

PLANNING COMMISSION
Tuesday, November 12, 2024
7:00 PM

	Page
1. CALL TO ORDER	
2. APPROVAL OF MINUTES	
2.1. Approve Planning Commission Minutes	3 - 8
Approve the minutes from the October 8, 2024 special work session and regular meeting.	
Agenda Item: Approve Planning Commission Minutes - Pdf	
3. PUBLIC HEARINGS	
3.1. Combined Preliminary and Final Plat for Akin Knoll - CONTINUE	9
Continue the public hearing to the December 10th Planning Commission meeting.	
Agenda Item: Combined Preliminary and Final Plat for Akin Knoll - CONTINUE - Pdf	
4. DISCUSSION	
4.1. Final Plat and Final Planned Unit Development - Farmington Technology Park	10 - 37
Recommend approval of the Farmington Technology Park Final Plat and Final Planned Unit Development (Ordinance No. 2024-12) contingent upon the following, and forward that recommendation on to the City Council:	
1. A Development Contract between the developer and City of Farmington shall be executed and security and fees paid. Submission of all other documents required under the Development Contract shall be required.	
Agenda Item: Final Plat and Final Planned Unit Development - Farmington Technology Park - Pdf	
4.2. Cannabis Legislation and Regulations	38 - 43

Review the attached information and provide direction regarding the proposed draft ordinance language.

[Agenda Item: Cannabis Legislation and Regulations - Pdf](#)

5. ADJOURN

PLANNING COMMISSION AGENDA MEMO

To: Planning Commission
From: Tony Wippler, Planning Manager
Department: Planning Commission
Subject: Approve Planning Commission Minutes
Meeting: Planning Commission - Nov 12 2024

INTRODUCTION:

Attached, are the minutes from the October 8, 2024 special work session and regular meeting.

DISCUSSION:

Not applicable

BUDGET IMPACT:

Not applicable

ACTION REQUESTED:

Approve the minutes from the October 8, 2024 special work session and regular meeting.

ATTACHMENTS:

[Work session October Minutes](#)
[October Regular Minutes](#)

CITY OF FARMINGTON
SPECIAL PLANNING COMMISSION WORK SESSION
October 8th, 2024

1. CALL TO ORDER

The meeting was called to order by Chair Rotty at 7:00pm

Members Present: Rotty, Lehto, Tesky, Windschitl, Snobeck

Members Absent: Tesky

Staff Present: Tony Wippler, Planning Manager
Jared Johnson, Planning Coordinator
Leah Koch, City Attorney

Also Present: Rita Trapp, HKGi
Beth Richmond, HKGi

2. DISCUSSION

2.1 Discussion on Cannabis Legislation and Potential Regulations

Planning Manager Wippler introduced Rita Trapp from HKGi to review zoning code for cannabis legislation. Rita presented requirements for locations, guidelines and various components of the 2023 legislation.

- Moratorium expires January 1st, 2025.
- License comes from the state, not the city. Anticipating starting 2025
- Cities cannot ban cannabis or hemp businesses.
 - May have restrictions for zoning districts, minimum spacing, hours of operation, signage, odor, and water usage.
- Must allow a minimum of one retail business per 12,500 residents

Beth Richmond, HKGi, went over specifics of license requirements. OCM has advised to implement guidelines on type of licenses. Discussed the specific uses being assigned to certain zoning districts. Example Manufacturing (cannabis and hemp) in B-3. Following our current business districts.

- Chair Rotty shared his thoughts to start as conservatively as they can to start and evolve as time goes on. Commissioner Windschitl agreed since OCM has made many changes already and will continue to evolve. Commissioner Snobeck asked if conditional use permit will be any different than it is now, as long as zoning is correct, conditional use runs with the land.
- City wanted to get license you could operate as municipal, can restrict other permits to liquor but not cannabis.
- Commissioner Lehto asked if there are any residents in B-3? Planning Manager Wippler stated he is not aware of many homeowners in that district.

Buffers:

- Schools
- Daycares
- Park Attractions

Commission and HKGi representatives presented multiple questions to be reviewed and discussed further at future meetings.

- Chair Rotty questioned the committee's thoughts on HWY 3 corridor and downtown areas being included.
- Commissioner Windschitl asked about just having the park buffer in the downtown no other parts of downtown buffer. Or should they just follow all the buffers.

- Windschitl asked if daycare includes in-home daycare or just daycare centers. Ms. Richmond informed it is just daycare centers.
- Lehto why larger buffer for schools vs. daycare centers. Ms. Richmond thought may be due to ages.
- Commissioner Lehto thought it would be best to build a baseline, and they can take case by case. Ms. Trapp did clarify that once the guidelines are in place you are not able to decline applications if they fall into what was established.
- Chari Rotty asked what City Staff's thoughts are for the buffers, Planning Manager Wippler responded they are in favor of buffers.
- Commissioner Windschitl asked why we have to have all maps with buffers-they clarified it is just a visual.
- Ms. Richmond let them know an option for establishing boundaries is that you can set minimum distance between shops.
- Chair Rotty asked thoughts on Hemp vs Cannabis and how could they limit the stores that can have retail.
- Ms. Richmond shared that currently being open for operation between 2:00am-8:00am is prohibited per the State of Minnesota guidelines.
- Commissioner Snobeck asked what hours are permitted in liquor operation hours, including retail stores and restaurants, and should they be mimicked for selling the different products?
- Commissioner Windschitl asked if other communities have certain restrictions on products for certain hours and how are they enforcing it?

Chair Rotty asked the timeline, Planning Manager Wippler said they would like to have a joint workshop with the City Council to work through together before setting date.

MOTION by Windschitl, second by Lehto to adjourn special planning commission work session.
APIF MOTION CARRIED

Respectfully submitted,

Tony Wippler

Tony Wippler, Planning Manager

CITY OF FARMINGTON

**PLANNING COMMISSION MINUTES
REGULAR MEETING
October 8th, 2024**

1. CALL TO ORDER

The meeting was called to order by Chair Rotty at 7:00pm

Members Present: Rotty, Lehto, Windschitl, Snobeck

Members Absent: Tesky

Staff Present: Tony Wippler, Planning Manager

Jared Johnson, Planning Coordinator

Deanna Kuennen, Community & Economic Development
Director

Leah Koch, City Attorney

2. APPROVAL OF MINUTES

MOTION by Windschitl, second by Lehto to approve minutes of Planning Commission for September 10th, 2024, regular meeting. **APIF, MOTION CARRIED**

3. PUBLIC HEARINGS

Chair Rotty opened all public hearings.

3.1 Variance from City Code Section 10-5-14(B) to construct a commercial daycare at 4640 Knutsen Drive. Planning Coordinator Jared Johnson presented request from Insite Development Services (Applicant), Clough Properties Two (Property Owner), for a front yard setback variance from City Code Section 10-5-14(B) for construction of commercial daycare building. Currently zoned SSMU (Spruce Street Mixed Use), Spruce Street Overlay District.

- Property is 1.37 acres of vacant land, platted as Lot 2, Block 3 of Vermillion River Crossings development
- Applicant looking to develop the site with commercial daycare, which is permitted use in the SSMU district.
- Per City Code Section 10-5-14(B), front yard setback requirement in SSMU district is at least 50% of building front shall be within 20ft of public right of way (Knutsen Drive).
- Requesting variance to have 0% of the building front within 20ft of Knutsen Drive
- Request does not have approval of site plan. Applicant would like to ensure Commission accepts variance before pursuing final site plan approval.
 - Parcel only abuts one street and is moderately narrow. Placing 50% of building front within 20ft of Knutsen Dr. Limits amount of access drives needed to provide proper site circulation. Additional access drives will enhance public safety and emergency access.
 - Site layout on parcel lends itself to playground behind building, away from street and parking lot for child safety.

Mr. Graham from Insite emphasized having two access points to property and having playground back from street, will have 6ft fence surrounding playground. Discussion opened for public comments. Committee member Snobeck asked why the 20ft set-back was required, Planning Coordinator Jared explained it was originally put in place for a walkability for shops like a downtown. He then asked if this would be case for future businesses, Jared answered they would have to do a variance and the uniqueness of this property having the narrow street.

MOTION by Windschitl, second by Snobeck to close public hearing. **APIF, MOTION CARRIED**

MOTION by Lehto, second by Windshitl to approve requested variance for 4640 Knutsen Dr. upon meeting condition put forth by Planning Commission. **APIF, MOTION CARRIED**

3.2 Amend 2040 Comprehensive Plan for the properties generally known as the Fountain Valley Golf Course and the Angus Property - Planning Manager Tony Wippler presented request for the 3 parcels.

- PID# 14-00500-01-012(Fountain Valley Golf Course) Amending Land Use Plan from mixture of Commercial, Low Density Residential, Low Medium Density Residential, and Park/Open Space to Mixed-Use (Commercial/Industrial) and changing anticipating development staging from Post 2040 to 2020-2030.
- PIDS# 07-00500-76-012 and 07-00500-76-011 (Angus Property) Adding these parcels to 2020 MUSA (Metropolitan Urban Service Area) amending the 2040 Comprehensive Land Use Plan from Non-Designated to Mixed-Use (Commercial/Industrial) and including these parcels in the 2020-2030 development staging timeframe.

Chair Rotty opened discussion to the public.

Cathy Johnson 22280 Berring Ave.- made comment on behalf of resident Nate Ryan, he stated the concerns about the requested changes. Cathy shared concerns about noise, height of buildings and tax valuations.

Eszter Varga 3094 225th St- Said the sites visited by commission and council members are not comparable due to facility size and operation.

Terry Pearson 2475 225th St.- Read statement about future, what it holds and what will happen with data center with technology changes.

Kathy Perrego 5081 13th St.- Shared concerns with health impacts and water consumption.

Nancy Aarestad 22165 Beaumont Ave - Concerns with changing the comp plan to incompatible land use.

Chair Rotty thanked everyone for taking the time to share concerns, being knowledgeable and respectful. He explained that when you re-zone you change the comprehensive plan. Moving forward he requested it all be combined into one step.

MOTION by Snobeck, second by Lehto to close public hearing. **APIF, MOTION CARRIED**

MOTION by Windschitl, second by Lehto for favorable recommendation to the 2040 Comprehensive Plan amendment. **APIF, MOTION CARRIED.**

5. ADJOURN

MOTION by Lehto, second by Windschitl to adjourn at 7:46pm. **APIF, MOTION CARRIED**

Respectfully submitted,

Tony Wippler

Tony Wippler, Planning Manager

PLANNING COMMISSION AGENDA MEMO

To: Planning Commission
From: Jared Johnson, Planning Coordinator
Department: Community Development
Subject: Combined Preliminary and Final Plat for Akin Knoll - CONTINUE
Meeting: Planning Commission - Nov 12 2024

INTRODUCTION:

A public hearing was scheduled and noticed for the November 12th Planning Commission meeting for the Akin Knoll combined Preliminary and Final Plat located at 19927 Akin Road.

The applicant, Kerry Hanifl, has requested the public hearing be continued to the December 10th Planning Commission meeting due to modifications being done to the plans. The applicant intends to have the updated plat ready for review at the December meeting.

DISCUSSION:

Not applicable

BUDGET IMPACT:

Not applicable

ACTION REQUESTED:

Continue the public hearing to the December 10th Planning Commission meeting.

