permit for a home occupation.

STAFF RECOMMENDATION

The requirements of Chapter 40, Article V, Division 6, “Conditional Use Permits”, Section 40 – 112, as contained in the City of Wyoming Ordinance have been complied with. Staff is recommending approval of an Interim Conditional Use Permit to allow a home occupation based upon the findings of fact and subject to the following 13 conditions:

1. Conduct of the home occupation does not require alterations to the exterior of the residence which substantially alters the appearance of the dwelling as a residence.
2. Only those persons residing in the home and one other person may be employed on the site or report to the site on any one day.
3. Signage consists of no more than one (1) single or double-faced sign with a maximum area of nine (9) square feet per side in the R-1, R-2, R-3, R-4, R-5, R-6 and MXD (residential uses) Districts and sixteen (16) square feet per side in the Agricultural (A) District.
4. No outdoor display of goods or outside storage. All business activity must be contained within the proposed existing accessory structures.
5. Any additional need for parking generated by the home occupation shall be met by off-street parking. Said parking area shall be limited to three (3) spaces.
6. The home occupation shall not generate sewage of a nature or type that cannot be treated by a standard on-site sewage system, or the municipal sewer system, or hazardous wastes without an approved plan for off-site disposal. An appropriate

- septic design for the proposed use must be submitted for review and approval and be fully installed prior to any home occupation activity on the site.
7. The applicant shall have trash pick-up on Mondays and another weekday to remove the processing byproducts as soon as possible. All outdoor trash dumpsters shall be enclosed and shall be screened from the adjoining residential properties.
 8. The applicant will not create any nuisances at the site relating to the business including noise, odor, and attraction of rodents or small animals.
 9. The applicant shall bring the site into compliance with the accessory structures requirements of the R-2 zoning district which is up to two accessory structures and a total of 2,000 square feet. Compliance shall be met prior to operation of the business.
 10. Approval is predicated on the owners application where it was indicated that one to two customers will come to the site a day. Should traffic significantly increase at the property, the city will review the interim use permit and can place additional restrictions on the operation of the business.
 11. All representations made by the applicant in the application must be adhered to, to maintain a valid ICUP including processing up to 80 chickens at one time per week. Expansion of the number of chickens per week or the number processed at one time will require an amendment to the ICUP.
 12. The applicant trim the vegetation near the driveway access along Kettle River Blvd so the driveway is more visible.
 13. That the Interim Use Permit will expire on June 1, 2028, upon the sale of the property, or when the applicants vacate the property.

STAFF REVIEW

General Comprehensive Plan and Zoning Review

The subject property is zoned R2- Rural Residential II with some wetland overlay to the rear of the site. The property is guided as Semi-Rural Neighborhood in the City of Wyoming's Comprehensive Plan. The zoning and surrounding uses are as follows:

North – R-2; Rural Residential II; Semi-Rural Neighborhood

South – A-Agriculture; Semi-Rural Neighborhood

East – A-Agriculture; Semi-Rural Neighborhood

West – A-Agriculture; Semi-Rural Neighborhood

Existing Site

The approximate 8-acre site contains two structures a single-family residence and one outbuilding approximately 650 square feet. The driveway provides direct access to Kettle River Blvd with a gravel driveway. Significant vegetation occurs around the driveway entrance and over portions of the property.

Permitted uses in the Rural Residential II district focus on single family residential structure with some ancillary uses such as a daycare or horsekeeping. Section 40-193 allows a home occupation by interim conditional use that may "...require additional

parking, an accessory building, or an attached garage, or generate a noticeable increase in traffic and which are in accordance with Article VII, Division 13.”

The city is aware of a sewing business currently operating from the property. The owner indicated that the business use is only conducted by those living on the premises. Section 40-194 Accessory Uses notes that “home occupations which do not require use of an attached garage, additional parking, an accessory building, or generate a noticeable increase in traffic, and which are in accordance with Article VII, Division 13” are a permitted accessory use.

Animal Units

The Agricultural district recognizes the sale of animals for profit as a permitted use and also dictates animal units per acre. Staff has used the recommended unit of 20 chickens per two acres to arrive at the 80 chickens maximum for the home occupation business. A recommended condition of approval notes that 80 chickens at one time per week is permitted; anything greater than 80 is not compliant with the permit and prompt code enforcement or a reapplication and revision of the ICUP.

INTERIM CONDITIONAL USE PERMIT STANDARDS

Chapter 40, Article V, Division 6, Conditional Use Permits, Section 40 – 112, sets forth the general standards that shall be met in order to grant an ICUP. Granting of an Interim Conditional Use Permit is required for approval of a Home Occupation in the Agriculture zoning district. These standards are as follows:

1. The use is in conformity with the Comprehensive Plan and development policies of the City.

A home occupation is allowed in the Rural Residential II zoning district and would be in conformity with the Comprehensive Plan. This standard has been met.

2. The use will not create an excessive demand on existing parks, schools, streets and other public facilities and utilities which serve or are proposed to serve the area.

The proposed use will not create an excessive demand on existing parks, schools, streets and other public facilities and utilities. This standard has been met.

3. The use will be sufficiently compatible or separated by distance or screening from adjacent development or land so that existing development will not be depreciated in value and there will be no deterrence to development of vacant land.

The proposal will maintain its residential character although some changes to the existing accessory structures and site uses will occur. The site is well treed and it would seem existing vegetation and the separation between the site and adjacent properties would mitigate potential impacts caused by the proposal along with the recommended conditions of approval. This standard has been met.

4. The structure and site will have an appearance that will not have an adverse effect upon adjacent properties.

The site will be brought into regulatory compliance regarding accessory structures in size and amount. As proposed activity will typically occur in a structure, the site appearance should not be altered. This standard has been met.

5. The use in the opinion of the City is reasonably related to the overall needs of the City and to the existing land use.

The use is consistent with the zoning ordinance intent for home occupations in the RR2 zoning district. This standard has been met.

6. The use will be consistent with the purpose of this and other City Ordinances.

This standard has been met.

7. The use will be located, designed, maintained, and operated to be compatible with the existing or intended character of the zoning district in which it is to be located.

The applicant must adhere to the home occupation standards and conditions of approval for the interim conditional use permit, which will mean the site is consistent with the existing and intended character of the Rural Residential II zoning district. This standard has been met.

8. The use will generate only minimal vehicular traffic on local streets and shall not create traffic hazards or unsafe access or parking needs.

The applicant has indicated most trips associated with home occupation will be due to pick up and delivery of products by the applicant. It is expected that there will be some customers who come to the site, but the estimate is minimal at 1 to 2 customers a day. If traffic to the site increases significantly from that anticipated by the typical single-family residence, the City will re-evaluate the ICUP and may apply additional conditions. The applicant should trim back vegetation along Kettle River Blvd. so the driveway is more visible and obvious for potential customers. This standard can be met.

9. Existing businesses nearby will not be adversely affected because of the curtailment of customer trade brought about by intrusion of noise, glare, or general unsightliness.

This standard has been met.

10. The establishment or maintenance of the use shall not be detrimental to the public, health, safety, or general welfare.

A condition of approval addresses the potential for nuisance issues associated with the business. Compliance with the conditions, and applicable ordinance will ensure that this standard can be met.

11. The use will not be hazardous, detrimental, or disturbing to present and potential surrounding land use due to water pollution, odor, fumes, general unsightliness, or other nuisances.

A condition of approval addresses the potential for nuisance issues associated with the business. Compliance with the conditions, and applicable ordinance will ensure that this standard can be met.

12. The use will preserve and incorporate the site's important natural and scenic features into the development design.

This standard has been met.

