



CITY OF MARSHALL
Planning Commission
Agenda
Wednesday, November 13, 2024 at 5:30 PM
City Hall, Council Chambers

APPROVAL OF AGENDA

APPROVAL OF MINUTES

- [1.](#) Consider Approval of the Minutes from the Regular Meeting Held on October 9, 2024

PUBLIC HEARING

- [2.](#) Conduct a public hearing on the request of Brenan Clark for an Interim Use Permit and a Variance Adjustment Permit to have an outside storage unit in a B-3 General Business District at 1507 East College Drive
- [3.](#) Conduct a public hearing on the Ordinance amending Sections 86-71 Classes and Enumeration of Districts, 86-96 A Agricultural District, 86-102 B-1 Limited Business District, 86-103 B-2 Central Business District, 86-104 B-3 General Business District, 86-105 B-4 Shopping Center Business District, 86-106 I-1 Limited Industrial District, and 86-107 I-2 General Industrial District, and adding new Section 86-166 Certification Of Cannabis Business License Application, all to comply with the new cannabis State regulations.

OLD BUSINESS

NEW BUSINESS

ADJOURN

Disclaimer: These agendas have been prepared to provide information regarding an upcoming meeting of the Common Council of the City of Marshall. This document does not claim to be complete and is subject to change.

**MINUTES OF THE
MARSHALL PLANNING COMMISSION MEETING
OCTOBER 9, 2024**

MEMBERS PRESENT: Pieper, Deutz, Doom, Lee
MEMBERS ABSENT: Agboola, Stoneberg, Muchlinski
OTHERS PRESENT: Jason Anderson, Ilya Gutman, Amanda Schroeder,
Christina Cruz-Jennings (via Zoom)

Call to Order.

The meeting was called to order by Chairperson Lee.

Approval of the Minutes.

Chairperson Lee asked for the approval of the minutes of the August 14, 2024, regular meeting of the Marshall Planning Commission. DOOM MADE A MOTION, SECOND BY DEUTZ, to approve the minutes as written. ALL VOTED IN FAVOR OF THE MOTION. MOTION PASSED 4:0.

Chairperson Lee asked for the approval of the minutes of the August 21, 2024, special meeting of the Marshall Planning Commission. DOOM MADE A MOTION, SECOND BY PEIPER, to approve the minutes as written. ALL VOTED IN FAVOR OF THE MOTION. MOTION PASSED 4:0.

Conduct a Public Hearing on the Ordinance Amendment to Chapter 86, Article IV, Section 86-97 Low Density Residence District

Gutman shared the ordinance provides for minimum lot size in this district, but also requires enlarged lot for duplexes. However, since duplexes are permitted by a conditional use only, specific lot size limitation for duplexes seems redundant because it will be a part of considerations for granting a conditional use permit. Therefore, staff recommends removing this regulation. DOOM MADE A MOTION, SECOND BY PEIPER, to close the public hearing. ALL VOTED IN FAVOR. DOOM MADE A MOTION, SECOND BY DEUTZ to recommend to City Council approval of the revisions amending Sec. 86-97 Low Density Residence District by removing additional lot size requirements for duplexes. ALL VOTED IN FAVOR. MOTION PASSED 4:0.

Conduct a public hearing on the request of Matt Schnoor for a Conditional Use Permit for a duplex in an R-1 District

Gutman presented this is a request to have a single ownership duplex in an R-1 One Family Residence District. This building was built in 1975 as a single-family residence. In 1986 the owner (different from the current one) applied for a Conditional Use permit for a duplex. However, the request was denied because the lot size was not meeting Ordinance requirements, the windows were not adequate for egress, and the lower unit's only access/exit was through the garage. Despite denial, it seems that the past owners kept using the building as a duplex. In order to bring this building into compliance for rental registration, an approval of the Conditional use permit is necessary. All windows were replaced in 2004 and 2013, and the Ordinance is currently being amended to reduce lots' minimum size for duplexes. Construction to separate the lower unit's exit from the garage has been discussed with the current owner and is included as a condition for approval. Doom asked where the entrance to each unit was located. Gutman informed that both units have their own entrances, but the lower unit's only access/exit is through the garage. In order to grant the conditional use permit, the lower unit's exit would need to be separated from the garage, as required by the Building Code to create full separation. Doom asked why this duplex was allowed without a conditional use permit when it was denied in 1986. Ilya stated it was not allowed. Anderson shared the current owner has applied for a Rental Registration and does not have a conditional use permit for the building located on 906 Cheryl Avenue, which is why they are requesting the conditional use permit. Mary Schuna, 616 W Thomas Avenue, questioned how this would affect the properties values. Anderson stated the City Assessor's office would be the proper office to answer this question, but stated this property has been a duplex for the past few decades and most likely there would be no change to how values are determined today or tomorrow. DEUTZ MADE A MOTION, SECOND BY DOOM, to close the public hearing. ALL VOTED IN FAVOR. PEIPER MADE A MOTION SECOND BY DEUTZ to recommend to City Council an approval of the request to grant a Conditional Use Permit for a single ownership duplex in an R-1 One Family Residence District with the following condition: Lower level exit is separated from the garage as required by the Building code and a building permit is obtained for this work. ALL VOTED IN FAVOR. MOTION PASSED 4:0.