PLANNING COMMISSION AGENDA MEMO

To: Planning Commission
From: Tony Wippler, Planning Manager
Department: Planning Commission
Subject: Final Plat and Final Planned Unit Development - Farmington Technology Park
Meeting: Planning Commission - Nov 12 2024

INTRODUCTION:

MNLCO Farmington, LLC & MNLCO Farmington Two, LLC (Together known as Tract) is requesting review of the Final Plat and Final Planned Unit Development for the Farmington Technology Park.

The Farmington Technology Park Final Plat consists of three parcels, those being:

- Fountain Valley Golf Course (PID# 14-00500-01-012) owned by Bryce and Carole Olson;
- Former Angus property (PID#'s 07-00500-76-011 & 07-00500-76-012) owned by Independent School District 192.

All properties are currently under contract by Tract with the intent to develop them as a master-planned data center campus.

DISCUSSION:

Farmington Technology Park Final Plat

The final plat consists of 3 lots spread over 338.35 acres of land. A description of the proposed lots are as follows:

- Lot 1, Block 1 - 150.74 acres, northern portion of data center campus.
- Lot 2, Block 1 - 2.07 acres, to be deeded to the city for utility purposes.
- Lot 1, Block 2 - 185.54 acres, southern portion of data center campus. This lot is also encumbered with approximately 69 acres of floodplain.

A 75 foot wide right-of-way is also provided along the eastern boundary of Lot 1, Block 1 for the future Dakota County Biscayne Avenue corridor. This roadway will not be constructed as part of this project.

On November 4, 2024 the City Council approved the preliminary plat and preliminary planned unit development. The final plat is consistent with the approved preliminary plat.

At the November 4, 2024 City Council meeting a rezoning and comprehensive plan amendment was also approved rezoning the properties to MUCI (Mixed-Use Commercial/Industrial) and

regarding them to Mixed-Use (Commercial/Industrial). Data centers are a permitted use in the MUCI zoning district.

As previously mentioned, Tract is proposing to develop a master-planned data center technology park that could provide up to 12 data center buildings and 2 administrative buildings, with each lot having 6 data center buildings and 1 administrative building. The square footage of data centers shown on the northern campus site is 1,600,400 square feet and 933,800 square feet on the southern campus. As shown on the attached Land Use Plan, an area near the northwest corner of Lot 1, Block 2 is labeled as "Reserved for Future Electrical Utilities". This would be the potential location of an electric substation. A representative site plan was provided to the Planning Commission at the September regular meeting as part of the preliminary plat and preliminary planned unit development submittal. It is important to note, that future site plans will be required to be approved by the Planning Commission prior to the construction of any data center building and ancillary use on site to ensure compliance with the standards approved in the planned unit development.

Transportation and Parking

There are 4 anticipated accesses for the campuses. For the northern campus this includes one off of MN 50 (220th Street W) and one off of 225th Street W. For the southern campus the anticipated accesses come from 225th Street W and Biscayne Avenue. Based on a completed traffic study, additional improvements will also be required on both Chippendale Avenue (TH 3) and 220th Street W (MN 50) in the form of additional turn lanes.

Off-street parking will be required to be provided on site. Per the proposed development standards, which are attached, 1 parking space will be provided for each 1,000 square foot of office space on site. Parking spaces are not required for the designated data hall areas. The development standards do provide language that may allow for the parking requirement to be modified based on a parking study to be provided at time of site plan and/or building permit application.

Parks, Trails and Sidewalk

The city will take cash in lieu of park dedication with this plat application.

As previously mentioned, the eastern 75 feet of Lot 1, Block 1 will consist of right-of-way for the future Biscayne Avenue. A trail would be constructed within this easement if and when Biscayne Avenue is constructed by Dakota County. Please note, Biscayne Avenue is a County Road.

Final Planned Unit Development

Attached, is Ordinance No. 2024-12 establishing PUD-1 - Farmington Technology Park. Moving forward, approval of PUD's will be done through ordinance instead of the PUD Agreements that the city has done historically. Approving PUD's through ordinance provides greater legal standing through approval of the PUD terms within the actual zoning code and provides an easier method for landowners, staff and the public to determine the actual restrictions related to the specific property. The attached ordinance lists out the special development standards (also attached as a separate document) that would be associated with this development, and generally include:

1. Building Setbacks - provides standards for the minimum setback of buildings from property lines. This includes a minimum setback of 250 feet from any property line adjacent to

residential uses; 150 foot setback from any property line not adjacent to non-residential uses; 40 foot setback from the right-of-way of 225th Street W.

2. Natural Buffers - provides for the 40 foot wide natural buffer along the majority of the perimeter of the site.
3. Landscaping - provides for types of planting that will be used throughout the site; allows for the use of rock, gravel or mulch as an accent material for maintenance areas adjacent to buildings or around utility access points; provides standards for landscaping of parking lots. Discusses berms, including berm height and construction timing.
4. General Design Standards (i.e., facade standards, screening requirements) - provides language that provides protection from undifferentiated surfaces on principal building facades by requiring the use of at least 2 of the following design elements: change in building height, building step-backs (projections or recesses), fenestration, changes in building materials (pattern, texture, color), use of accent material, overhangs, use of canopies or porticos, arcades, and variations in the roof line faux windows, green walls and other enhanced design elements approved by the Planning Commission. Provides language regarding the screening of both ground level and above ground mounted mechanical equipment and structures.
5. Building Height - Maximum building height on site for a principal structure is 80 feet. However, the maximum height at the building setback line is 50 feet. The provision allows for a step back approach to building height. For each one-foot increase in building height, the building must be stepped back two feet. Maximum building height for accessory structure is 50 feet. Provides language that any building that is 80 feet in height must be setback a minimum of 400 feet from the property line adjacent to a residentially zoned property.
6. Fences - provides requirements for security fencing and perimeter fencing. Allows for security fencing up to 14 feet in height and perimeter fencing to a maximum of 7 feet in height.
7. Electric Utility Lines - provides language on the need for electric utility lines and their construction as part of a data center project.
8. Noise - provides language that all noise generated from the site shall meet the requirements as established by the MPCA. Provides language that a noise study be prepared at time of site plan that demonstrates the applicable noise levels will not be exceeded based on the specific systems and equipment that will be used. Provides language requiring the installation of physical sound attenuation measures on any mechanical equipment that is installed at a data center building located within 1,200 feet of any adjacent residential use under certain circumstances.
9. Parking - requires a minimum of 1 parking space for each 1,000 square feet of office use.
10. Substations - discusses the need for outdoor mechanical and electrical equipment and that these must be fenced and screened. States that fencing around a substation must be setback a minimum of 30 feet from a property line adjacent to a residentially zoned property and that any substation equipment must be setback a minimum of 50 feet from a property line adjacent to a residentially zoned property.
11. Private Communication Towers - provides language that these are permitted up to a maximum height of 80 feet and are subject to building setback requirements.
12. Maximum Lot Coverage - provides language that there is no maximum lot coverage for all uses built in the designated "developable area" .
13. Lighting - provides standards for on-site lighting such as the maximum height of pole-mounted exterior lighting shall be 18 feet. Additionally, the maximum height of an building-mounted exterior lighting fixture shall be 35 feet in height.

BUDGET IMPACT:

Not applicable

ACTION REQUESTED:

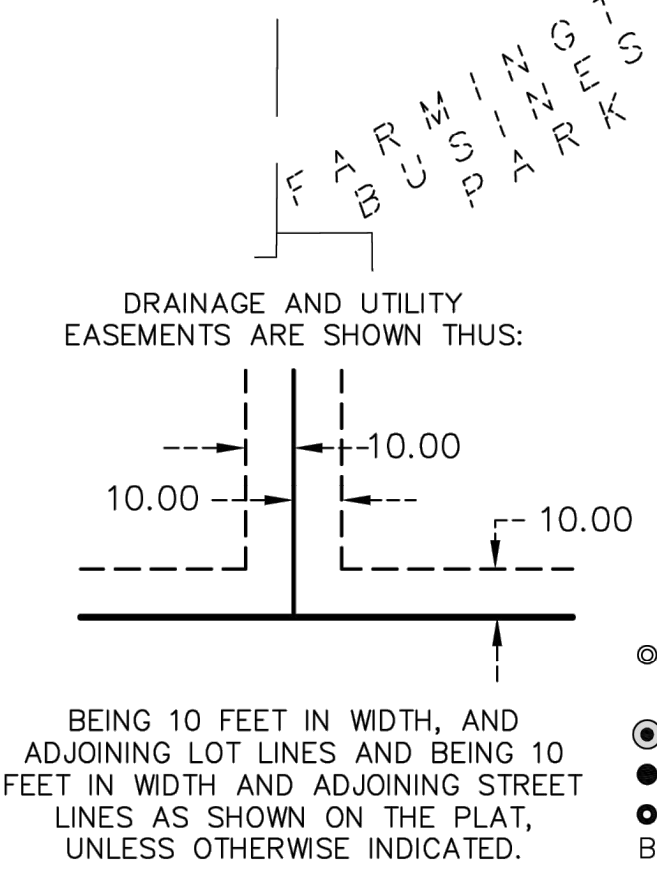
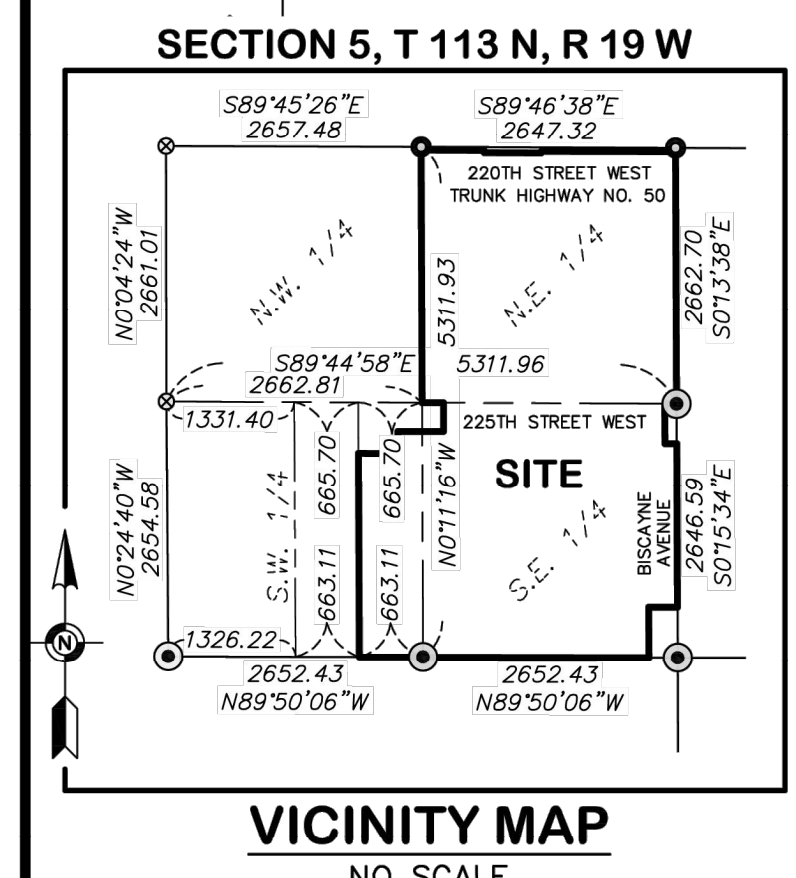
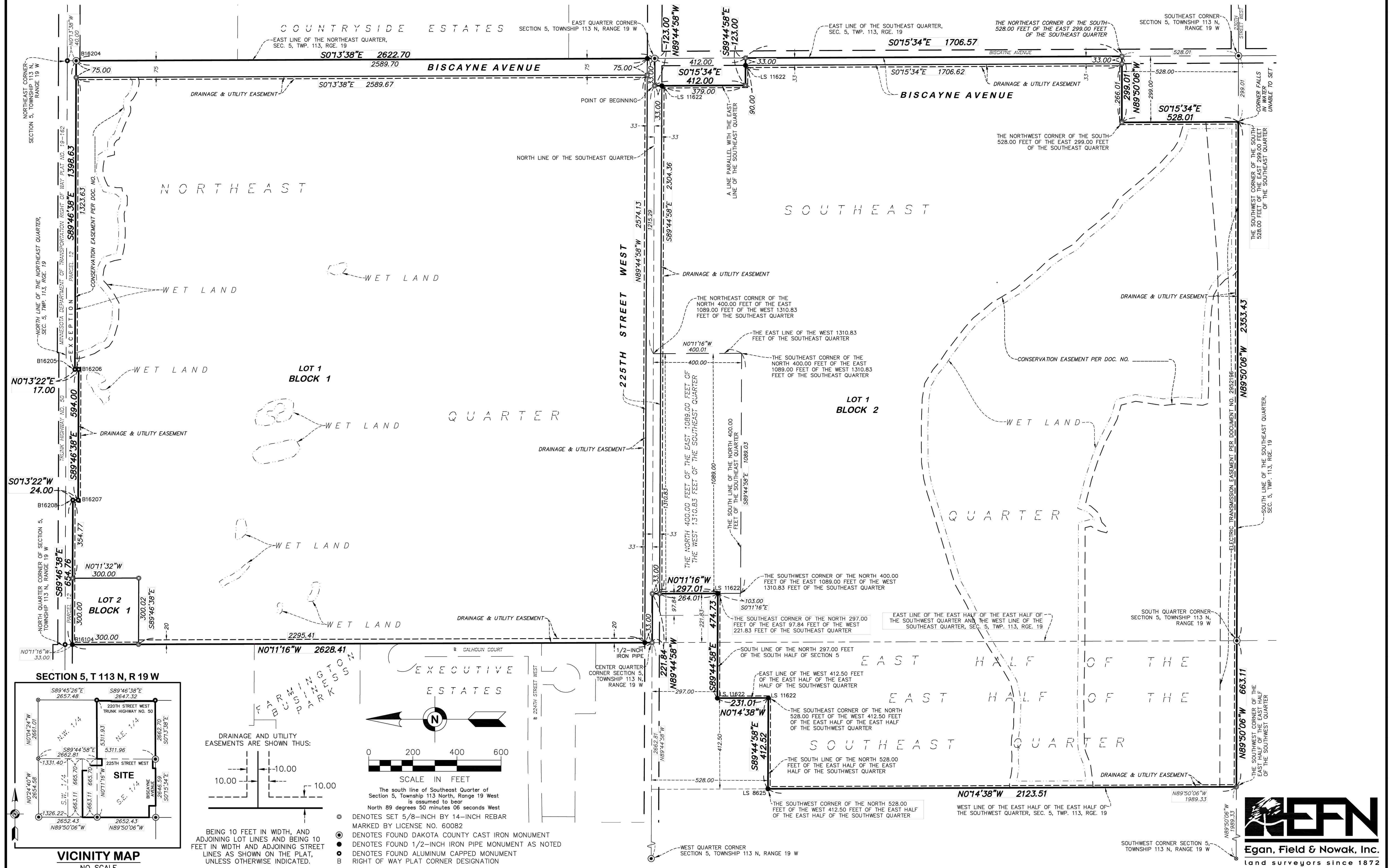
Recommend approval of the Farmington Technology Park Final Plat and Final Planned Unit Development (Ordinance No. 2024-12) contingent upon the following, and forward that recommendation on to the City Council:

1. A Development Contract between the developer and City of Farmington shall be executed and security and fees paid. Submission of all other documents required under the Development Contract shall be required.

ATTACHMENTS:

[2024-1108 Farmington Technology Park Final PUD Plan Set Tract's PUD Development Standards Version 5 for PC Hearing PUD Ordinance](#)

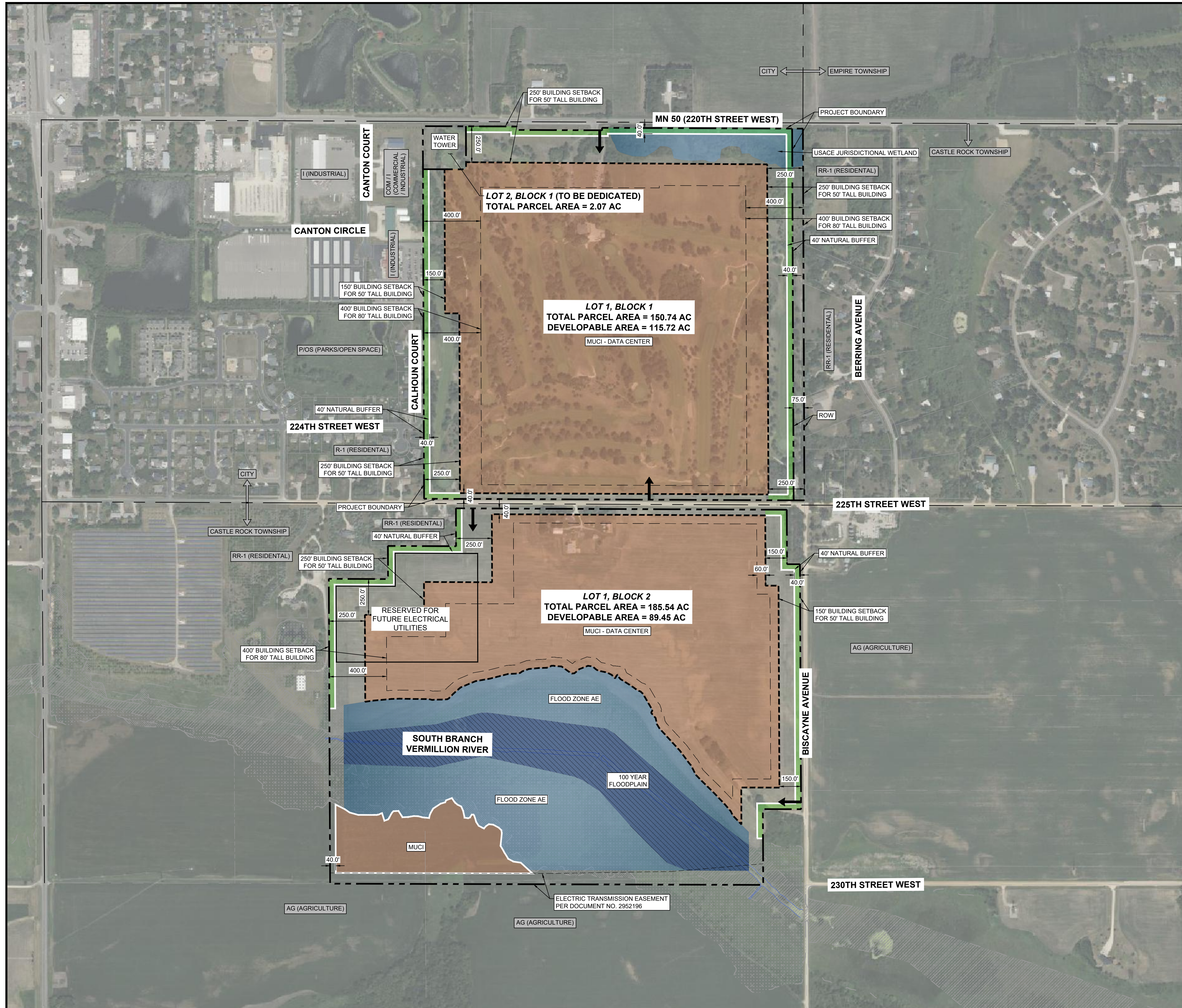
FARMINGTON TECHNOLOGY PARK



- LEGEND**
- DENOTES SET 5/8-INCH BY 14-INCH REBAR MARKED BY LICENSE NO. 60082
 - DENOTES FOUND DAKOTA COUNTY CAST IRON MONUMENT
 - DENOTES FOUND 1/2-INCH IRON PIPE MONUMENT AS NOTED
 - DENOTES FOUND ALUMINUM CAPPED MONUMENT
 - B RIGHT OF WAY PLAT CORNER DESIGNATION



<p>© 2024 KIMLEY-HORN AND ASSOCIATES, INC. 805 PENNSYLVANIA AVENUE, SUITE 150 KANSAS CITY, MO 64105 WWW.KIMLEY-HORN.COM</p>	REVISIONS No. _____ DATE _____ BY _____
SCALE: AS NOTED DESIGNED BY: BLD DRAWN BY: BLD CHECKED BY: MKK	PRELIMINARY NOT FOR CONSTRUCTION
	FINAL PLAT
FARMINGTON TECHNOLOGY PARK	ORIGINAL ISSUE: 11/09/2024 KHA PROJECT NO. 26863000 SHEET NUMBER C3.1



LEGEND

- PROPERTY LINE
- 50' TALL BUILDING SETBACK
- 80' TALL BUILDING SETBACK
- DEVELOPMENT AREAS
- 100 YEAR FLOODPLAIN
- USACE JURISDICTIONAL WETLAND
- NATURAL BUFFER
- PROPOSED ACCESS LOCATION
- JURISDICTION

BUILDING DATA	
MAXIMUM BUILDING HEIGHT	80 FT **
PARKING SUMMARY	
REQUIRED PARKING	1 PER 1,000 SF OF OFFICE
TOTAL PROPOSED PARKING	TBD

** BUILDING HEIGHT IS TO BE 50 FEET AT THE BUILDING SETBACK LINE. 80 FOOT TALL BUILDINGS SHALL BE SETBACK A MINIMUM OF 400 FEET FROM THE PROPERTY LINE ADJACENT TO A RESIDENTIAL ZONE DISTRICT.