13. The use will cause minimal adverse environmental effects.

The home occupation activity will all be enclosed indoors which should reduce any potential adverse environmental effects. This standard has been met.

In addition, the following factors must be considered for Interim Use Permits:

- 1) Whether the use conforms to the zoning regulation;
The use conforms to the zoning regulation with the issuance of this permit.
- 2) Whether a date or event for the termination of the use can be identified with certainty.
Staff is recommending termination of the business on June 1, 2028 and also recommending that the use will terminate upon the sale of the property, or when the applicant vacates the property. The applicant can reapply for a new IUP should they wish to continue operation past June 2028.
- 3) Whether the permission of the use will impose additional costs on the public if it is necessary for the public to take the property in the future;
This standard is met – There should be no additional cost to the public.
- 4) Whether the landowner will agree to the conditions that the City Council deems appropriate for permission of the use.
This is to be determined.

APPLICABLE ZONING ORDINANCE HOME OCCUPATION STANDARDS.

Section 40-173. Interim Conditional Uses in the Rural Residential II district allows home occupations “which may require additional parking, an accessory building, or an attached garage, or generate a noticeable increase in traffic, and which are in accordance with Article VII, Division 13.

Article VII, Division 13, Section 40-353 defines the required standards the city will review when an application for a home occupation is requested. The following standard shall be met for approval of a home occupation:

- (1) Conduct of the home occupation does not require alterations to the exterior of the residence which substantially alters the appearance of the dwelling as a residence.
- (2) Only those persons residing in the home and one other person may be employed on the site or report to the site on any one day.
- (3) Signage consists of no more than one (1) single or double-faced sign with a maximum area of nine (9) square feet per side in the R-1, R-2, R-3, R-4, R-5, R-6

and MXD (residential uses) Districts and sixteen (16) square feet per side in the Agricultural (A) District.

(4) No outdoor display of goods.

(5) Any additional need for parking generated by the home occupation shall be met by off-street parking. Said parking area shall be limited to three (3) spaces.

(6) Should the occupation be teaching, classes shall not exceed ten (10) students at any one time.

(7) Should the home occupation be repair, the items repaired shall be of a size or nature that repair can occur within the home, or an accessory structure to the principal use as allowed by this Ordinance.

(8) No outside storage is permitted.

(9) An accessory structure may be utilized in conjunction with the home occupation only for the purpose of holding equipment used off the site, repair (as conditionally permitted pursuant to Sec. 40 – 543, (7), and/or for the storage of goods or articles produced or used by the occupant of the principal structure.

(10) The home occupation shall not generate sewage of a nature or type that cannot be treated by a standard on-site sewage system, or the municipal sewer system, or hazardous wastes without an approved plan for off-site disposal.

In staffs opinion all of the conditions of Division 13 can be met by the applicant and are reinforced with the recommended conditions of approval. The Rural Residential II District allows the use of accessory structures for the home occupation and recognizes that additional traffic may be brought to the site due to the home occupation.

Next Steps

The City Council will review the Planning Commission's Interim Conditional Use review at the next regularly scheduled meeting.



City Of Wyoming
26885 Forest Blvd., PO Box 188
Wyoming, MN 55092
Phone (651) 462-4947 Fax (651) 462-0576

INTERIM USE PERMIT FOR A HOME OCCUPATION
LAND USE APPLICATION

An Interim Use Permit application requests a conditional use permitted in a particular zoning district, but regulated and controlled through conditions placed upon it by the City Council after review by the Planning Commission.

Applicant/Owner: Name(s) Tong Vang
Address 24803 Kettle River Blvd
City Forest Lake State MN Zip 55025
Work and home phone numbers 612-839-6213 Email TongVang9908@gmail.com
Legal description of property: Residential
Property Identification Number: R.21 Present zoning of property: Residential
Present use of property: Residential
Proposed Home Occupation: Slaughter House / Livestock & Meat Processing
On what date, or upon what event, would the applicant desire the interim use to expire? 1 / 1 / 2027

This application and the following attachments must be submitted to be considered a complete application:

1. A detailed site plan showing the following information from Sec. 40 - 111, 5, (a - k):
 - a. Site plan drawn at scale showing parcel and building dimensions and their square footages.
 - b. Curb cuts, driveways, access roads, parking spaces and off-street loading areas.
 - c. Type of business or activity and proposed number of employees.
 - d. Proposed floor plan of any building and use indicated.
 - e. A location map showing the general location of the proposed use within the City and showing all principal land uses within 250 feet of the parcel for which application is being made.
 - f. Any other information deemed necessary by the Zoning Administrator or Planning Commission.
2. A letter explaining the proposed home occupation and how it will be operated.
3. A completed Home Occupation Worksheet.
4. A completed Conditional / Interim Use Permit Worksheet.
5. The application fee and escrow must be paid at the time of application. The fee is not refundable. The unused portion of the escrow will be returned to the applicant.
6. Any other information deemed necessary by the Zoning Administrator or Planning Commission. (An application for a property in a Shoreland District must include a valid Septic System Certificate of Compliance)

* Signature of applicant(s) Tong Vang Kathy Vang Date 4/17/2023

As the applicant for this request, I agree to reimburse the City for all expenses incurred by the City in employing planning, engineering, legal, and other professional consultants in reviewing this application. This may include the replenishment of any escrow funds as required as part of this application. Such costs shall be paid by me, the applicant, regardless of the outcome of the review and prior to commencing any work on the project. All of Article V, Division 6, Conditional Use Permits, and Article VII, Division 13, Home Occupations are attached to this application and by signing this application, the Applicant acknowledges that they have been read and understood.

A public hearing can be scheduled only after a **complete** application has been received.

Application # I-23-002 OFFICE USE ONLY Date Application Received 4/17/23
Date Complete Application Received 4/21/23 60 Days 6/20/23 By: [Signature]
Official
Fee \$220.00 + Escrow \$750.00 Date Paid 4/17/23 Check # ✓

Home Occupation Worksheet

Applicant: Tong Vang
Address: 24803 Kettle River Blvd, Forest Lake, MN 55025
Type of Business: Slaughter house / Livestock & Meat Processing
Business name: _____

Answer the following questions based on the standards contained in Article VII, Division 13, of the City of Wyoming Zoning Ordinance for home occupations. If needed, use a separate page. All questions must be answered.

Sec. 40 – 543, Performance Standards; Items 1-10:

All home occupations shall conform to the following standards:

1. *Conduct of the home occupation does not require alterations to the exterior of the residence which substantially alters the appearance of the dwelling as a residence.*
Are any alterations to the exterior of the home proposed? No
If yes, what is proposed? _____
2. *Only those persons residing in the home and one other person may be employed on the site or report to the site on any one day.*
How many employees will the business have? 1
3. *Signage consists of no more than one (1) single or double-faced sign with a maximum area of nine (9) square feet per side in the R-1, R-2, R-3, R-4, R-5, R-6 and MXD (residential uses) Districts and sixteen (16) square feet per side in the Agricultural (A) District.*
Are any signs proposed for the business? No
Has a sign permit been applied for? No
4. *No outdoor display of goods.*
Will any goods be displayed outdoors? No
5. *Any additional need for parking generated by the home occupation shall be met by off-street parking. Said parking area shall be limited to three (3) spaces.*
Will there be any off-street parking? No (If yes, show the location of parking on the site plan)
6. *Should the occupation be teaching, classes shall not exceed ten (10) students at any one time.*
Is the business teaching? No
If yes, how many students per class? _____
7. *Should the home occupation be repair, the items repaired shall be of a size or nature that repair can occur within the home, or an accessory structure to the principal use as allowed by this Ordinance.*
Is the business repair? No
If yes, where will the items be repaired? _____
8. *No outside storage is permitted.*
Where will items be stored? Inside slaughter house / occupational building
9. *An accessory structure may be utilized in conjunction with the home occupation only for the purpose of holding equipment used off the site, repair (as conditionally permitted pursuant to Sec. 40 – 543, (7), and/or for the storage of goods or articles produced or used by the occupant of the principle structure.*
Will an accessory building be used for the business? Yes
If yes, what will the building be used for? Storage
10. *The home occupation shall not generate sewage of a nature or type that cannot be treated by a standard on-site sewage system, or the municipal sewer system, or hazardous wastes without an approved plan for off site disposal.*
Will the business generate sewage that cannot be treated? _____
Will hazardous wastes be generated? _____ (If yes, attach plan for off site disposal)