-UNAPPROVED-

Conduct a public hearing on the Ordinance Amendment to Chapter 86, Article II-1, Section 86-31 Prohibited Uses

Gutman shared with the current trend to develop wind towers and all controversy surrounding those developments, it seems reasonable to limit this development at least within the city limits. Proposed restrictions will still allow decorative or single use wind towers, but not commercial developments. DOOM MADE A MOTION, SECOND BY DEUTZ to close the public hearing. ALL VOTED IN FAVOR. DOOM MADE A MOTION, SECOND BY DEUTZ to recommend to City Council an approval of the revisions amending Sec. 86-31 Prohibited uses by limiting wind tower construction. ALL VOTED IN FAVOR. MOTION PASSED 4:0.

Conduct a Public Hearing on the Ordinance Amendment to Chapter 86, Article VI-1, Section 86-165 Structures in Residential Districts.

Gutman informed the current ordinance prohibits fuel tanks over 50 gallons in residential areas. This provision was intended to limit the possibility of using propane to heat the entire house, thus minimizing potential fire danger and unsightly appearance. On the other hand, smaller tanks were permitted to allow for enough fuel for a fireplace or garage heater in otherwise electrically heated houses. It was recently brought up that even a 100-gallon tank will not be enough to provide heat for the entire dwelling, making it reasonable to increase the maximum tank size to 100 gallons. Provision for screening it with a fence will stay. Anderson stated the purpose of this ordinance is to try to find a balance between what is more of an accessory, smaller use of propane and what do you want to allow versus what should not be allowed at all. DOOM MADE A MOTION, SECOND BY PEIPER to close the public hearing. ALL VOTED IN FAVOR. DEUTZ MADE A MOTION, SECOND BY DOOM to recommend to City Council an approval of the revisions amending Sec. 86-165 Structures in Residential Districts to allow tanks up to 100 gallons. ALL VOTED IN FAVOR. MOTION PASSED 4:0.

Other Business

Since there was no other business, DOOM MADE A MOTION SECOND BY DEUTZ, to adjourn the meeting. ALL VOTED IN FAVOR. MOTION PASSED 4:0 Chairperson Lee declared the meeting adjourned.