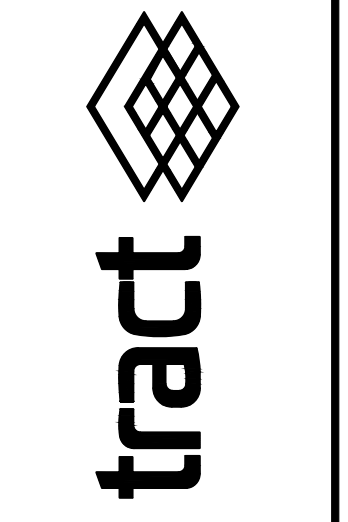
- ### LAND USE PLAN NOTES
- PLANS ARE FOR CONCEPTUAL PURPOSES ONLY AND SHOULD NOT BE USED FOR CONSTRUCTION.
 - HAUL AND CONSTRUCTION TRAFFIC ROUTES ADJACENT TO THE SITE WILL INCLUDE THE FOLLOWING ROADWAYS:
 - MN HWY 50 (220TH STREET WEST)
 - 225TH STREET WEST, WEST OF BISCAYNE AVENUE
 - BISCAYNE AVENUE

NO.	REVISIONS	DATE	BY

Kimley-Horn
 © 2024 KIMLEY-HORN AND ASSOCIATES, INC.
 805 PENNSYLVANIA AVENUE, SUITE 150
 KANSAS CITY, MO 64105
 WWW.KIMLEY-HORN.COM

SCALE: AS NOTED
 DESIGNED BY: BLD
 DRAWN BY: BLD
 CHECKED BY: MKK

**PRELIMINARY
 NOT FOR
 CONSTRUCTION**

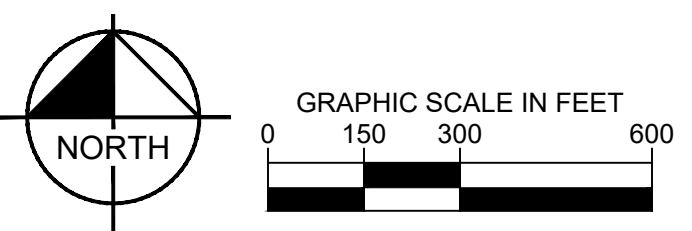


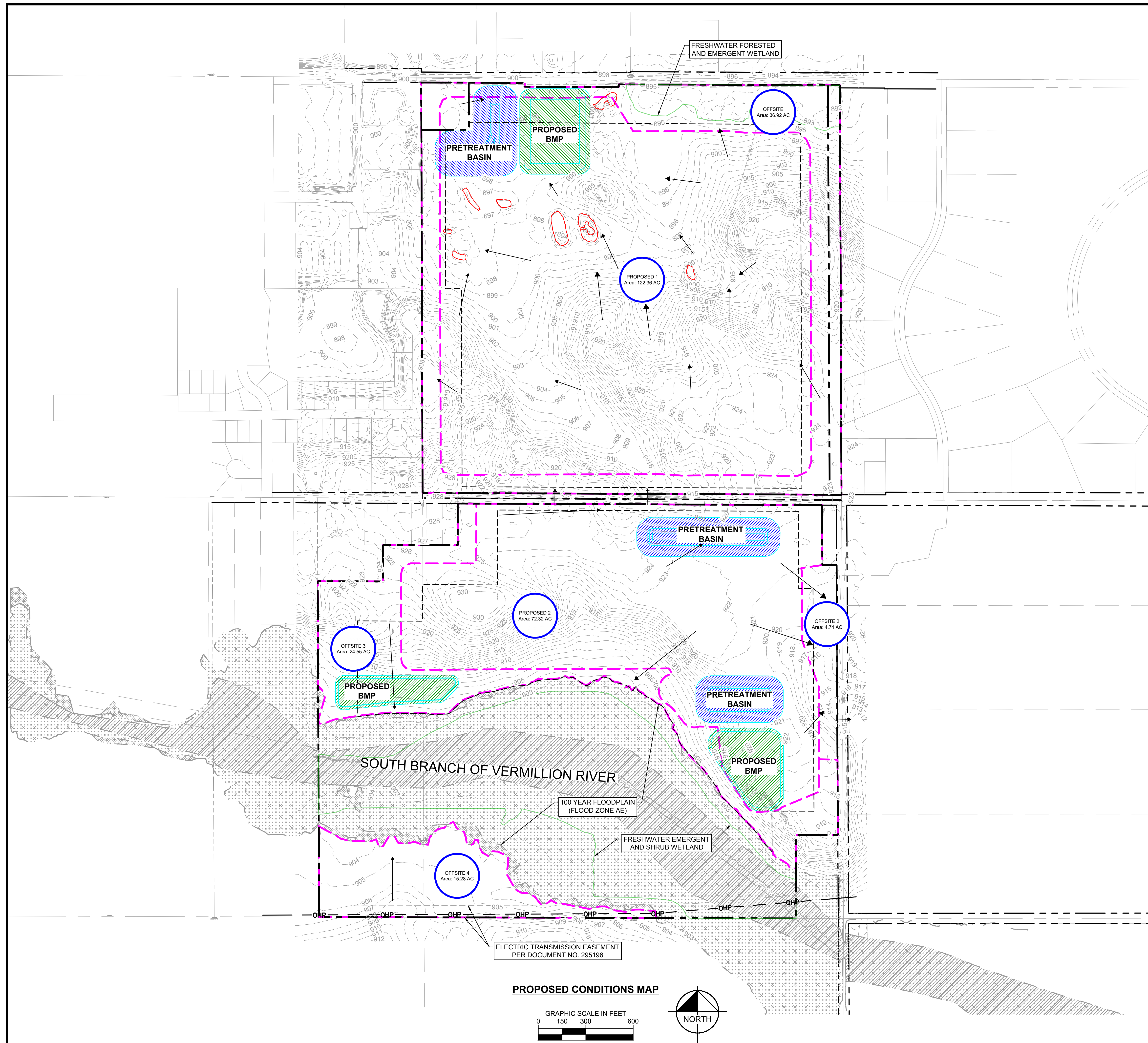
LAND USE PLAN

FARMINGTON
 TECHNOLOGY
 PARK

ORIGINAL ISSUE:
 11/08/2024
 KHA PROJECT NO.
 268636000
 SHEET NUMBER

C4



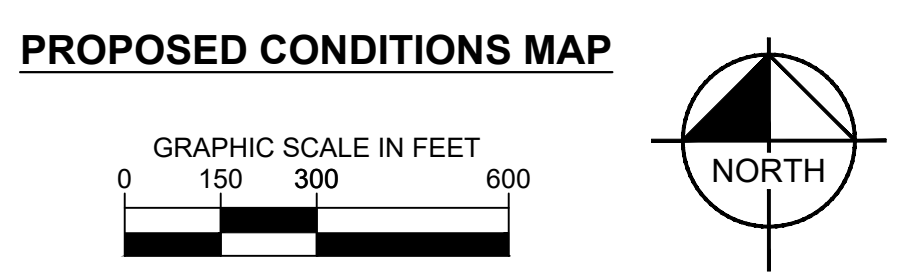


DRAINAGE MAP LEGEND	
	EXISTING DRAINAGE AREAS
	PROPOSED DRAINAGE AREAS
	PROPOSED BMP
	NON-JURISDICTIONAL WETLAND
	USACE JURISDICTIONAL WETLAND
	PRETREATMENT DEAD STORAGE VOLUME
	BMP INFILTRATION/FILTRATION VOLUME
	MAJOR CONTOUR
	MINOR CONTOUR
	EXISTING FLOW ARROW
	50' TALL BUILDING SETBACK
	PROPOSED EASEMENT
	DRAINAGE AREA LABEL

DRAINAGE ESTIMATES	
BLOCK 1, LOT 1 & 2 (NORTH PARCEL)	BLOCK 2, LOT 1 (SOUTH PARCEL)
IMPERVIOUS AREA: 98.5 AC	IMPERVIOUS AREA: 51.1 AC
BMP FILTRATION VOLUME: 595,171 CF	BMP FILTRATION VOLUME: 188,348 CF
BMP FOOTPRINT: 248,990 SF	BMP FOOTPRINT: 369,979 SF
PRETREATMENT DEAD STORAGE VOLUME: 344,316 SF	PRETREATMENT DEAD STORAGE VOLUME: 201,525 SF
PRETREATMENT FOOTPRINT: 212,140 SF	PRETREATMENT FOOTPRINT: 73,799 SF
BMP MAX ESTIMATED BOUNCE: 10 FT	BMP MAX ESTIMATED BOUNCE: 5 FT

NOTES

1. THE PROPOSED SITE LAYOUT SHOWN ON THIS PLAN, IS CONCEPTUAL IN NATURE. PRETREATMENT BASINS AND PROPOSED BMPs MAY BE MODIFIED OR RELOCATED SUBJECT TO SITE PLAN REVIEW AND APPROVAL. DRAINAGE ESTIMATES ARE ALSO SUBJECT TO CHANGE.

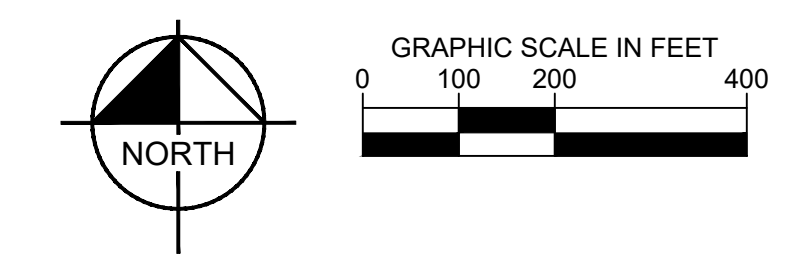


DESIGNED BY: BLD	DRAWN BY: BLD	CHECKED BY: MDK
SCALE: AS NOTED		
PRELIMINARY NOT FOR CONSTRUCTION		
tract		
DRAINAGE PLAN		
FARMINGTON TECHNOLOGY PARK		
ORIGINAL ISSUE: 11/08/2024	KHA PROJECT NO. 268636000	
SHEET NUMBER		
C5		

Kimley-Horn
© 2024 KIMLEY-HORN AND ASSOCIATES, INC.
805 PENNSYLVANIA AVENUE, SUITE 150
KANSAS CITY, MO 64105
WWW.KIMLEY-HORN.COM