Application # _____

Conditional / Interim Use Permit Worksheet

Applicant: Tung Vang
Address: 24803 Kettle River Blvd, Forest Lake, MN 55025
Type of Business: slaughter House / livestock & meat processing
Business name: _____

Answer the following questions based on the standards contained in Sec. 40 – 112 of the City of Wyoming Zoning Ordinance for Conditional and Interim Use Permits. If needed use a separate page. All questions must be answered.

- 1) Is your proposed use in conformity with the Comprehensive Plan and development policies of the City?
Yes Explain: _____
- 2) Will your proposed use create an excessive demand on existing parks, schools, streets and other public facilities and utilities which serve or are proposed to serve the area?
No Explain: _____
- 3) Will your proposed use be sufficiently compatible or separated by distance or screening from adjacent development or land so that existing development will not be depreciated in value and so there will be no deterrence to development of vacant land?
Yes Explain: _____
- 4) Will the structure and site have an appearance that will not have an adverse effect upon adjacent properties?
No Explain: _____
- 5) Is the proposed use reasonably related to the overall needs of the City and to the existing land use?
Yes Explain: _____
- 6) Will the proposed use be consistent with the purpose of the Zoning Ordinance and other City Ordinances?
Yes Explain: _____
- 7) Will the proposed use be located, designed, maintained, and operated to be compatible with the existing or intended character of the zoning district in which it is to be located?
Yes Explain: _____
- 8) Will the proposed use generate only minimal vehicular traffic on local streets?
Yes Explain: _____
- 9) Will the proposed use create traffic hazards or unsafe access or parking needs?
No Explain: _____
- 10) Will existing businesses nearby be adversely affected by your proposed use because of the curtailment of customer trade brought about by intrusion of noise, glare, or general unsightliness?
No Explain: _____
- 11) Will the establishment or maintenance of the proposed use be detrimental to the public health, safety or general welfare?
No Explain: _____
- 12) Will the proposed use be hazardous, detrimental, or disturbing to present and potential surrounding land uses due to water pollution, odor, fumes, general unsightliness or other nuisances?
Yes Explain: potential odor and fumes from livestock
- 13) How will the proposed use preserve and incorporate the site's important natural and scenic features into the development design?
Yes Explain: _____
- 14) Will the proposed use cause adverse environmental effects?
No Explain: _____

Chicken Livestocks and Delivery
24803 Kettle River Blvd N
Forest Lake, MN 55025

To Whom It May concern:

This business consists of storing, butchering, preparing and delivering chicken livestock. The business will be set up in an accessory building approximately 15 feet away from the main residential home. All appropriate actions will be taken to ensure the safety of residents and customers, while maintaining a clean environment.

The chicken livestock will be transported from our supplier(s) directly to the chicken coop or storage area, where they will be temporarily stored and fed. The chickens will be butchered in a separate accessory building with the use of certain equipment, such as carts, crates, chicken feather plucker, water hose, etc will be used for this process. A septic tank will be installed next to this building to ensure all water waste will be drained into this tank to prevent contamination of the environment. All other wastes such as feathers and intestines will be kept frozen in the freezer until thrown away. We have a third party dumpster company that provides this service 2 times a week to ensure all waste and trash are disposed of in a timely manner.

The main objective of this business is to butcher and deliver directly to the customers. This will ensure there will be no high traffic, traffic conjunctions, or disruption and disturbance to the neighborhood.

Steps 1: Transportation

- 70-80 chickens will be picked up from our supplier(s) via truck and attached trailer every Thursday. They will be caged in crates in the trailer while in transit. Once they are transported back to the property, they will be stored in a chicken coop to roam around for the night; they will be fed and watered.

Step 2: Butchering and Processing

- On Friday and Saturday, the chickens will be put into crates and be butchered, cleaned, and processed in a detached garage with a designated septic tank to store all the water waste. Tools and equipment such as knife, water hose, feather plucker, and carts will be used to complete the butchering process. Once butchered, plucked, and clean, then the chickens will be bagged accordingly and be delivered to customers. Local customers will have the option to pick up their chickens, but limited to 1-2 customers a day.