Respectfully submitted,
Karla Ellis, Recording Secretary

Presenter:	Ilya Gutman
Meeting Date:	Wednesday, November 13, 2024
Category:	PUBLIC HEARING
Type:	ACTION
Subject:	Conduct a public hearing on the request of Brenan Clark for an Interim Use Permit and a Variance Adjustment Permit to have an outside storage unit in a B-3 General Business District at 1507 East College Drive
Background Information:	<p>This is a request for an interim use permit for one storage unit (a semi-trailer) in a B-3 General business district in accordance with Section 86-248 (f), which allows one unit, provided it is painted to match the building and does not have any signage. That section also requires that such unit is not placed in the front yard. In this case, the unit is located behind the building, but the lot is a double frontage lot, meaning that it faces streets on two non-adjacent sides, which means that the storage unit is indeed located in the front yard. Consequently, a variance is required prior to an interim use permit approval.</p> <p>Granting of a variance may be permitted only if the request meets the three pronged “practical difficulties” test, which requires that proposed use is reasonable (it is); the problem is caused by the conditions unique to this property and not created by the landowner (it is unique because it is a double frontage lot, with one of the streets effectively serving mostly as a service road; however, this uniqueness would be applicable to all lots between East College Drive and McLaughlin Drive); and that granting the variance will not change the character of the area (this condition is met if we take into account that this trailer has been there for a very long time and is not visible from East College Drive). A variance may be approved (but doesn’t have to be) if all three conditions are met.</p> <p>Two separate motions are required since there are two separate requests: for a variance and for an interim use permit. If a variance is not approved, an interim use permit cannot be approved either. Please see Findings of Fact for more information. An aerial photo is attached.</p>
Fiscal Impact:	N/A
Alternative/ Variations:	Deny the request
Recommendations:	<p><u>Recommendation No. 1</u> Staff recommends a <u>motion</u> to approve the request for a Variance Adjustment Permit for a storage unit (semi-trailer) to be located in the front yard between McLaughlin Drive and the building, subject to the following conditions:</p> <ol style="list-style-type: none"> 1. That the regulations, standards, and requirements as set forth in the City Code and as pertains to the class of district in which such premises are located shall be conformed with. 2. That the City reserves the right to revoke the Variance Adjustment Permit in the event that any person has breached the conditions contained in this permit provided first, that the City serve the person with written notice specifying items of any default and allow the applicant a reasonable time in which to cure any such default. <p><u>Recommendation No. 2</u> Staff recommends a <u>motion</u> to approve the request for an Interim Use Permit for a storage unit (semi-trailer), subject to the following conditions:</p> <ol style="list-style-type: none"> 1. The semi-trailer shall be painted to match the building and should not have any signage or writing. 2. The semi-trailer should have current registration tabs. 3. This Interim use permit expires when the property is sold or changes the ownership in any way.



Marshall Planning Commission
Report to City Council – Request for a Variance Adjustment and Interim Use Permits
1507 East College Drive, City of Marshall, Lyon County, Minnesota

WHEREAS, the office of the City of Marshall Zoning Administrator received an application for a Variance Adjustment Permit and an Interim Use Permits dated October 8, 2024, for a storage unit (semi-trailer) on the property located at 1507 East College Drive;

WHEREAS, the applicant was the property owner Brennan Clark;

WHEREAS, a written request for a Variance Adjustment or Interim Use Permit is subject to the Minnesota 60-day rule as codified in Minnesota Statutes §15.99. The 60-day rule requires an approval or denial of a permit within 60 days of the time a request is submitted. If no action occurs on the request for a permit within 60 days, it is deemed approved pursuant to Minnesota Statute;

WHEREAS, City staff representatives from the Community Planning Department reviewed the application for the Variance and Interim Use Permits;

WHEREAS, Zoning Ordinance Section 86-248 (f) states that “in Business districts, the 30 days limit [on storage unit placement] may be extended for longer by an Interim Use Permit, provided such unit is painted to match the building with no signage, lettering, or advertising of any sort and is not placed in the front yard or required side or rear yards.”

WHEREAS, the storage unit (semi-trailer) in question is located in the front yard, as it is defined by the Zoning Ordinance, Section 86-1, between the building and McLaughlin Drive;

WHEREAS, Zoning Ordinance provides for considerations for granting a variance as follows: the applicant shall prove that the literal enforcement of the provisions of this chapter would cause practical difficulties because of circumstances unique to the individual property under consideration and the granting of the variances will be in keeping with the spirit and intent of this chapter. The term "practical difficulties," as used in connection with the granting of a variance means that the property owner proposes to use the property in a reasonable manner not permitted by the zoning ordinance, the plight of the landowner is due to circumstances unique to the property not created by the landowner, and the variance, if granted, will not alter the essential character of the locality;

WHEREAS, staff suggests the following in regards to Variance Permit considerations: the proposed use is reasonable; the problem is caused by the conditions unique to this property and not created by the landowner because it is a double frontage lot, with McLaughlin Drive in the rear serving mostly as a back service road for businesses facing East College Drive and Birch Street; and that granting the variance will not change the character of the area because this trailer has been there for a very long time and is not visible from East College Drive;

WHEREAS, Zoning Ordinance Sec. 86-49 outlines the following Standards for Hearing when an Interim Use Permit is considered:

- (1) Whether the proposed use is compatible with the existing neighborhood environment and use.
- (2) The adequacy of the access to roads and rights-of-way.
- (3) The additional traffic generated by facility.
- (4) The landscaping, fencing and/or screening plan.
- (5) The outside storage provisions.
- (6) The accessory buildings provisions.
- (7) The facility size.
- (8) The area of site.
- (9) The off-street parking facilities.
- (10) The density of the population and structures.
- (11) The duration of proposed Interim Use.
- (12) The natural features of the area.
- (13) The availability of existing utility and public service facility.
- (14) The future maintenance provisions.
- (15) Whether the proposed use will be injurious to the property or improvements in the area adjacent to such

proposed use and the community as a whole.