REVISIONS

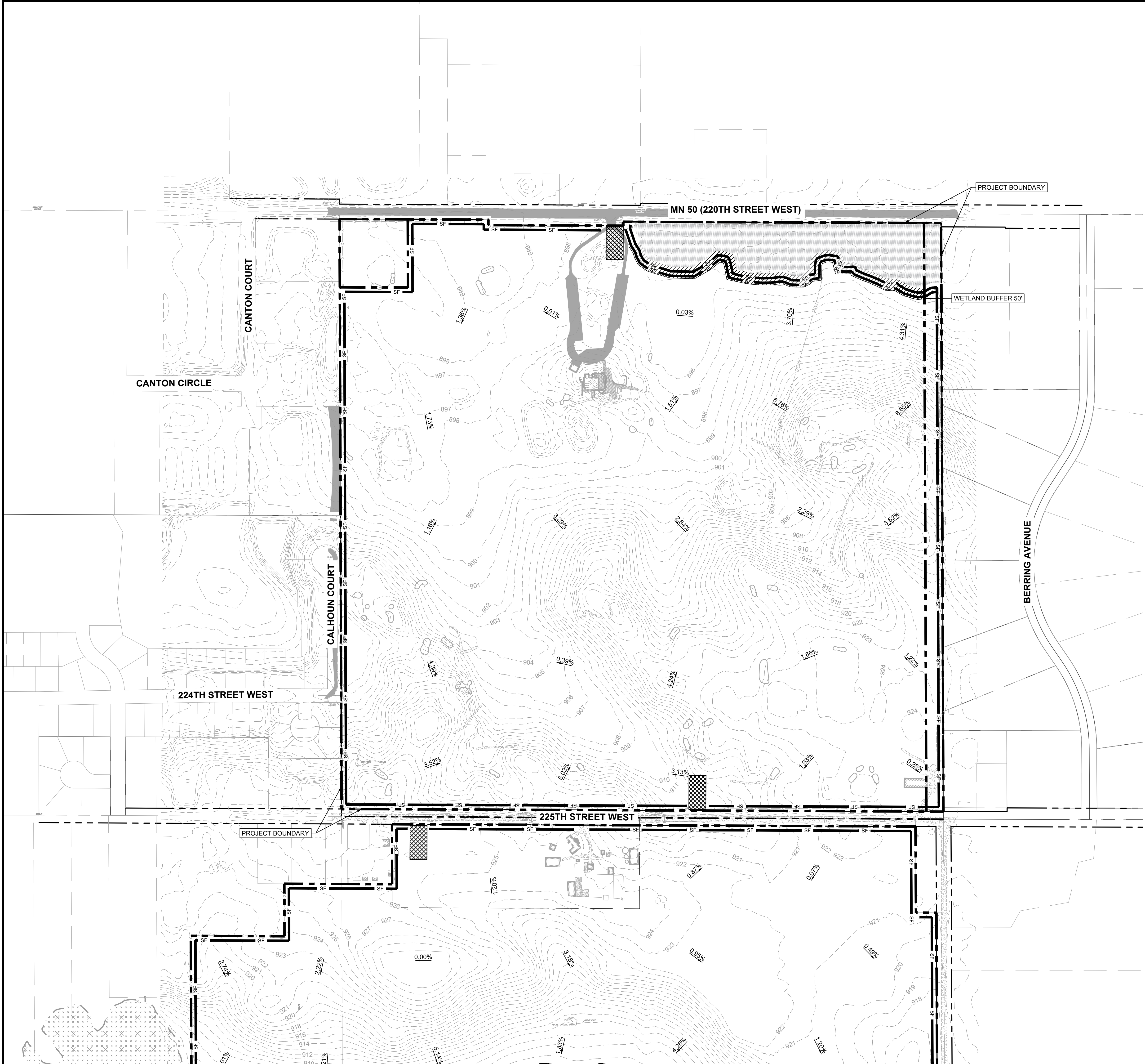
No.	DATE	BY



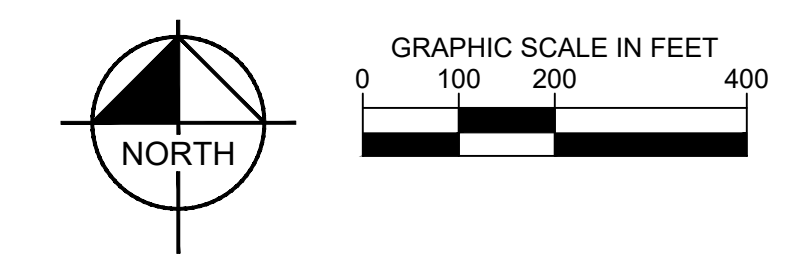
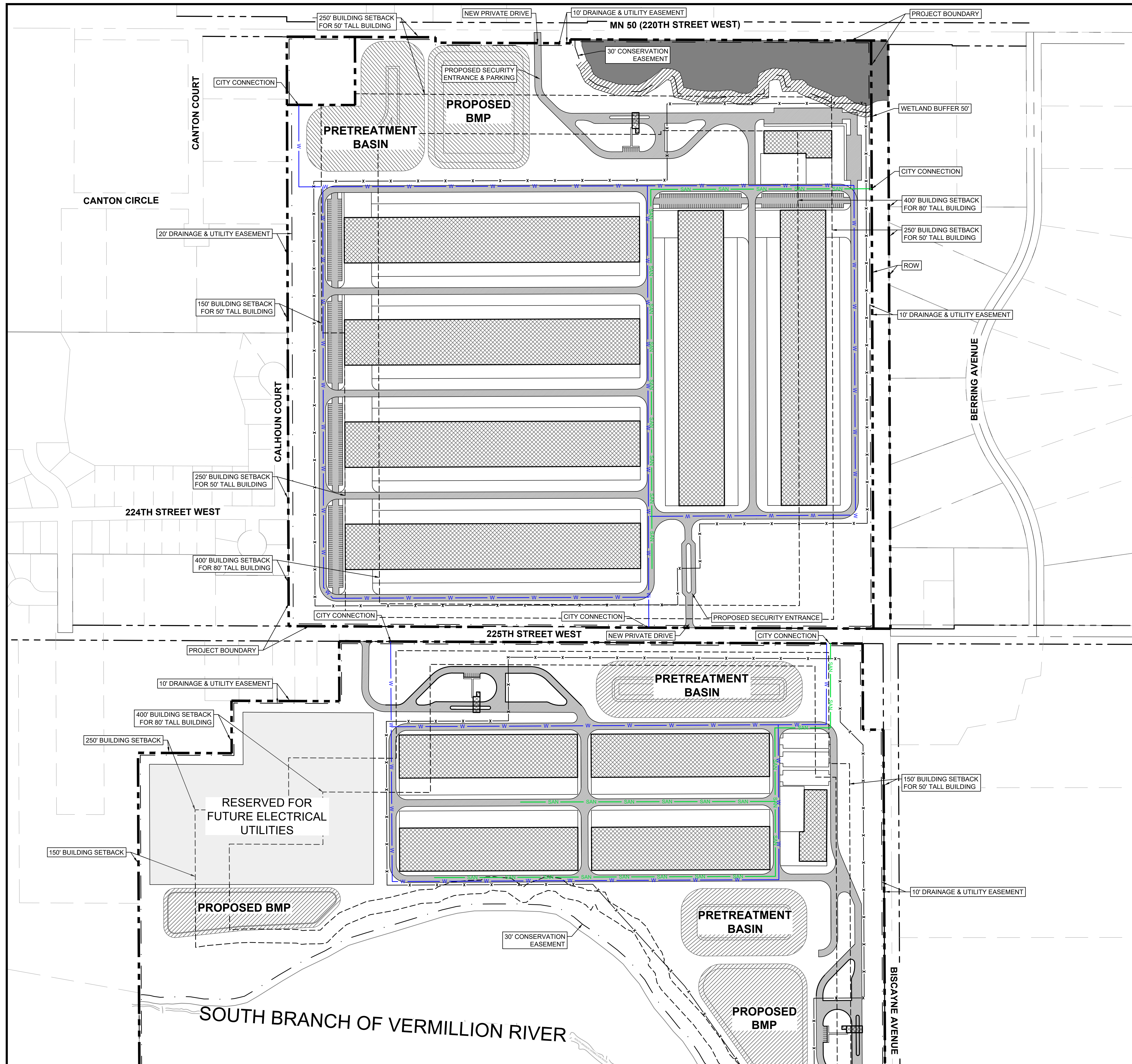
LEGEND	
	PROPERTY LINE
	PROPOSED SILT FENCE
	WETLAND BUFFER 50'
	WETLAND
	ROCK CONSTRUCTION ENTRANCE

EROSION CONTROL PLAN NOTES

- ALL PERIMETER SILT FENCE AND ROCK CONSTRUCTION ENTRANCES SHALL BE INSTALLED PRIOR TO CONSTRUCTION.
- THE CONTRACTOR SHALL CONSTRUCT DRAINAGE BASINS PRIOR TO SITE GRADING.
- THE CONTRACTOR SHALL INSTALL CATCH BASIN EROSION CONTROL MEASURES.
- WITHIN TWO WEEKS (14 DAYS) OF SITE GRADING, ALL DISTURBED AREAS SHALL BE STABILIZED WITH SEED, SOO, OR ROCK BASE. REFER TO LANDSCAPE PLANS FOR MATERIALS.
- ALL EROSION CONTROL MEASURES SHALL BE INSTALLED AND MAINTAINED IN ACCORDANCE WITH CITY, STATE, AND WATERSHED DISTRICT PERMITS.
- THE CONTRACTOR SHALL MAINTAIN ALL EROSION CONTROL MEASURES, INCLUDING THE REMOVAL OF SILT IN FRONT OF SILT FENCES DURING THE DURATION OF THE CONSTRUCTION.
- ANY EXCESS SEDIMENT IN PROPOSED BASINS SHALL BE REMOVED BY THE CONTRACTOR.
- REMOVAL ALL EROSION CONTROL MEASURES AFTER VEGETATION IS ESTABLISHED.
- THE CONTRACTOR SHALL REMOVE ALL SOILS AND SEDIMENT TRACKED ONTO EXISTING STREETS AND PAVED AREAS AND SHALL SWEEP ADJACENT STREETS AS NECESSARY IN ACCORDANCE WITH CITY REQUIREMENTS.
- IF BLOWING DUST BECOMES A NUISANCE, THE CONTRACTOR SHALL APPLY WATER FROM A TANK TRUCK TO ALL CONSTRUCTION AREAS.
- PLANS ARE FOR INFORMATION PURPOSES ONLY AND SHOULD NOT BE USED FOR CONSTRUCTION. EROSION CONTROL MEASURES MAY BE MODIFIED SUBJECT TO SITE PLAN REVIEW AND APPROVAL.



DESIGNED BY: BLD	DRAWN BY: BLD	CHECKED BY: MKK
 © 2024 KIMLEY-HORN AND ASSOCIATES, INC. 805 PENNSYLVANIA AVENUE, SUITE 150 KANSAS CITY, MO 64105 WWW.KIMLEY-HORN.COM		
 tract		
PHASE 1 EROSION CONTROL NORTH LOT		
FARMINGTON TECHNOLOGY PARK		
ORIGINAL ISSUE: 11/08/2024 KHA PROJECT NO. 268636000 SHEET NUMBER C6.0		
SCALE: AS NOTED	NO.	DATE
BY	REVISIONS	DATE



LEGEND	
	PROPERTY LINE
	EXISTING EASEMENT
	BUILDING SETBACK
	PROPOSED FENCE
	PROPOSED SANITARY SEWER
	PROPOSED WATER LINE
	WETLAND BUFFER 50'
	WETLAND
	PROPOSED EASEMENT