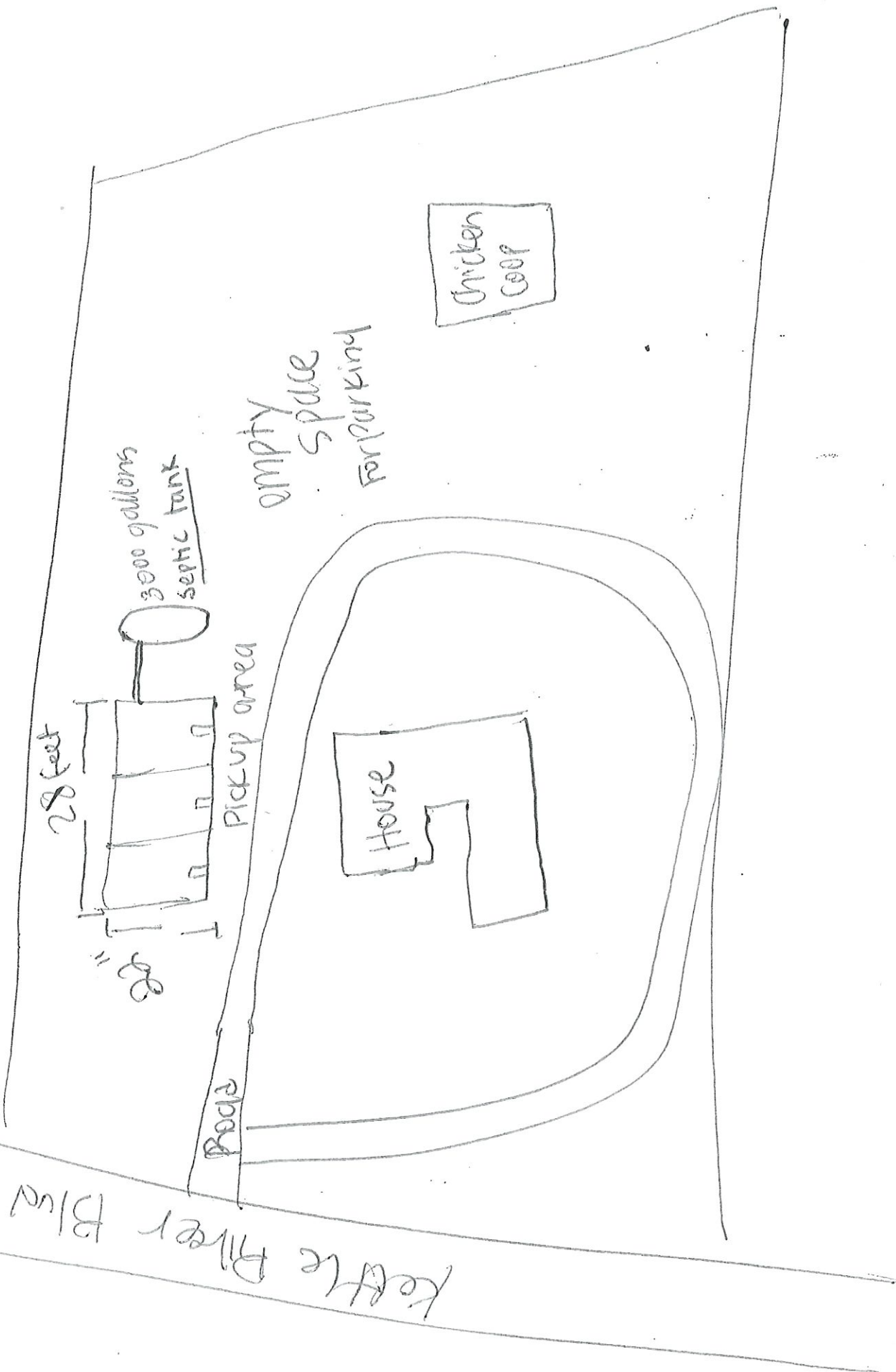
Step 3: Clean up

- Once all delivery is made, the chicken coop will be clean on the same day (Sunday). The soiled bedding will be scrapped from the floor and bagged. Odor eliminators such as Smelleze will be used to reduce the odor with a fresh bedding. Other wastes such as plucked feathers and unwanted intestines will be bagged and stored in the freezers. On Wednesday and Friday, the frozen waste will be thrown away in the dumpster, where it'll be picked up by the dumpster company. The butchering trailer will also be clean and sanitized along with all the used equipment. They will wash in hot water with antibacterial detergent or with a sanitary solution of bleach and water. The equipment will be stored in a separate, designated area in the trailer to dry.

Sincerely,

Kathy X. Vang

Kathy X. Vang
651-202-1536



CERTIFICATE OF SURVEY

Phone 464-3130

DON C. HULT
Minn. Reg. No. 6617
Wis. Reg. No. 5950

MAILING ADDRESS:
P.O. Box 37
Forest Lake, MN. 55025

HULT & ASSOCIATES, INC.

Land Surveyors

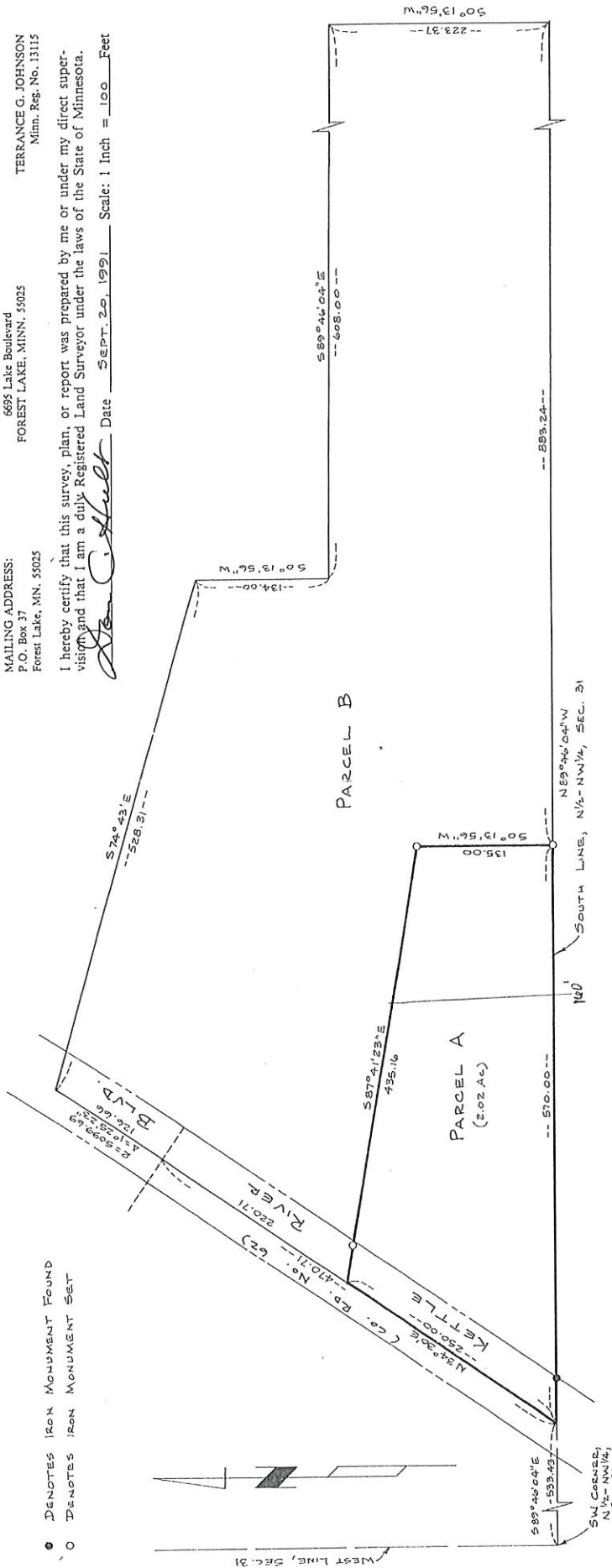
6695 Lake Boulevard
FOREST LAKE, MINN. 55025

DALE F. REBEISEN
Minn. Reg. No. 13590

TERRANCE G. JOHNSON
Minn. Reg. No. 13115

I hereby certify that this survey, plan, or report was prepared by me or under my direct supervision and that I am a duly Registered Land Surveyor under the laws of the State of Minnesota.

Don C. Hult Date SEPT. 20, 1991 Scale: 1 Inch = 100 Feet



PART OF THE N1/2-NW1/4, SEC. 31, T33N, R21W, CHISAGO COUNTY, MINNESOTA

SURVEY FOR: EMILIE WEGLEITNER

LEGAL DESCRIPTIONS ON SEPARATE SHEET

City of Wyoming Ordinance – 1st Revision Strike-through Version

DIVISION 5. ARCHITECTURAL STANDARDS

Sec. 40 – 450. Scope.

The requirements contained within this Division shall apply to all nonresidential structures in the Agricultural, Rural Residential I, Rural Residential II, Single-Family Residential, One- and Two-Family Residential, and Manufactured Home Districts, and all structures in the Multiple Family Dwelling, Central Business, Commercial, Industrial, Office and Health Care, or Mixed-Use Districts.

- (1) Architectural Standards for dwellings are contained in Article VII, Division 6.
- (2) These standards shall not apply to farm structures that are allowed as a permitted use in the Agricultural District.

Sec. 40 – 451. Architectural standards.

These standards are intended to ensure coordinated design of new and existing building exteriors, including additions and accessory structures, in order to ~~prevent visual disharmony~~ provide visual harmony; ~~minimize adverse impacts on adjacent properties from buildings which detract from the~~ enhance the character and appearance of the district that the building is located in; and ~~to~~ aid in improving the overall economic viability of the district.

These standards are ~~further~~ intended to prevent use of materials that are unsightly, subject to rapid deterioration or which contribute to depreciation of property values or cause urban blight.

It is not the intent of this Division to unduly restrict design freedom when reviewing and approving project architecture in relationship to the proposed land use, site characteristics, and interior building layout. While the City of Wyoming has not established a theme or particular style of architecture that must be adhered to, a general goal of creating a small city atmosphere is desired within the Central Business District.