WHEREAS, staff offered the following information for relevant items in regards to the above Standards for Hearing:

- (1) The lot in question is located in a B-3 General business district and semis and trucks are delivering goods there on a regular basis.
- (2) Not applicable.
- (3) Not applicable.
- (4) The standard B-3 general business district landscaping requirements are applicable.
- (5) The standard B-3 general business district outside storage provisions are applicable, which generally prohibit any outside storage.
- (6) This is not considered an accessory building.
- (7) The semi-trailer is of standard size, or about 300 SF.
- (8) The lot area is adequate.
- (9) The standard B-3 parking requirements are applicable, and 8 parking spaces are required for a building of this size.
- (10) Not applicable.
- (11) It will expire when the property changes owner.
- (12) Not applicable.
- (13) Not applicable.
- (14) The standard B-3 general business district maintenance provisions are applicable.
- (15) This should not be injurious to the adjacent area because this trailer has been there for very long time and is not visible from College Drive.

WHEREAS, a public hearing was scheduled for November 13, 2024, to consider the request for Variance and Interim Use Permits and notice of that hearing was published and was mailed pursuant to provisions of Ordinance Sec. 86-47, Sec. 86-29, and further in compliance with Minnesota Statutes;

WHEREAS, the public hearing was held as scheduled and the Planning Commission considered the above information and presentation by staff with a recommendation for the Planning Commission to recommend approval to the Council;

WHEREAS, the Planning Commission has evaluated all applicable considerations and finds and determines that granting requested Variance and Interim Use Permits will not be injurious to the adjacent properties and that all standards for hearing are satisfied.

NOW THEREFORE, it is recommended by the Planning Commission to the Marshall City Council that the Variance Adjustment Permit for a storage unit (semi-trailer) on the property in a B-3 General business district to be located in the front yard be approved as recommended by staff with a condition that all pertinent regulations and standards are conformed with. The motion offered by _____ and seconded by _____, and declared carried on the following vote:

Ayes: _____ Nays: _____ Abstained: _____

Passed:

NOW THEREFORE, it is recommended by the Planning Commission to the Marshall City Council that the Interim Use Permit for a storage unit (semi-trailer) on the property in a B-3 General business district be approved as recommended by staff with the following conditions: the semi-trailer shall be painted to match the building and should not have any signage or writing; the semi-trailer shall have current registration tabs; and this interim use permit expires when the property owner is changed. The motion offered by _____ and seconded by _____, and declared carried on the following vote:

Ayes: _____ Nays: _____ Abstained: _____

Passed:

Marshall Planning Commission

By: Cathy Lee
Its: Chair



**CITY OF MARSHALL
AGENDA ITEM REPORT
PC 11/13/24**

Presenter:	Ilya Gutman
Meeting Date:	Wednesday, November 13, 2024
Category:	PUBLIC HEARING
Type:	ACTION
Subject:	Conduct a public hearing on the Ordinance amending Sections 86-71 Classes and Enumeration of Districts, 86-96 A Agricultural District, 86-102 B-1 Limited Business District, 86-103 B-2 Central Business District, 86-104 B-3 General Business District, 86-105 B-4 Shopping Center Business District, 86-106 I-1 Limited Industrial District, and 86-107 I-2 General Industrial District, and adding new Section 86-166 Certification Of Cannabis Business License Application, all to comply with the new cannabis State regulations.
Background Information:	<p>The State of Minnesota has passed the law making most of cannabis related product legal. For all practical purposes, the only thing local governments are permitted to do is regulate the locations of cannabis related businesses through their zoning ordinances. All sections presented today are being changed to find an appropriate place for each type of a State licensed cannabis related business.</p> <p>The proposed changes are done in a consistent and simple manner. All cannabis related businesses are combined into one use line that lists permitted license types appropriate for a particular district, either as a permitted or conditional use. Section 86-166 Certification Of Cannabis Business License Application is added to comply with the State Statutes.</p> <p>Additionally, Section 86-105 B-4 Shopping Center Business District is being repealed because this district is obsolete: no part of town is zoned B-4 anymore, so it is deleted from Section 86-71 Classes And Enumeration Of Districts. A few other minor changes were made in several sections to simplify the ordinances; many of them relate to recently passed other ordinance changes, such as Rental Ordinance.</p> <p>The changes were presented to the Legislative and Ordinance Committee on 9/24/24, and recommendations were made by the committee members and the City attorney to make some revisions. All discussed revisions are included in this version. At its October 22, 2024, meeting, Legislation and Ordinance committee reviewed these amendments and recommended approval.</p>
Fiscal Impact:	None.
Alternative/ Variations:	None recommended.
Recommendations:	<p>Close public hearing.</p> <p>Staff recommends the recommendation to the City Council approving the revisions amending Sections 86-71 Classes and Enumeration Of Districts, 86-96 A Agricultural District, 86-102 B-1 Limited Business District, 86-103 B-2 Central Business District, 86 104 B-3 General Business District, 86-105 B-4 Shopping Center Business District, 86-106 I-1 Limited Industrial District, and 86-107 I-2 General Industrial District, and adding new Section 86-166 Certification Of Cannabis Business License Application as recommended by staff.</p>