UTILITY PLAN NOTES

- ALL UTILITIES SHOULD BE KEPT TEN (10') APART (PARALLEL) OR WHEN CROSSING 18" VERTICAL CLEARANCE (OUTSIDE EDGE OF PIPE TO OUTSIDE EDGE OF PIPE OR STRUCTURE).
- CONTRACTOR SHALL MAINTAIN A MINIMUM OF 7'-5" COVER ON ALL WATERLINES.
- IN THE EVENT OF A VERTICAL CONFLICT BETWEEN WATER LINES, SANITARY LINES, STORM LINES AND GAS LINES, OR ANY OBSTRUCTION (EXISTING AND PROPOSED), THE SANITARY LINE SHALL BE 30" 40 OR 50" WITH MECHANICAL JOINTS AT LEAST 10 FEET ON EITHER SIDE OF THE CENTER LINE OF THE CROSSING. THE WATER LINE SHALL HAVE MECHANICAL JOINTS WITH APPROPRIATE FASTENERS AS REQUIRED TO PROVIDE A MINIMUM OF 18" VERTICAL SEPARATION. MEETING REQUIREMENTS OF ANSI A21.10 OR ANSI Z1.11 (AWWA C-151) (CLASS 50).
- ALL LINES UNDERGROUND SHALL BE INSTALLED, INSPECTED AND APPROVED BEFORE BACKFILLING.
- EXISTING UTILITIES SHALL BE VERIFIED IN FIELD PRIOR TO INSTALLATION OF ANY NEW LINES.
- CONTRACTOR IS RESPONSIBLE FOR COMPLYING TO THE SPECIFICATIONS OF THE CITY OF FARMINGTON AND/OR STATE OF MN WITH REGARDS TO MATERIALS AND INSTALLATION OF THE WATER AND SEWER LINES.
- THE CONTRACTOR IS SPECIFICALLY CAUTIONED THAT THE LOCATION AND/OR ELEVATION OF EXISTING UTILITIES AS SHOWN ON THESE PLANS IS BASED ON RECORDS OF THE VARIOUS UTILITY COMPANIES, AND WHERE POSSIBLE, MEASUREMENTS TAKEN IN THE FIELD. THE INFORMATION IS NOT TO BE RELIED ON AS BEING EXACT OR COMPLETE. THE CONTRACTOR MUST CALL THE APPROPRIATE UTILITY COMPANIES AT LEAST 72 HOURS BEFORE ANY EXCAVATION TO REQUEST EXACT FIELD LOCATION OF UTILITIES. IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO RELOCATE ALL EXISTING UTILITIES WHICH CONFLICT WITH THE PROPOSED IMPROVEMENTS SHOWN ON THE PLANS.
- CONTRACTOR IS RESPONSIBLE FOR ALL NECESSARY INSPECTIONS AND/OR CERTIFICATIONS REQUIRED BY CODES AND/OR UTILITY SERVICE COMPANIES.
- CONTRACTOR SHALL COORDINATE WITH ALL UTILITY COMPANIES FOR INSTALLATION REQUIREMENTS AND SPECIFICATIONS.
- PLANS ARE FOR CONCEPTUAL PURPOSES ONLY AND SHOULD NOT BE USED FOR CONSTRUCTION. UTILITIES AND INFRASTRUCTURE MAY BE MODIFIED SUBJECT TO SITE PLAN REVIEW AND APPROVAL.

NO.	REVISIONS	DATE	BY
<p>© 2024 KIMLEY-HORN AND ASSOCIATES, INC. 805 PENNSYLVANIA AVENUE, SUITE 150 KANSAS CITY, MO 64105 WWW.KIMLEY-HORN.COM</p>			
SCALE: AS NOTED	DESIGNED BY: BLD	DRAWN BY: BLD	CHECKED BY: MKK
<p>PRELIMINARY NOT FOR CONSTRUCTION</p>			
<p>SCHEMATIC UTILITY PLAN</p>			
<p>FARMINGTON TECHNOLOGY PARK</p>			
ORIGINAL ISSUE: 11/08/2024			
KHA PROJECT NO. 268636000			
SHEET NUMBER			
<p>C7</p>			

Development Standards

1. Building Setbacks:
 - a. Adjacent to Residential Uses: 250-feet
 - b. Adjacent to Non-Residential Uses: 150-feet
 - c. From the 75' ~~easement ROW~~ dedication on the east side of Lot 1, Block 1: 175-feet
 - d. Adjacent to Lot 2 ~~(Water Storage Tank)~~: 0-foot from internal property lines within the overall PUD. Applicable MUCI setbacks shall apply to property lines not adjacent to the PUD.
 - e. Adjacent to ~~MN~~225 St. West: 40-feet
 - f. Adjacent to the southern property line of Lot 3 and the western property line of Lot 3 north to the designated floodzone: 40-feet
 - ~~g. Generators and mechanical equipment are exempt from the building setback requirements.~~

2. Natural Buffers: A natural buffer of 40 feet from all perimeter property lines, except for those listed below, is established under this PUD:
 - a. Existing, healthy trees shall be retained in the natural buffer, to the greatest extent practicable, in accordance with Section 10-6-11 of the Farmington Municipal Code. Utilities, access drives, landscaping, perimeter fencing and berms may be located in the natural buffer. Except as otherwise permitted under Section 6(a)(iii), Security fencing, security gates, and guard buildings shall be located outside-on the interior side of the natural buffer. Where there are no existing trees in the natural buffer that qualify for preservation under Section 10.6.11 et.al of the Farmington Municipal Code, then stormwater features may be located in the natural buffer provided they are adequately landscaped in accordance with the applicable sections of the Farmington Municipal Code, unless otherwise approved by the Planning Director.
 - b. Exceptions:
 - i. Adjacent to ~~MN~~225 St. West
 - ii. Adjacent to Lot 2: Only the eastern most property line south of the 40-foot natural buffer adjacent to ~~MN~~220th State Highway 50 and adjacent to the southern property line outside of the 150' setback adjacent to the western property line of Lot 1.

3. Landscaping: In addition to the applicable landscaping standard set forth in Section 10.6.10 of the Farmington City Code, the following additional landscaping standards shall apply:
 - a. Drought tolerant, native plants shall be utilized throughout the site. A diversity of coniferous and deciduous plant material shall be used subject

Formatted: Not Highlight

to and as determined through the planting plan review during the site plan process.

b. Rock, gravel, and/or mulch may also be used as an accent material for maintenance areas directly adjacent to a building, around utility access points (i.e. manholes, control valves, and hand holes), or in mechanical areas.

c. Where parking areas are located a minimum of 300 feet from a public road or residential use, and the parking area is screened by the building location, parking lot landscaping shall not be required. However, End Islands of Parking Aisles that are visible from a public street or residential use shall be landscaped in accordance with Section 10.16.10(D)8(e)

d. Berms are required to be constructed where development occurs adjacent to residential uses. Berms may be allowed up to 10-feet in height from existing grade in order to incorporate more aesthetic visual features into the site. Berms over ten-feet in height may be allowed subject to administrative site plan review and approval by the City. Additionally, landscaping may be installed on the berms and walls where feasible.

d-e. Any berms approved with a site plan for a data center building shall be constructed prior to the first foundation inspection for any building included in the associated approved site plan. Landscaping associated with the berm shall be installed during the Minnesota growing season. If construction of berms are completed outside of the Minnesota growing season, then all required landscaping shall be installed by June 1 of the subsequent growing season.

Formatted: Not Highlight

Formatted: Not Highlight

Formatted: Font color: Background 1

Formatted: Font color: Background 1, Not Highlight

Formatted: Font color: Background 1

Formatted: Font color: Background 1

~~4. Easement for future County Road: As set forth in more detail in the Farmington Technology Park Development Agreement, a 75-foot access, utility, and pedestrian easement shall be provided along the future alignment of Biscayne Ave. West adjacent to Lot 1. Private utilities may also be installed within the easement. Public utilities, access, and the public trail may not be installed until such time the easement is dedicated as ROW to the County in accordance with the terms of the Farmington Technology Park Development Agreement.~~

5.4. General Design Standards:

a. Principal Building Facades will meet the following standards:

i. For the purposes of this subsection, the term "principal building facades" shall include all building facades substantially visible to abutting public roads or adjacent to planned or existing residential districts.

- ii. Principal building facades shall avoid the use of undifferentiated surfaces by including at least two (2) of the following design elements:
 - change in building height
 - building step-backs, projections or recesses
 - fenestration
 - changes in building material, pattern, texture, color
 - use of accent material
 - overhangs
 - canopies or porticos
 - arcades
 - variations in the roof line
 - Faux windows
 - Green walls
 - Other enhanced design elements which may be approved by the Planning Commission
- iii. When a building has more than one principal facade, such facades shall be consistent in their design, materials, details, and treatments.

b. Screening of Building Mechanical Equipment and Critical Infrastructure

- i. Ground-level mechanical equipment or accessory uses (not including parking areas) that are visible from public rights-of-way and/or adjacent residential dwellings will be screened from public view using one or multiple of the following methods of screening:
 - 1. A principal structure;
 - 2. Existing vegetation that will remain on the Property, or new, planted vegetation (ex. evergreens or shrubs) that fully screens the equipment from public view; ~~provides sufficient coverage to screen from~~ public view;
 - ~~3.~~ A visually solid fence, screen wall or panel, or other visually solid screen that shall be constructed of materials that are matching or consistent in style, color and/or texture with those used in the exterior construction of the principal building. Chain link fencing with slats is not permitted to satisfy this requirement.
- ii. Above-ground mechanical equipment and structures will be screened from view from adjacent public streets and residential dwellings.

Formatted: Not Highlight

- iii. Any mechanical units placed on the rooftops of buildings shall be screened from view from adjacent public streets and residential dwellings by architectural features which are compatible with building façade architecture. The method of screening shall be provided and reviewed with the Planning Director's review of the building elevations. The screening of roof mounted equipment shall be excluded from the overall height limitation but in no instance shall exceed 80-feet. Rooftop equipment should be centrally located on the roof where feasible.
- iv. All buildings are exempt from any existing or future City requirement to install roof-mounted solar equipment.

5. Building height: Maximum building height for Principal Structures is 80 feet. However, the maximum height at the building setback line is 50 feet. For each one-foot increase in building height, the building must be stepped back two feet.
- a. 80' tall buildings shall be setback a minimum of 400' from the property line adjacent to a residential zone district.
 - b. Maximum building height for accessory structures-buildings is 50 feet.

Formatted: Not Highlight

Formatted: Not Highlight

6. Fences height:

a. Security fencing:

- i. Maximum fence height of 14 feet.
- ii. Must be located on the inside edge of the natural buffer interior to the site unless otherwise approved by the City.

b. Perimeter fencing

- i. Maximum fence height of 7 feet.
- ii. In locations where the existing fence will be relocated to the property line on the west side of the project boundary, applicant shall provide adjacent property owners with the opportunity to collectively decide between three choices of fence material and design to include, but not be limited to: wood, chain link, or metal. Applicant shall also replace any damaged landscaping resulting from the fence replacement.

Formatted: Font: Century Gothic

Formatted

7. Electric Utility Lines:

- a. Data centers are typically fed power from the utility's transmission system directly to the data center site. Depending on the utility, transmission voltage is typically 69kV or greater. Transmission lines are typically installed overhead for safety and cost effectiveness.
- b. Permanent distribution lines on data center campuses are typically installed underground.

- c. Temporary overhead power distribution lines for construction power will likely be installed above-ground. It has not been determined how construction power will be constructed or served. Temporary lines, which look like standard utility distribution lines, provide power for the construction of buildings and the support of building operations. These lines shall remain in use until the permanent underground service from the on-site substation is operational, and building construction is completed. The temporary distribution equipment may be rerouted to serve additional construction sites or removed altogether by the electric utility.
- d. The transition from the transmission system is a switching station/substation, which may or may not be on the data center site. The switching station / substation is an integral use associated with the data center operations.

8. Noise:

- a. Noise generated from the site shall meet the applicable noise ordinance requirements as established by the Minnesota Pollution Control Agency.
- b. Prior to the approval of a site plan, the applicant shall provide a noise study to demonstrate that the applicable noise levels will not be exceeded. At the time of site plan and building permit review, additional noise attenuation measures to ensure that MPCA noise rules are adhered to may be required.
- c. In addition to the foregoing, Applicant agrees to install physical sound attenuation on any mechanical equipment (including but not limited to ground supported barriers, earthen berms, mechanical screening or other attenuation techniques as specifically called out in subsequent sound studies) that is installed at a data center building located within 1,200 feet of any adjacent residential use and that is either (i) installed on the rooftop of such building or (ii) that is installed on the exterior side of such data center building and directly facing such adjacent residential uses, in each case unless a noise study demonstrates that there is no incremental noise from such mechanical equipment as a result of the foregoing installation locations.