- (1) Preliminary Meeting with Staff. Any applicant may request a meeting with City staff prior to Planning Commission and City Council review to determine general compliance with the code.
- (2) Architectural plans shall be prepared by an architect or other qualified person (as determined by the Zoning Administrator) and shall show the following:
 - (a) Elevations of all sides of the building.
 - (b) Type and color of exterior building materials.
 - (c) Typical floor plans.
 - (d) Dimensions of all structures.
 - (e) The location of trash containers and of exterior electrical, heating, ventilation, and air conditioning equipment.
 - (f) Utility plans including water, sanitary sewer, and storm sewer.
 - (g) Additional plans deemed necessary by the Zoning Administrator.
- (3) Exterior building materials shall be subject to Planning Commission approval and the following:
 - (a) Commercial structures must provide a cohesive architectural appearance reflecting its functional purpose. ~~and must be composed of at least sixty-five percent (65%) Class I materials; not more than thirty-five percent (35%) percent Class II or Class III materials.~~
 - (b) Garish or bright accent colors for awnings, trim, banding, walls, entries or any portion of the building shall be minimized, but in no case shall such coloring exceed five percent (5%) of each wall area.
 - (c) The overall architectural character shall have a consistent architectural expression on all sides of the building and be compatible with its surroundings.
 - (d) Windows or simulated windows shall be used on the ground level of any wall parallel to or nearly parallel to a street.
 - (e) All façade treatments shall be maintained so as to not be unsightly in appearance or in a state of disrepair, nor shall harmful health or safety conditions be present for the life of the project.
 - (f) All structures, including parking ramps shall be designed to be architecturally integrated into the overall site and be made of comparable materials and decorative elements.
- (4) **Roofing:**
 - (a) Exposed roof materials shall be similar to, or an architectural equivalent of a high quality asphalt shingle (300# or better), wood shingle, standing seam metal roof, or better.
- (5) **Prohibited Exterior Materials:**

- (a) Vinyl Siding.
- (b) Metal Siding.
- (c) Formed Metal Panels with exposed fasteners.
- (d) Pre-engineered post-frame structures with agricultural grade metal wall and roof panels, commonly called "pole barns" are not permitted.

(6) **Exceptions:**

The following exceptions to the exterior building material requirements may apply:

- (a) The use is an essential service as defined by this Division; or
- (b) The applicant shall have the burden of demonstrating that:
 - 1. The proposed building maintains the quality in design and materials intended by this Division,
 - 2. The proposed building design and materials are compatible and in harmony with other structures within the district that were constructed after February 2, 1998,
 - 3. The justification for deviation from the requirements of this section Division shall not be based on economic considerations.

Sec. 40 - 452. R-6 Medium and High Density Housing District, and all nonresidential structures in the R-1, R-2, R-3, R-4, R-5, and A Districts

- (1) Acceptable exterior materials are divided into Class 1, Class 2, and Class 3 categories as presented in the table below. Facades facing public right-of-way or a residential district must be composed of at least 65 percent of Class 1 or 2 materials, with Class 1 materials comprising at least 25 percent of the total façade. Side and rear facades not visible from public right-of-way or residential districts may use any combination of Class 1, 2, or 3. Sides of a building which are not visible from any public road may use any combination of Class I, II, or III materials, if approved by the Planning Commission and City Council. The applicant must be able to demonstrate that said side of building is not visible from any public road.

CLASS I	CLASS II	CLASS III
Brick, Natural stone (or similar appearing, high quality manufactured stone), Natural wood, provided that the surfaces are finished for exterior use or the wood is of proven durability for exterior use, such as cedar, redwood or cypress, Glass curtain wall, Copper, Other comparable or superior materials, New materials that meet the intent of the preamble above.	Specialty concrete block such as burnished, textured or rock face, Architecturally precast concrete panels having an exposed aggregate, light sandblast, acid etch, form liner, smooth as cast, tooled, natural stone veneer, brick face and/or cast stone type finish, Masonry stucco, Fiber-cement exterior siding, Other comparable or superior materials, New materials that meet the intent of the preamble above.	Exterior finish installation system (EIFS), Opaque panels, Ornamental metal, Smooth concrete block, Scored concrete block, Smooth concrete tilt-up panels, Glazed block, Glass block, Ceramic Other comparable or superior materials, New materials that meet the intent of the preamble above.

- (2) Buildings may be constructed primarily of one (1) specific Class I material provided that the design fits the purpose of the building and is obviously superior to the general intent of this Division to provide visual interest, variation in detailing, and eliminate long wall sections without windows.
- (3) A distinctly different color of brick may be considered as a second Class I material, however, minor blended color combinations shall not be considered as a separate material.
- (4) Garage doors, window trim, flashing, accent items, and the like, shall not constitute required materials that make up the exterior finish of a building for the purposes of this section.

Sec. 40 - 453. Central Business District (CBD)

- (1) Acceptable exterior materials are divided into Class 1, Class 2, and Class 3 categories as presented in the table below. Facades facing public right-of-way or a residential district must be composed of at least 65 percent of Class 1 or 2 materials, with Class 1 materials comprising at least 25 percent of the total façade. Side and rear facades not visible from public right-of-way or residential districts may use any combination of Class 1, 2, or 3. Sides of a building which are not visible from any public road may use any combination of Class I, II, or III materials, if approved by the Planning Commission and City Council. The applicant must be able to demonstrate that said side of building is not visible from any public road.

CLASS I	CLASS II	CLASS III
Brick, Natural stone (or similar appearing, high quality manufactured stone), Natural wood, provided that the surfaces are finished for exterior use or the wood is of proven durability for exterior use, such as cedar, redwood or cypress, Glass curtain wall, Copper, Other comparable or superior materials, New materials that meet the intent of the preamble above.	Specialty concrete block such as burnished, textured or rock face, Architecturally precast concrete panels having an exposed aggregate, light sandblast, acid etch, form liner, smooth as cast, tooled, natural stone veneer, brick face and/or cast stone type finish, Masonry stucco, Fiber-cement exterior siding, Other comparable or superior materials, New materials that meet the intent of the preamble above.	Exterior finish installation system (EIFS), Opaque panels, Ornamental metal, Smooth concrete block, Scored concrete block, Smooth concrete tilt-up panels, Glazed block, Glass block, Ceramic Other comparable or superior materials, New materials that meet the intent of the preamble above.

- (2) Buildings may be constructed primarily of one (1) specific Class I material provided that the design fits the purpose of the building and is obviously superior to the general intent of this Division to provide visual interest, variation in detailing, and eliminate long wall sections without windows.
- (3) A distinctly different color of brick may be considered as a second Class I material, however, minor blended color combinations shall not be considered as a separate material.
- (4) Garage doors, window trim, flashing, accent items, and the like, shall not constitute required materials that make up the exterior finish of a building for the purposes of this section.

Sec. 40 - 454. Commercial District (C)

- (1) Acceptable exterior materials are divided into Class 1, Class 2, and Class 3 categories as presented in the table below. Facades facing public right-of-way or residential district must be composed of at least 65 percent of Class 1 or 2 materials, with Class 1 materials comprising at least 25 percent of the total façade. Side and rear facades not visible from public right-of-way or residential districts may use any combination of Class 1, 2, or 3. Sides of a building which are not visible from any public road may use any combination of Class I, II, or III materials, if approved by the Planning Commission and City Council. The applicant must be able to demonstrate that said side of building is not visible from any public road.