Section 86-96 A Agricultural District

(a) *Intent; scope.* This section applies to the A agricultural district. This A district preserves land for agricultural or undeveloped uses until development pressures require that such land be released and rezoned for purposes of controlled and orderly growth according to the comprehensive plan pending proper timing and allowance for the economical provision of urban services.

(b) *Permitted uses.* The following uses shall be permitted in the A agricultural district:

(1) Cultivation, maintenance, or harvest of plants for the sale or other commercial use.

(2) Cannabis related businesses as follows: Cannabis cultivation, as defined and licensed by the Minnesota Office of Cannabis Management.

(3) Farming and truck gardening, nurseries and greenhouses.

(4) Golf courses and country clubs.

(5) Hobby farms including keeping up to six horses, mules, sheep, goats, llamas, or ponies.

(6) Parks and recreational areas owned or operated by governmental agencies.

(c) *Permitted accessory uses.* The following uses shall be permitted accessory uses in the A agricultural district:

(1) Accessory uses customarily incident to the uses permitted in subsections (a) and (b) of this section.

(2) Fallout shelters.

(3) Keeping ~~of not more than two~~ boarders and/or roomers by a resident family.

(4) Offices of persons and home occupations meeting the specific conditions of Section 86-50.

(5) Private garages and storage sheds.

(6) Private amateur radio towers and antennas complying with division 6.

(7) Private swimming pool when completely enclosed within a non-climbable fence five feet high with openings no greater than four inches in any dimension and self-closing and self-locking gate. Swimming pools exempt from the building permit requirements as defined in the state building code and hot tubs with latchable covers do not need to be enclosed.

(8) Single-family farm residences if used by the farm owner or operator, member of the immediate family, or an employee working on the premises.

(9) Private accessory equipment complying with Section 86-164, including, but not limited to, solar energy collectors and systems, playgrounds, and sports courts.

(c) *Conditional uses.* All conditional use permits for the A district may only be issued if the proposed use meets the specific requirements of this section and also meets the general regulations as outlined in article VI and meets the eligibility for conditional use permits as specified in article II, division 2. The following uses may be allowed in the A agricultural district by conditional permit:

- (1) Archery range.
- (2) Automobile, motorcycle, go-cart or snowmobile race and driving tracks.
- (3) Cemeteries, memorial gardens, and crematoriums.
- (4) Commercial solar energy collectors and systems.

~~Keeping of three or more roomers or boarders.~~

- (5) Kennels.
- (6) Other uses of the same general character as listed in subsection (b).
- (7) Outdoor and indoor gun ranges.
- (8) Recreational vehicle parks and camp sites.
- (9) Riding stables with up to six horses.
- (10) Shrimp and fish growing operations.
- (11) Water supply buildings, reservoirs, wells, elevated tanks and similar essential public utility structures.