Formatted: Not Highlight

Formatted: Font: Century Gothic

9. Parking: 1 parking space / 1,000 sf of office use. Parking spaces are not required for designated data hall areas. Minimum parking may be modified based on a parking study provided with a site plan or building permit application, as applicable.

Formatted: Font color: Auto

10. Substations shall be exempt from the design regulations of the MUCI Zoning District. Mechanical and electrical equipment will be housed in mechanical yards that are fenced and screened.

- a. The property may have outdoor mechanical and electrical equipment of size (not to exceed the aggregate building footprint), number, volume, and location to sufficiently serve the buildings and be in relational proximity to the buildings.

b. Security fencing around a substation shall be setback a minimum of 30-feet from a property line adjacent to a residential zoned property. Any substation equipment shall be setback a minimum of 50-feet from a property line adjacent to a residential zoned property

11. Private Communication Towers are permitted up to a maximum height of 80 feet and are subject to the building setback requirements.

12. Maximum Lot Coverage of All Uses: There is no maximum lot coverage for all uses built in the designated "developable area".

13. Lighting. The maximum height of pole-mounted exterior lighting shall be eighteen feet (18'). All exterior lighting fixtures, including pole-mounted exterior lighting and building-mounted exterior lighting, shall be fully shielded with house side shields installed. Lighting shall not exceed .50 foot-candles at the interior edge of the natural buffer, as applicable. Lighting that is exempt from these requirements includes temporary lighting and lighting provided for emergency or safety and security purposes as required by: the Building Code, Electrical Code, or otherwise within the City Code. Signage related to the authorized uses shall not be illuminated. The uplighting of buildings is prohibited. The maximum height of any building-mounted exterior light fixture shall be 35 feet in height, with the exception of motion-activated security lighting.

- Formatted:** Font: Century Gothic
- Formatted:** Left, Indent: Left: 0.5", No bullets or numbering
- Formatted:** Font: (Default) Century Gothic, 11 pt, Not Bold
- Formatted:** Font: (Default) Century Gothic, 11 pt
- Formatted:** List Paragraph, Adjust space between Latin and Asian text, Adjust space between Asian text and numbers
- Formatted:** Font: (Default) Century Gothic, 11 pt

**CITY OF FARMINGTON
DAKOTA COUNTY, MINNESOTA**

ORDINANCE NO. 2024-12

**AN ORDINANCE AMENDING TITLE 10, CHAPTER 5, SECTION 19 OF THE FARMINGTON
CITY CODE, ADDING PUD-1 – FARMINGTON TECHNOLOGY PARK TO THE ZONING
CODE AND ESTABLISHING DEVELOPMENT STANDARDS**

The City Council of the City of Farmington ordains:

SECTION 1. Title 10, Chapter 5, Section 19 of the Farmington City Code is amended by adding the language as follows:

(G) Planned Unit Development Districts

1. PUD-1 – Farmington Technology Park

(a) Development plan. The site shall be developed, used and maintained in conformance with the follow PUD Official Exhibits:

- (1) Site Plans
- (2) Landscaping Plans
- (3) Lighting Plans
- (4) Noise Studies
- (5) Grading Plans
- (6) Building Plans
- (7) Storm Water Plans
- (8) Utility Plans

(b) Permitted uses. The following uses are permitted uses in PUD-1:

- (1) Data Center Technology Park

(c) Accessory uses. The following uses shall be permitted accessory uses in the PUD-1:

- (1) Electric Substations

(d) Special development standards.

(1) Building Setbacks.

- a. Adjacent to residential uses: 250-feet
- b. Adjacent to non-residential uses: 150-feet
- c. From the 75' ROW dedication on the east side of Lot 1, Block 1: 175-feet.
- d. Adjacent to Lot 2: 0-foot from internal property lines within the overall PUD. Applicable MUCI setbacks shall apply to property lines not adjacent to the PUD.
- e. Adjacent to 225th Street West: 40-feet.
- f. Adjacent to the southern property line of Lot 3 and the western property line of Lot 3 north to the designated floodzone: 40-feet.

- (2) Natural Buffers. A natural buffer of 40 feet from all perimeter property lines, except for this listed below, is established under this PUD:
- a. Existing, healthy trees shall be retained in the natural buffer, to the greatest extent practicable, in accordance with Section 10-6-11 of the Farmington City Code. Utilities, access drives landscaping, perimeter fencing and berms may be located in the natural buffer. Except as otherwise permitted under Section 6(a)(ii), Security fencing, security gates, and guard buildings shall be located on the interior side of the Natural Buffer. Where there are no existing trees in the natural buffer that qualify for preservation under Section 10-6-11 et.al of the Farmington City Code, then stormwater features may be located in the natural buffer provided they are adequately landscaped in accordance with the applicable sections of eh Farmington City Code, unless otherwise approved by the Planning Division.
 - b. Exceptions:
 - i. Adjacent to 225th Street West
 - ii. Adjacent to Lot 2: Only the eastern most property line south of the 40-foot natural buffer adjacent to State Highway 50 and adjacent to the southern property line outside of the 150' setback adjacent to the western property line of Lot 1.
- (3) Landscaping. In addition to the applicable landscaping standard set forth in Section 10-6-10 of the Farmington City Code, the following additional landscaping standards shall apply:
- a. Drought tolerant, native plants shall be utilized throughout the site. A diversity of coniferous and deciduous plant material shall be used subject to and as determined through the planting plan review during the site plan process.
 - b. Rock, gravel, and/or mulch may also be used as an accent material for maintenance areas directly adjacent to a building, around utility access points (i.e. manholes, control valves, and hand holes), or in mechanical areas.
 - c. Where parking areas are located a minimum of 300 feet from a public road or residential use, and the parking area is screened by building location, parking lot landscaping shall not be required. However, end islands of parking aisles that are visible from a public street or residential use shall be landscaped in accordance with Section 10-16.10(D)8(e).
 - d. Berms are required to be constructed where development occurs adjacent to residential uses. Berms may be allowed up to 10-feet in height from existing grade in order to incorporate more aesthetic visual features into the site. Berms over ten-feet in height may be allowed subject to administrative site plan review and approval by the City. Additionally, landscaping may be installed on the berms and walls where feasible.
 - e. Any berms approved with a site pan for a data center building shall be constructed prior to the first foundation inspection for any building included in the associated approved site plan. Landscaping associated with the berm shall be installed during the Minnesota growing season. If construction of the berms are completed outside of the Minnesota growing season, then all required landscaping shall be installed by June 1 of the subsequent growing season.

(4) General Design Standards.

- a. Principal Building Facades will meet the following standards:
 - i. For the purposes of this subsection, the term “principal building facades” shall include all building facades substantially visible to abutting public roads or adjacent to planned or existing residential districts.
 - ii. Principal Building facades shall avoid the use of undifferentiated surfaces by including at least two (2) of the following design elements:
 - 1. Change in building height
 - 2. Building step-backs, projections or recesses
 - 3. Fenestration
 - 4. Changes in building material, pattern, texture, color
 - 5. Use of accent material
 - 6. Overhangs
 - 7. Canopies or porticos
 - 8. Arcades
 - 9. Variations in the roof line
 - 10. Faux windows
 - 11. Green walls
 - 12. Other enhanced design elements which may be approved by the Planning Commission.
 - iii. When a building has more than one principal façade, such facades shall be consistent in their design, materials, and treatments.
- b. Screening of Building Mechanical Equipment and Critical Infrastructure.
 - i. Ground-level mechanical equipment or accessory uses (not including parking areas) that are visible from public rights-of-way and/or adjacent residential dwellings will be screened from public view using one or multiple of the following methods of screening:
 - 1. A principal structure;
 - 2. Existing vegetation that will remain on the Property, or new, planted vegetation (ex. Evergreens or shrubs) that fully screens the equipment from public view;
 - 3. A visually solid fence, screen wall or panel, or other visually solid screen that shall be constructed of materials that are matching or consistent in style, color and/or texture with those used in the exterior construction of the principal building. Chain link fencing with slats is not permitted to satisfy this requirement.
 - ii. Above-ground mechanical equipment and structures will be screened from view from adjacent public streets and residential dwellings.
 - iii. Any mechanical units placed on the rooftops of buildings shall be screened from view from adjacent public streets and residential dwellings by architectural features which are compatible with building façade architecture. The method of screening shall be provided and reviewed with the Planning Divisions review of the building elevations. The screening of roof mounted equipment shall be excluded from the overall height limitation but in no instance shall exceed 80-feet. Rooftop equipment should be centrally located on the roof where feasible.
 - iv. All buildings are exempt from any existing or future City

requirement to install roof-mounted solar equipment.

- (5) Building Height. Maximum building height for Principal Structures is 80 feet. However, the maximum height at the building setback line is 50 feet. For each one-foot increase in building height, the building must be stepped back two feet.
 - a. 80 foot tall buildings shall be setback a minimum of 400 feet from the property line adjacent to a residential zone district.
 - b. Maximum building height for accessory buildings is 50 feet.
- (6) Fences.
 - a. Security fencing:
 - i. Maximum fence height of 14 feet.
 - ii. Must be located on the inside edge of the natural buffer interior to the site unless otherwise approved by the City.
 - b. Perimeter fencing:
 - i. Maximum fence height of 7 feet.
 - ii. In locations where the existing fence will be relocated to the property line on the west side of the project boundary, applicant shall provide adjacent property owners with the opportunity to collectively decide between three choices of fence material and design to include, but not limited to: wood, chain link, or metal. Applicant shall also replace any damaged landscaping resulting from the fence replacement.
- (7) Electric Utility Lines.
 - a. Data centers are typically fed power from the utility's transmission system directly to the data center site. Depending on the utility, transmission voltage is typically 69kV or greater. Transmission lines are typically installed overhead for safety and cost effectiveness.
 - b. Permanent distribution lines on data center campuses are typically installed underground.
 - c. Temporary overhead power distribution lines for construction power will likely be installed above-ground. It has not been determined how construction power will be constructed or served. Temporary lines, which look like standard utility distribution lines, provide power for the construction of buildings and the support of building operations. These lines shall remain in use until the permanent underground service from the on-site substation is operational, and building construction is completed. The Temporary distribution equipment may be rerouted to serve additional construction sites or removed altogether by the electric utility.
 - d. The transition from the transmission system is a switching station/substation, which may or may not be on the data center site. The switching station / substation is an integral use associated with the data center operations.
- (8) Noise.
 - a. Noise generated from the site shall meet the applicable noise ordinance requirements as established by the Minnesota Pollution Control Agency.
 - b. Prior to the approval of a site plan, the applicant shall provide a noise study to demonstrate that the applicable noise levels will not be exceeded. At the time of site plan and building permit review, additional noise attenuation measures to ensure that MPCA noise rules are adhered to may be required.