CLASS I	CLASS II	CLASS III
Brick, Natural stone (or similar appearing, high quality manufactured stone), Natural wood, provided that the surfaces are finished for exterior use or the wood is of proven durability for exterior use, such as cedar, redwood or cypress, Glass curtain wall, Copper, Other comparable or superior materials, New materials that meet the intent of the preamble above.	Specialty concrete block such as burnished, textured or rock face, Architecturally precast concrete panels having an exposed aggregate, light sandblast, acid etch, form liner, smooth as cast, tooled, natural stone veneer, brick face and/or cast stone type finish, Masonry stucco, Fiber-cement exterior siding, Other comparable or superior materials, New materials that meet the intent of the preamble above.	Exterior finish installation system (EIFS), Opaque panels, Ornamental metal, Smooth concrete block, Scored concrete block, Smooth concrete tilt-up panels, Glazed block, Glass block, Ceramic Other comparable or superior materials, New materials that meet the intent of the preamble above.

- (2) Buildings may be constructed primarily of one (1) specific Class I material provided that the design fits the purpose of the building and is obviously superior to the general intent of this Division to provide visual interest, variation in detailing, and eliminate long wall sections without windows.
- (3) A distinctly different color of brick may be considered as a second Class I material, however, minor blended color combinations shall not be considered as a separate material.
- (4) Garage doors, window trim, flashing, accent items, and the like, shall not constitute required materials that make up the exterior finish of a building for the purposes of this section.

Sec. 40 - 455. Office and Health Care District (OHC)

- (1) Acceptable exterior materials are divided into Class 1, Class 2, and Class 3 categories as presented in the table below. Facades facing public right-of-way or a residential district must be composed of at least 65 percent of Class 1 or 2 materials, with Class 1 materials comprising at least 25 percent of the total façade. Side and rear facades not visible from public right-of-way or residential districts may use any combination of Class 1, 2, or 3. Sides of a building which are not visible from any public road may use any combination of Class I, II, or III materials, if approved by the Planning Commission and City Council. The applicant must be able to demonstrate that said side of building is not visible from any public road.

CLASS I	CLASS II	CLASS III
Brick, Natural stone (or similar appearing, high quality manufactured stone), Natural wood, provided that the surfaces are finished for exterior use or the wood is of proven durability for exterior use, such as cedar, redwood or cypress, Glass curtain wall, Copper, Other comparable or superior materials, New materials that meet the intent of the preamble above.	Specialty concrete block such as burnished, textured or rock face, Architecturally precast concrete panels having an exposed aggregate, light sandblast, acid etch, form liner, smooth as cast, tooled, natural stone veneer, brick face and/or cast stone type finish, Masonry stucco, Fiber-cement exterior siding, Other comparable or superior materials, New materials that meet the intent of the preamble above.	Exterior finish installation system (EIFS), Opaque panels, Ornamental metal, Smooth concrete block, Scored concrete block, Smooth concrete tilt-up panels, Glazed block, Glass block, Ceramic Other comparable or superior materials, New materials that meet the intent of the preamble above.

- (2) Buildings may be constructed primarily of one (1) specific Class I material provided that the design fits the purpose of the building and is obviously superior to the general intent of this Division to provide visual interest, variation in detailing, and eliminate long wall sections without windows.
- (3) A distinctly different color of brick may be considered as a second Class I material, however, minor blended color combinations shall not be considered as a separate material.
- (4) Garage doors, window trim, flashing, accent items, and the like, shall not constitute required materials that make up the exterior finish of a building for the purposes of this section.

Sec. 40 - 456. Mixed Use District (MXD)

- (1) Acceptable exterior materials are divided into Class 1, Class 2, and Class 3 categories as presented in the table below. Facades facing public right-of-way or a residential district must be composed of at least 65 percent of Class 1 or 2 materials, with Class 1 materials comprising at least 25 percent of the total façade. Side and rear facades not visible from public right-of-way or residential districts may use any combination of Class 1, 2, or 3. Sides of a building which are not visible from any public road may use any combination of Class I, II, or III materials, if approved by the Planning Commission and City Council. The applicant must be able to demonstrate that said side of building is not visible from any public road.

CLASS I	CLASS II	CLASS III
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- (2) Buildings may be constructed primarily of one (1) specific Class I material provided that the design fits the purpose of the building and is obviously superior to the general intent of this Division to provide visual interest, variation in detailing, and eliminate long wall sections without windows.
- (3) A distinctly different color of brick may be considered as a second Class I material, however, minor blended color combinations shall not be considered as a separate material.
- (4) Garage doors, window trim, flashing, accent items, and the like, shall not constitute required materials that make up the exterior finish of a building for the purposes of this section.

Sec. 40 - 457. Industrial District (I)

- (1) Acceptable exterior materials are divided into Class 1, Class 2, and Class 3 categories as presented in the table below. Facades facing public right-of-way or a residential district must be composed of at least 65 percent of Class 1 or 2 materials, with Class 1 materials comprising at least 25 percent of the total façade. Side and rear facades not visible from public right-of-way or residential districts may use any combination of Class 1, 2, or 3. Sides of a building which are not visible from any public road may use any combination of Class I, II, or III materials, if approved by the Planning Commission and City Council. The applicant must be able to demonstrate that said side of building is not visible from any public road.

CLASS I	CLASS II	CLASS III
Brick, Natural stone (or similar appearing, high quality manufactured stone), Natural wood, provided that the surfaces are finished for exterior use or the wood is of proven durability for exterior use, such as cedar, redwood or cypress, Glass curtain wall, Copper, Other comparable or superior materials, New materials that meet the intent of the preamble above.	Specialty concrete block such as burnished, textured or rock face, Architecturally precast concrete panels having an exposed aggregate, light sandblast, acid etch, form liner, smooth as cast, tooled, natural stone veneer, brick face and/or cast stone type finish, Masonry stucco, Fiber-cement exterior siding, Other comparable or superior materials, New materials that meet the intent of the preamble above.	Exterior finish installation system (EIFS), Opaque panels, Ornamental metal, Smooth concrete block, Scored concrete block, Smooth concrete tilt-up panels, Glazed block, Glass block, Ceramic Other comparable or superior materials, New materials that meet the intent of the preamble above.

- (2) Buildings may be constructed primarily of one (1) specific Class I material provided that the design fits the purpose of the building and is obviously superior to the general intent of this Division to provide visual interest, variation in detailing, and eliminate long wall sections without windows.
- (3) A distinctly different color of brick may be considered as a second Class I material, however, minor blended color combinations shall not be considered as a separate material.
- (4) Garage doors, window trim, flashing, accent items, and the like, shall not constitute required materials that make up the exterior finish of a building for the purposes of this section.
- (5) Buildings in the Industrial District must have the lower seventy-five percent (75%) of all exterior wall surfaces be at least one or a combination of Class I, II, or III materials. The remaining twenty-five percent (25%) of the building may be any material subject to final approval by the Planning Commission and City Council.

Sec. 40 - 458. Additions and Repairs to Existing Buildings

- (1) Nonconforming buildings existing as of February 2, 1998 and allowed under Article VII, Division 22, shall not be prohibited by this Division; however, additions to or enlargements of such structures or repairs or restorations for damage or destruction of the structure as described in Sec. 40 – 651, (5) shall be done in compliance with this Division.
- (2) All subsequent additions and accessory buildings constructed after the erection of the original building or buildings shall be reviewed by the Planning Commission.

City of Wyoming Ordinance – 1st Revision Clean Version

DIVISION 5. ARCHITECTURAL STANDARDS

Sec. 40 – 450. Scope.

The requirements contained within this Division shall apply to all nonresidential structures in the Agricultural, Rural Residential I, Rural Residential II, Single-Family Residential, One- and Two-Family Residential, and Manufactured Home Districts, and all structures in the Multiple Family Dwelling, Central Business, Commercial, Industrial, Office and Health Care, or Mixed-Use Districts.