(a) *Height, yard, area and lot width and depth regulations.* Height, yard, area and lot width and depth regulations for the A district are as follows:

- (1) *Height regulations.* No building hereafter erected or altered shall exceed 2 1/2 stories or 30 feet in height.
- (2) *Front yard regulations.*
 - a. There shall be a front yard having a depth of not less than 25 feet except as otherwise provided in this section.
 - b. There shall be a front yard of not less than 35 feet on a lot or plot that abuts a thoroughfare as shown on the adopted city thoroughfares plan.
- (3) *Side yard regulations.* There shall be a side yard, on each side of a building, each having a width of not less than five feet.
- (4) *Rear yard regulations.* There shall be a rear yard having a depth of not less than 25 percent of the lot depth.
- (5) *Lot area regulations.* Every lot shall contain an area of not less than 22,000 square feet.
- (6) *Lot width and depth regulations.* Every lot or plot of land on which a single-family dwelling is erected shall have a minimum width of not less than 110 feet at the building setback line, and a minimum depth of not less than 200 feet.

(b) *General regulations.* Additional regulations in the A agricultural district are set forth in article VI of this chapter.

(c) *Cannabis and hemp. No otherwise permitted or conditional use may handle product regulated by the Minnesota Office of Cannabis Management, unless explicitly permitted.*

district until placed in another district by action of the council after recommendation of the planning commission, unless the land being annexed is located within orderly annexation area and is not zoned A agricultural at the time of annexation.

(Code 1976, § 11.06; Ord. No. 404 2nd series, § 1, 11-16-1998; Ord. No. 407 2nd series, § 1, 12-21-1998; Ord. No. 590 2nd series, § 1, 2-19-2008; Ord. No. 720 2nd series, § 1, 5-9-2017; Ord. No. 734 2nd Series, 2-12-2019; Ord. No. 741 2nd series, § 1, 9-24-2019)

Cross reference(s)—Animals, ch. 14.

Section 86-102 B-1 Limited Business District

(a) *Intent; scope.* This section applies to the B-1 limited business district. This B-1 district is intended to permit selected businesses in areas adjacent to residential neighborhoods where analysis of the population demonstrates that such establishments are required and desirable.

(b) *Permitted uses.* The following uses shall be permitted in the B-1 district:

- (1) Antique, gift or florist shops.
- (2) Automobile parking lots excluding repairs and the parking of trucks and buses.
- (3) Barbershops or beauty shops.
- (4) Business or professional offices.
- (5) Cannabis related businesses as follows: Lower potency hemp retailers, as defined and licensed by the Minnesota Office of Cannabis Management; bBusinesses allowing off-sale retail sales requiring a registration under City Code, § 22-222. Businesses, except On-Site Intoxicating Hemp Product Businesses, must be located at least:
 - a. 500 feet, when measured in a straight line from the center of the primary building of a school, as defined in Minnesota Statutes, section 120A.22, subd. 4, excluding a home school, to the property line of the property in which the registered establishment is located. The primary building of each school is established in a map that will be published by the City.
- (6) Candy, ice cream, soft drinks or confectionery stores.
- (7) Churches.
- (8) Day care facility serving any number of individuals.
- (9) Fallout shelter.
- (10) Jewelry stores.
- (11) Laundromats and dry cleaning laundry pickup store.
- (12) Leather goods and luggage shops.
- (13) Medical clinics.
- (14) Municipal or other government administration buildings, police or fire stations, community center buildings, museums or art galleries, and post office stations.
- (15) Pharmacies or drugstores, including gifts, stationery and similar items.
- (16) Photography studios.
- (17) Pipe or tobacco shops.
- (18) Public libraries.
- (19) Retail bake or pastry shops.
- (20) Retail medical supply stores.
- (21) Tailor shops.

(c) *Permitted accessory uses.* The following uses shall be permitted accessory uses in the B-1 business district:

- (1) Accessory uses customarily secondary~~incident~~ to the uses permitted in subsections (a) and (b) of this section.
- (2) Living quarters of persons employed on the premises.
- (3) Off-street parking and loading as regulated by article VI of this chapter.
- (4) Private garage.
- ~~(5) Private swimming pool when completely enclosed within a chainlink or similar fence five feet high.~~
- ~~(6)~~(5) Solar energy collectors and systems servicing the individual property.
- ~~(7)~~(6) Storage garages ~~where the lot is occupied by a multiple-family dwelling or an institutional dwelling.~~

(d) *Conditional uses.* All conditional use permits for the B-1 district may only be issued if the proposed use meets the specific requirements of this section and also meets the general regulations as outlined in article VI and meets the eligibility for conditional use permits as specified in article II, division 2. The following uses may be allowed in the B-1 business district by conditional use permit:

- (1) Boardinghouses and lodging houses.
- (2) Gas station or car wash.
- (3) Grocery stores, fruit and vegetable markets.
- (4) Liquor stores (for consumption off the premises).
- (5) Meat shops and cold storage lockers (excluding slaughtering).
- (6) Medical, dental and optical labs.
- (7) Mortuaries or funeral homes.
- (8) Motels.
- (9) Multiple-family dwellings, apartment buildings or townhouses containing not more than eight dwelling units.
- ~~(10) Offices of persons and home occupations in existing structures when they meet the specific conditions of section 86-50.~~
- ~~(11)~~(10) Other business uses of the same general character as listed in subsection (b).
- ~~(12)~~(11) Parks and recreational areas.
- ~~(13)~~(12) Public, parochial or other private elementary, middle, junior high or senior high schools offering a curriculum equivalent to the public school system, and not operated for profit.
- ~~(14)~~(13) Public utility stations and structures.
- ~~(15)~~(14) Residential facility serving six or fewer individuals.
- ~~(16)~~(15) Restaurants, cafes, delicatessens or tearooms.
- ~~(17)~~(16) Shoe stores and shoe repair stores.
- ~~(18)~~(17) Single-family detached dwellings.
- ~~(19) Two family dwellings under single ownership, joint ownership or tenants in common.~~
- ~~(20) Two family dwellings under split ownership under the following conditions:~~

- ~~a. The dwellings have separate utility service lines to each unit.~~
- ~~b. The owner execute a common maintenance agreement containing covenants as to uniformity of exterior appearance of the dwellings for the life of the building.~~
- ~~c. Proper separation of units exist as provided by the city building code.~~
- ~~d. Such dwellings comply with all yard regulations for single family dwellings, except side yard regulations between the dwelling units.~~
- ~~e. The dwelling location on the lot be compatible with the neighborhood.~~
- ~~f. Landscaping, fencing, grading, exterior lighting, construction and driveway conform to the surrounding neighborhood.~~
- ~~g. Any accessory building is compatible with the dwellings and the surrounding neighborhood.~~
- ~~h. The dwellings shall be a maximum height of two stories.~~
 - ~~i. Not more than 50 percent of the lot area shall be occupied by buildings.~~
 - ~~j. No unit shall be eligible under this use unless the division of the dwelling occurs along the lot lines.~~

~~(24)(18)~~ Water supply buildings, reservoirs, wells, elevated tanks, and other similar essential public utility structures, municipal or other government service buildings.

(e) *Height, yard and lot coverage regulations.* Height, yard and lot coverage regulations for the B-2 district are as follows:

(1) *Height regulations.* No building shall hereafter be erected or structurally altered to exceed three stories or 35 feet in height.

(2) *Front yard regulations.*

- a. There shall be a front yard having a depth of not less than 25 feet on a lot or plot that abuts a minor street or a marginal access service street.
- b. There shall be a front yard having a depth of 35 feet on a lot or plot that abuts a thoroughfare as shown on the adopted city thoroughfares plan, except that an 80-foot setback shall be required when the council determines that a service road is necessary.
- c. There shall be a front yard on each street side of each corner lot. No accessory buildings shall project into the front yard line on either street.
- ~~d. No front yard shall be required in the downtown district.~~

(3) *Side yard regulations.*

- a. There shall be a side yard on each side of a building, having a width of not less than ten feet.
- b. No building shall be located within 20 feet of any side lot line abutting a lot in any of the classes of residence districts.
- ~~c. No side yard shall be required in the downtown district.~~

(4) *Rear yard regulations.*

- a. There shall be a rear yard having a depth of not less than 25 percent of

depth or a maximum required rear yard of 25 feet.

b. No building shall be located within 20 feet of any rear lot line abutting a lot in any of the classes of residence districts.

~~c. No rear yard shall be required in the downtown district.~~

(f) *Lot coverage regulations.* Not more than 50 percent of a lot shall be occupied by buildings. No lot coverage restrictions apply in the downtown district.

(g) *General regulations.* Additional regulations in the B-1 business district are set forth in article VI of this chapter, except that no outside storage or displays of property for sale shall be permitted on any premises in such district.

(h) *Cannabis and hemp.* No otherwise permitted or conditional use may handle product regulated by the Minnesota Office of Cannabis Management, unless explicitly permitted.

(Code 1976, § 11.12; Ord. No. 443, § 3, 11-6-2000; Ord. No. 463, § 1, 7-2-2001; Ord. No. 590 2nd series, § 1, 2-19-2008)

Cross reference(s)—Businesses, ch. 22.