- c. In addition to the foregoing, Applicant agrees to install physical sound attenuation on any mechanical equipment (including but not limited to ground supported barriers, earthen berms, mechanical screening or other attenuation techniques as specifically called out in subsequent sound studies) that is installed at a data center building located within 1,200 feet of any adjacent residential use and that is either (i) installed on the rooftop of such building or (ii) that is installed on the exterior side of such data center building and directly facing such adjacent residential uses, in each case unless a noise study demonstrates that there is no incremental noise from such mechanical equipment as a result of the foregoing installation locations.
- (9) Parking. 1 parking space / 1,000 sf of office use. Parking spaces are not required for designated data hall areas. Minimum parking may be modified based on a parking study provided with a site plan or building permit application, as applicable.
- (10) Substations shall be exempt from the design regulations of the MUCI Zoning District. Mechanical and electrical equipment will be housed in mechanical yards that are fenced and screened.
- a. The property may have outdoor mechanical and electrical equipment of size (not to exceed the aggregate building footprint), number, volume, and location to sufficiently serve the buildings and be in relational proximity to the buildings.
 - b. Security fencing around a substation shall be setback a minimum of 30-feet from a property line adjacent to a residential zoned property. Any substation equipment shall be setback a minimum of 50-feet from a property line adjacent to a residential zoned property.
- (11) Private Communications Towers are permitted up to a maximum height of 80 feet and are subject to building setback requirements.
- (12) Maximum Lot Coverage of All Uses. There is no maximum lot coverage for all uses built in designated “developable area”.
- (13) Lighting. The maximum height of pole-mounted exterior lighting shall be eighteen feet (18’). All exterior lighting fixtures, including pole-mounted exterior lighting and building-mounted exterior lighting, shall be fully shielded with house side shields installed. Lighting shall not exceed .50 foot-candles at the interior edge of the Natural Buffer Area, as applicable. Lighting that is exempt from these requirements includes temporary lighting and lighting provided for emergency or safety and security purposes as required by: the Building Code, Electrical Code, or otherwise within the City Code. Signage related to the authorized uses shall not be illuminated. The uplighting of buildings is prohibited. The maximum height of an building-mounted exterior light fixture shall be 35 feet in height, with exception of motion-activated security lighting.

SECTION 2. SUMMARY PUBLICATION. Pursuant to Minnesota Statutes Section 412.191, in the case of a lengthy ordinance, a summary may be published. While a copy of the entire ordinance is available for inspection and without cost by any person at the office of the City Clerk, the following summary is approved by the City Council and shall be published in lieu of publishing the entire ordinance.

This ordinance includes the following changes relating to Title 10, Chapter 5, Section 19:

- Establishes permitted and accessory uses for PUD-1 – Farmington Technology Park;
- Creates development standards for setbacks, natural buffers, landscaping, general design standards, building height, fence height, electric utility lines, noise, parking, substations, private communication towers, maximum lot coverage, and lighting.

SECTION 3. EFFECTIVE DATE. This ordinance shall be effective upon its passage and publication according to law.

Passed by the City Council of the City of Farmington, Minnesota, this 18th day of November 2024.

ATTEST:

Joshua Hoyt, Mayor

Shirley R Buecksler, City Clerk

PLANNING COMMISSION AGENDA MEMO

To: Planning Commission
From: Tony Wippler, Planning Manager
Department: Planning Commission
Subject: Cannabis Legislation and Regulations
Meeting: Planning Commission - Nov 12 2024

INTRODUCTION:

HKGi will be present at the regular meeting to discuss draft code language as it relates to the new cannabis legislation and regulations.

DISCUSSION:

Attached, for the Commission's information and review, is a memorandum from HKGi that outlines the draft cannabis code language and provisions being proposed. The proposed code language is based on the feedback that was provided by the Planning Commission and City Council at the various meetings and work sessions that were previously held regarding this topic.

As the Commission is aware, on July 1st of this year, the City enacted a moratorium prohibiting the operation of cannabis businesses with Farmington. This moratorium is set to expire on January 1, 2025. It is the intent of staff to have updated ordinance language in place that regulates cannabis businesses by the end of this year.

BUDGET IMPACT:

Not applicable

ACTION REQUESTED:

Review the attached information and provide direction regarding the proposed draft ordinance language.

ATTACHMENTS:

[20241112_meeting_cannabis_memo](#)

PLANNING COMMISSION MEMO

TO: City of Farmington Planning Commission
FROM: Rita Trapp and Beth Richmond, Consulting Planners
DATE: November 5, 2024
SUBJECT: Cannabis Legislation and Regulations
MEETING DATE: November 12, 2024

OVERVIEW

In 2023, the Minnesota Legislature approved a new law to expand the legalization of THC and certain types of cannabis products, as well as to permit different types of cannabis businesses. Cities have discretion in creating zoning standards and may set “reasonable restrictions” on the time, place, and manner of each type of cannabis use. Cities will need to examine their zoning regulations and make amendments to the existing city code in order to accommodate these uses, possibly creating new definitions, standards, and interpretations. The City of Farmington has hired HKGi to assist with developing the City’s cannabis regulations.

Cannabis regulations were discussed at a Planning Commission worksession and Joint City Council/Planning Commission worksession in October. Discussion was focused on how and where to allow each type of cannabis use and on the types of use standards that should be required, including buffering and hours of operation. HKGi has incorporated the direction from the joint worksession into the draft Code language below.

DRAFT REGULATIONS

Based on the direction received at the October worksessions, the following draft cannabis regulations are proposed.

Definitions

Draft definitions to be added to Section 10-2-1 of the zoning code include:

CANNABIS CULTIVATION. A use involving the licensed growing and harvesting of cannabis.

CANNABIS OR HEMP MANUFACTURING. An establishment or use of land which involves the compounding, processing, packaging, wholesaling, testing, treatment, transportation, or delivery of cannabis or hemp products.

CANNABIS RETAIL. A licensed establishment where cannabis flowers, immature cannabis plants and seedlings, and related products as allowed by law are sold to individual consumers who are at least 21 years of age.

LOWER POTENCY HEMP EDIBLE RETAIL. A licensed establishment where lower-potency hemp edible products are sold to individual consumers who are at least 21 years of age.

Uses and Districts

Cannabis uses licensed by the state can be separated into different categories, including indoor and outdoor cultivation, manufacturing, cannabis retail, and lower potency hemp edible retail. Each cannabis use must be allowed somewhere in the City. The proposed table reflects the discussion at the joint worksession.

Proposed Cannabis Uses	A-1	B-1	B-2	B-3	SSMU	MUCI	MUCR	I	P/OS
Cannabis cultivation, outdoor	C								
Cannabis cultivation, indoor	C			C				C	
Manufacturing (cannabis and hemp) *includes wholesale, transportation, and delivery				C				C	
Cannabis retail		C	C	C	C	C			
Lower potency hemp edible retail		C	C	C	C	C			

Standards

Cannabis uses are proposed to be conditional uses in Farmington. This means that each use would be required to meet the standards for conditional uses found in Section 10-3-5 of the Zoning Code. These standards are attached to this memo for reference. Commissioners should note that if a use meets the standards listed in the Code, then the City is obligated to approve the CUP request. The City may create additional standards related to the time, place, and manner of certain cannabis uses if desired. The following standards were discussed at the joint worksession and are proposed for cannabis uses:

- After discussion, the general consensus was to not require buffers from schools, daycares, parks, or residential treatment facilities for any cannabis uses.
- The direction seems to continue to be that the City should follow the retail limit standard as outlined in state statutes, which is *“The City shall limit the number of cannabis retail businesses in the City to no more than one business per 12,500 residents.”* This amounts to a maximum of two businesses based on the City’s current population.
- The proposed hours of operation would be:
 - *Hours of operation for cannabis retail uses shall be between 8:00am and 10:00pm Monday to Saturday and between 10:00am and 9:00 pm on Sundays.*
 - *Lower potency hemp edible retail uses shall be prohibited between the hours of 2:00am and 8:00am Monday to Saturday and between 2:00am and 10:00am on Sundays.*

These hours were designed to match as closely as possible to the hours for off-sale and on-sale liquor in the City, respectively, while still adhering to the state’s requirements for hours of operation for cannabis businesses. The hours proposed for lower potency hemp match the state’s hours requirements exactly.

- In addition to the standards listed above, the City may choose to create additional standards for certain cannabis uses. Common standards include requirements for site security and the prohibition of outdoor storage, for example:

- Security measures to both deter and prevent unauthorized entrance into areas containing cannabis or cannabis products shall be implemented and maintained as shown on a City-approved security plan.
- Outdoor storage shall be prohibited on site.

Attachments

- City Code Section 10-3-5 CUP Criteria

City Code 10-3-5 Conditional Uses

(C) A conditional use shall be approved if it is found to meet the following criteria:

1. The proposed use conforms to the district permitted and conditional use provisions and all general regulations of this title.
2. The proposed use shall not involve any element or cause any conditions that may be dangerous, injurious or noxious to any other property or persons and shall comply with the performance standards listed below.
3. The proposed use shall be constructed, designed, sited, oriented and landscaped to produce harmonious relationship of buildings and grounds to adjacent buildings and properties.
4. The proposed use shall produce a total visual impression and environment which is consistent with the environment of the neighborhood.
5. The proposed use shall organize vehicular access and parking to minimize traffic congestion in the neighborhood.
6. The proposed use shall preserve the objectives of this title and shall be consistent with the comprehensive plan

(D) All conditional uses shall comply with the requirements of this section. In order to determine whether a proposed use will conform to the requirements of this title, the board of adjustment may obtain a qualified consultant to testify. Said consultant service fees shall be borne by the applicant.

1. Fire prevention and fighting equipment acceptable to the board of fire underwriters shall be readily available when any activity involving the handling or storage of flammable or explosive material is carried on.
2. No activity shall cause electrical disturbance adversely affecting radio or other equipment in the vicinity.
3. Noise which is determined to be objectionable because of volume, frequency, or beat shall be muffled or otherwise controlled, except for fire sirens and related apparatus used solely for public purpose shall be exempt from this requirement.
4. Vibrations detectable without instruments on neighboring property in any district shall be prohibited.
5. No malodorous gas or matter shall be permitted which is discernible on any adjoining lot or property.
6. No pollution of air by fly ash, dust, smoke, vapors or other substance shall be permitted which is harmful to health, animals, vegetation or other property.
7. Lighting devices which produce objectionable direct lighting or reflect glare on adjoining properties or thoroughfares shall not be permitted.
8. No erosion by wind or water shall be permitted which will carry objectionable substances onto neighboring properties.
9. Water pollution shall be subject to the standards established by the Minnesota pollution control agency.
10. Applications for conditional uses in the floodplain districts shall be accompanied by reports from the city engineer on the following material as supplied by the applicant:

- (a) Site plans indicating existing and proposed structures, fill, material storage, floodproofing measures and their relationship to the stream channels.
- (b) Typical valley cross sections through the site, indicating the elevation of land areas adjoining each side of the channel, landform changes proposed on the site together with high water information.
- (c) Soils maps, topographic maps at a two foot (2') contour interval, vegetative cover plus the location and elevation of streets, water supply and sanitary facilities.
- (d) Profile showing the slope of the bottom of the stream channel.
- (e) Specifications for building construction and materials, floodproofing, filling, dredging, grading channel improvement, material storage, water supply and sanitary facilities.
- (f) Plans showing the floor protection measures to be taken in accordance with this section.
- (g) An analysis of the above information by a registered professional engineer which includes the following:
 - (1) An estimate of the peak discharge of the regional flood.
 - (2) The water surface profile of the regional flood based upon a hydraulic analysis of the stream channel and over bank areas.
 - (3) The effect of the proposed encroachment on the stage and velocity during the regional flood event.