- (1) Architectural Standards for dwellings are contained in Article VII, Division 6.
- (2) These standards shall not apply to farm structures that are allowed as a permitted use in the Agricultural District.

Sec. 40 – 451. Architectural standards.

These standards are intended to ensure coordinated design of new and existing building exteriors, including additions and accessory structures, in order to provide visual harmony; enhance the character and appearance of the district that the building is located in; and to aid in improving the overall economic viability of the district. These standards are intended to prevent the use of materials that are unsightly, subject to rapid deterioration or which contribute to depreciation of property values or cause urban blight. It is not the intent of this Division to unduly restrict design freedom when reviewing and approving project architecture in relationship to the proposed land use, site characteristics, and interior building layout. While the City of Wyoming has not established a theme or particular style of architecture that must be adhered to, a general goal of creating a small city atmosphere is desired within the Central Business District.

- (1) Preliminary Meeting with Staff. Any applicant may request a meeting with City staff prior to Planning Commission and City Council review to determine general compliance with the code.
- (2) Architectural plans shall be prepared by an architect or other qualified person (as determined by the Zoning Administrator) and shall show the following:
 - (a) Elevations of all sides of the building.
 - (b) Type and color of exterior building materials.
 - (c) Typical floor plans.
 - (d) Dimensions of all structures.
 - (e) The location of trash containers and of exterior electrical, heating, ventilation, and air conditioning equipment.
 - (f) Utility plans including water, sanitary sewer, and storm sewer.
 - (g) Additional plans deemed necessary by the Zoning Administrator.
- (3) Exterior building materials shall be subject to Planning Commission approval and the following:
 - (a) Commercial structures must provide a cohesive architectural appearance reflecting its functional purpose.
 - (b) Garish or bright accent colors for awnings, trim, banding, walls, entries or any portion of the building shall be minimized, but in no case shall such coloring exceed five percent (5%) of each wall area.
 - (c) The overall architectural character shall have a consistent architectural expression on all sides of the building and be compatible with its surroundings.
 - (d) Windows or simulated windows shall be used on the ground level of any wall parallel to or nearly parallel to a street.
 - (e) All façade treatments shall be maintained so as to not be unsightly in appearance or in a state of disrepair, nor shall harmful health or safety conditions be present for the life of the project.
 - (f) All structures, including parking ramps shall be designed to be architecturally integrated into the overall site and be made of comparable materials and decorative elements.
- (4) **Roofing:**
 - (a) Exposed roof materials shall be similar to, or an architectural equivalent of a high quality asphalt shingle (300# or better), wood shingle, standing seam metal roof, or better.

(5) **Prohibited Exterior Materials:**

- (a) Vinyl Siding.
- (b) Metal Siding.
- (c) Formed Metal Panels with exposed fasteners.
- (d) Pre-engineered post-frame structures with agricultural grade metal wall and roof panels, commonly called "pole barns" are not permitted.

(6) **Exceptions:**

The following exceptions to the exterior building material requirements may apply:

- (a) The use is an essential service as defined by this Division; or
- (b) The applicant shall have the burden of demonstrating that:
 - 1. The proposed building maintains the quality in design and materials intended by this Division,
 - 2. The proposed building design and materials are compatible and in harmony with other structures within the district that were constructed after February 2, 1998,
 - 3. The justification for deviation from the requirements of this section Division shall not be based on economic considerations.

Sec. 40 - 452. R-6 Medium and High Density Housing District, and all nonresidential structures in the R-1, R-2, R-3, R-4, R-5, and A Districts

- (1) Acceptable exterior materials are divided into Class 1, Class 2, and Class 3 categories as presented in the table below. Facades facing public right-of-way or a residential district must be composed of at least 65 percent of Class 1 or 2 materials, with Class 1 materials comprising at least 25 percent of the total façade. Side and rear facades not visible from public right-of-way or residential districts may use any combination of Class 1, 2, or 3.

CLASS I	CLASS II	CLASS III
Brick, Natural stone (or similar appearing, high quality manufactured stone), Natural wood, provided that the surfaces are finished for exterior use or the wood is of proven durability for exterior use, such as cedar, redwood or cypress, Glass curtain wall, Copper, Other comparable or superior materials, New materials that meet the intent of the preamble above.	Specialty concrete block such as burnished, textured or rock face, Architecturally precast concrete panels having an exposed aggregate, light sandblast, acid etch, form liner, smooth as cast, tooled, natural stone veneer, brick face and/or cast stone type finish, Masonry stucco, Fiber-cement exterior siding, Other comparable or superior materials, New materials that meet the intent of the preamble above.	Exterior finish installation system (EIFS), Opaque panels, Ornamental metal, Smooth concrete block, Scored concrete block, Smooth concrete tilt-up panels, Glazed block, Glass block, Ceramic Other comparable or superior materials, New materials that meet the intent of the preamble above.

- (2) Buildings may be constructed primarily of one (1) specific Class I material provided that the design fits the purpose of the building and is obviously superior to the general intent of this Division to provide visual interest, variation in detailing, and eliminate long wall sections without windows.
- (3) A distinctly different color of brick may be considered as a second Class I material, however, minor blended color combinations shall not be considered as a separate material.
- (4) Garage doors, window trim, flashing, accent items, and the like, shall not constitute required materials that make up the exterior finish of a building for the purposes of this section.

Sec. 40 - 453. Central Business District (CBD)

- (1) Acceptable exterior materials are divided into Class 1, Class 2, and Class 3 categories as presented in the table below. Facades facing public right-of-way or a residential district must be composed of at least 65 percent of Class 1 or 2 materials, with Class 1 materials comprising at least 25 percent of the total façade. Side and rear facades not visible from public right-of-way or residential districts may use any combination of Class 1, 2, or 3.

CLASS I	CLASS II	CLASS III
Brick, Natural stone (or similar appearing, high quality manufactured stone), Natural wood, provided that the surfaces are finished for exterior use or the wood is of proven durability for exterior use, such as cedar, redwood or cypress, Glass curtain wall, Copper, Other comparable or superior materials, New materials that meet the intent of the preamble above.	Specialty concrete block such as burnished, textured or rock face, Architecturally precast concrete panels having an exposed aggregate, light sandblast, acid etch, form liner, smooth as cast, tooled, natural stone veneer, brick face and/or cast stone type finish, Masonry stucco, Fiber-cement exterior siding, Other comparable or superior materials, New materials that meet the intent of the preamble above.	Exterior finish installation system (EIFS), Opaque panels, Ornamental metal, Smooth concrete block, Scored concrete block, Smooth concrete tilt-up panels, Glazed block, Glass block, Ceramic Other comparable or superior materials, New materials that meet the intent of the preamble above.

- (2) Buildings may be constructed primarily of one (1) specific Class I material provided that the design fits the purpose of the building and is obviously superior to the general intent of this Division to provide visual interest, variation in detailing, and eliminate long wall sections without windows.
- (3) A distinctly different color of brick may be considered as a second Class I material, however, minor blended color combinations shall not be considered as a separate material.
- (4) Garage doors, window trim, flashing, accent items, and the like, shall not constitute required materials that make up the exterior finish of a building for the purposes of this section.

Sec. 40 - 454. Commercial District (C)

- (1) Acceptable exterior materials are divided into Class 1, Class 2, and Class 3 categories as presented in the table below. Facades facing public right-of-way or residential district must be composed of at least 65 percent of Class 1 or 2 materials, with Class 1 materials comprising at least 25 percent of the total façade. Side and rear facades not visible from public right-of-way or residential districts may use any combination of Class 1, 2, or 3.

CLASS I	CLASS II	CLASS III
Brick, Natural stone (or similar appearing, high quality manufactured stone), Natural wood, provided that the surfaces are finished for exterior use or the wood is of proven durability for exterior use, such as cedar, redwood or cypress, Glass curtain wall, Copper, Other comparable or superior materials, New materials that meet the intent of the preamble above.	Specialty concrete block such as burnished, textured or rock face, Architecturally precast concrete panels having an exposed aggregate, light sandblast, acid etch, form liner, smooth as cast, tooled, natural stone veneer, brick face and/or cast stone type finish, Masonry stucco, Fiber-cement exterior siding, Other comparable or superior materials, New materials that meet the intent of the preamble above.	Exterior finish installation system (EIFS), Opaque panels, Ornamental metal, Smooth concrete block, Scored concrete block, Smooth concrete tilt-up panels, Glazed block, Glass block, Ceramic Other comparable or superior materials, New materials that meet the intent of the preamble above.

- (2) Buildings may be constructed primarily of one (1) specific Class I material provided that the design fits the purpose of the building and is obviously superior to the general intent of this Division to provide visual interest, variation in detailing, and eliminate long wall sections without windows.
- (3) A distinctly different color of brick may be considered as a second Class I material, however, minor blended color combinations shall not be considered as a separate material.
- (4) Garage doors, window trim, flashing, accent items, and the like, shall not constitute required materials that make up the exterior finish of a building for the purposes of this section.

Sec. 40 - 455. Office and Health Care District (OHC)

- (1) Acceptable exterior materials are divided into Class 1, Class 2, and Class 3 categories as presented in the table below. Facades facing public right-of-way or a residential district must be composed of at least 65 percent of Class 1 or 2 materials, with Class 1 materials comprising at least 25 percent of the total façade. Side and rear facades not visible from public right-of-way or residential districts may use any combination of Class 1, 2, or 3.

CLASS I	CLASS II	CLASS III
Brick, Natural stone (or similar appearing, high quality manufactured stone), Natural wood, provided that the surfaces are finished for exterior use or the wood is of proven durability for exterior use, such as cedar, redwood or cypress, Glass curtain wall, Copper, Other comparable or superior materials, New materials that meet the intent of the preamble above.	Specialty concrete block such as burnished, textured or rock face, Architecturally precast concrete panels having an exposed aggregate, light sandblast, acid etch, form liner, smooth as cast, tooled, natural stone veneer, brick face and/or cast stone type finish, Masonry stucco, Fiber-cement exterior siding, Other comparable or superior materials, New materials that meet the intent of the preamble above.	Exterior finish installation system (EIFS), Opaque panels, Ornamental metal, Smooth concrete block, Scored concrete block, Smooth concrete tilt-up panels, Glazed block, Glass block, Ceramic Other comparable or superior materials, New materials that meet the intent of the preamble above.

- (2) Buildings may be constructed primarily of one (1) specific Class I material provided that the design fits the purpose of the building and is obviously superior to the general intent of this Division to provide visual interest, variation in detailing, and eliminate long wall sections without windows.
- (3) A distinctly different color of brick may be considered as a second Class I material, however, minor blended color combinations shall not be considered as a separate material.
- (4) Garage doors, window trim, flashing, accent items, and the like, shall not constitute required materials that make up the exterior finish of a building for the purposes of this section.

Sec. 40 - 456. Mixed Use District (MXD)

- (1) Acceptable exterior materials are divided into Class 1, Class 2, and Class 3 categories as presented in the table below. Facades facing public right-of-way or a residential district must be composed of at least 65 percent of Class 1 or 2 materials, with Class 1 materials comprising at least 25 percent of the total façade. Side and rear facades not visible from public right-of-way or residential districts may use any combination of Class 1, 2, or 3.

CLASS I	CLASS II	CLASS III
Brick, Natural stone (or similar appearing, high quality manufactured stone), Natural wood, provided that the surfaces are finished for exterior use or the wood is of proven durability for exterior use, such as cedar, redwood or cypress, Glass curtain wall, Copper, Other comparable or superior materials, New materials that meet the intent of the preamble above.	Specialty concrete block such as burnished, textured or rock face, Architecturally precast concrete panels having an exposed aggregate, light sandblast, acid etch, form liner, smooth as cast, tooled, natural stone veneer, brick face and/or cast stone type finish, Masonry stucco, Fiber-cement exterior siding, Other comparable or superior materials, New materials that meet the intent of the preamble above.	Exterior finish installation system (EIFS), Opaque panels, Ornamental metal, Smooth concrete block, Scored concrete block, Smooth concrete tilt-up panels, Glazed block, Glass block, Ceramic Other comparable or superior materials, New materials that meet the intent of the preamble above.

- (2) Buildings may be constructed primarily of one (1) specific Class I material provided that the design fits the purpose of the building and is obviously superior to the general intent of this Division to provide visual interest, variation in detailing, and eliminate long wall sections without windows.

- (3) A distinctly different color of brick may be considered as a second Class I material, however, minor blended color combinations shall not be considered as a separate material.
- (4) Garage doors, window trim, flashing, accent items, and the like, shall not constitute required materials that make up the exterior finish of a building for the purposes of this section.

Sec. 40 - 457. Industrial District (I)

- (1) Acceptable exterior materials are divided into Class 1, Class 2, and Class 3 categories as presented in the table below. Facades facing public right-of-way or a residential district must be composed of at least 65 percent of Class 1 or 2 materials, with Class 1 materials comprising at least 25 percent of the total façade. Side and rear facades not visible from public right-of-way or residential districts may use any combination of Class 1, 2, or 3.

CLASS I	CLASS II	CLASS III
Brick, Natural stone (or similar appearing, high quality manufactured stone), Natural wood, provided that the surfaces are finished for exterior use or the wood is of proven durability for exterior use, such as cedar, redwood or cypress, Glass curtain wall, Copper, Other comparable or superior materials, New materials that meet the intent of the preamble above.	Specialty concrete block such as burnished, textured or rock face, Architecturally precast concrete panels having an exposed aggregate, light sandblast, acid etch, form liner, smooth as cast, tooled, natural stone veneer, brick face and/or cast stone type finish, Masonry stucco, Fiber-cement exterior siding, Other comparable or superior materials, New materials that meet the intent of the preamble above.	Exterior finish installation system (EIFS), Opaque panels, Ornamental metal, Smooth concrete block, Scored concrete block, Smooth concrete tilt-up panels, Glazed block, Glass block, Ceramic Other comparable or superior materials, New materials that meet the intent of the preamble above.

- (2) Buildings may be constructed primarily of one (1) specific Class I material provided that the design fits the purpose of the building and is obviously superior to the general intent of this Division to provide visual interest, variation in detailing, and eliminate long wall sections without windows.
- (3) A distinctly different color of brick may be considered as a second Class I material, however, minor blended color combinations shall not be considered as a separate material.
- (4) Garage doors, window trim, flashing, accent items, and the like, shall not constitute required materials that make up the exterior finish of a building for the purposes of this section.
- (5) Buildings in the Industrial District must have the lower seventy-five percent (75%) of all exterior wall surfaces be at least one or a combination of Class I, II, or III materials. The remaining twenty-five percent (25%) of the building may be any material subject to final approval by the Planning Commission and City Council.

Sec. 40 - 458. Additions and Repairs to Existing Buildings

- (1) Nonconforming buildings existing as of February 2, 1998 and allowed under Article VII, Division 22, shall not be prohibited by this Division; however, additions to or enlargements of such structures or repairs or restorations for damage or destruction of the structure as described in Sec. 40 – 651, (5) shall be done in compliance with this Division.
- (2) All subsequent additions and accessory buildings constructed after the erection of the original building or buildings shall be reviewed by the Planning Commission.