HISTORY

Amended by Ord. 24-012 on 6/25/2024

Section 86-103 B-2 Central Business District

(a) *Intent; scope.* This section applies to the B-2 central business district. This B-2 district is intended to preserve and enhance the city's central business district as the prime center for office and government employment, shopping and cultural activities. This B-2 district shall be restricted to the downtown district.

(b) *Permitted uses.* The following uses shall be permitted in the B-2 business district:

- (1) Animal pet shops.
- (2) Antique, gift or florist shop.
- (3) Appliance sales and service stores.
- (4) Armories, convention or exhibition halls.
- (5) Art, office, school, camera and photography supply stores.
- (6) Audio recording sales or rental.
- (7) Auto parts stores.
- (8) Automobile parking lots and the parking of trucks and buses.
- (9) Banks and savings institutions.
- (10) Barbershops or beauty shops.
- (11) Bars, taverns, cocktail lounges, nightclubs, dancehalls and theaters.
- (12) Bicycle sales or repair shops.
- (13) Billiard or pool halls.
- (14) Book or stationery stores.
- (15) Bowling alleys.
- (16) Bus stations or taxistands.
- (17) Business, commercial or dance schools.
- (18) Business or professional offices.
- (19) Cannabis related businesses as follows: Lower potency hemp retailers, cannabis retailers, cannabis delivery services, cannabis lounges, and cannabis event organizers, as defined and licensed by the Minnesota Office of Cannabis Management; ~~b~~Businesses allowing off-sale retail sales requiring a registration under City Code, § 22-222. ~~Businesses, except On-Site Intoxicating Hemp Product Businesses,~~ must be located at least:
 - a. 500 feet, when measured in a straight line from the center of the primary building of a school, as defined in Minnesota Statutes, section 120A.22, subd. 4, excluding a home school, to the property line of the property in which the registered establishment is located. The primary building of each school is established in a map that will be published by the City.
- (20) Cabinet or carpenter shops.
- (21) Cabinet stores.
- (22) Candy, ice cream, soft drinks or confectionery stores.
- (23) Carpet, rug and flooring stores.

- (24) Churches.
- (25) Clothing stores.
- (26) Commercial radio or television broadcasting station.
- (27) Communication center (within building).
- (28) Department stores.
- (29) Fallout shelter.
- (30) Furniture stores.
- (31) Grocery stores, fruit and vegetable markets.
- (32) Hardware, hobby, sporting goods or toy stores.
- (33) Jewelry stores.
- (34) Job printing, newspaper, lithographing or publishing plants.
- (35) Laundromats and dry cleaning laundry pickup store.
- (36) Leather goods and luggage shops.
- (37) Liquor stores (for consumption off the premises).
- (38) Loan and finance company offices.
- (39) Lodge rooms or clubhouses for fraternal organizations.
- (40) Meat shops and cold storage lockers (excluding slaughtering).
- (41) Medical clinics.
- (42) Medical, dental and optical laboratories.
- (43) Mortuaries or funeral homes.
- (44) Motels or motor hotels.
- (45) Motion picture theatre.
- (46) Municipal or other government administration buildings, police or fire stations, community center buildings, museums or art galleries, and post office stations.
- (47) Music studios or musical instrument stores.
- (48) Newsstands.
- (49) Paint or wallpaper stores and interior decorating studios.
- (50) Pet supply store.
- (51) Pharmacies or drugstores; including gifts, stationery and similar items.
- (52) Photography studios.
- (53) Physical culture or health clubs and gymnasiums.
- (54) Pipe or tobacco shops.
- (55) Plumbing shops, television or radio repair shops; when operated as accessory uses to retail sales establishments.
- (56) Public libraries.
- (57) Restaurants, cafes, delicatessens or tearooms.

- (58) Retail bakeries or pastry shops.
- (59) Retail ice delivery stations (excluding manufacturing).
- (60) Retail medical supply stores.
- (61) Sewing machine sales and service stores.
- (62) Shoe stores and shoe repair shops.
- (63) Tailor shops.
- (64) Variety stores.
- (65) Veterinary clinic and hospital for small animals with associated indoor kennels where there are no animals allowed outside of a building at any time, where the entire business is conducted wholly within an enclosed sound proofed, heated and air conditioned building such that no noise or odors are perceptible beyond the property line.
- (66) Video recording and equipment sales and repair stores.
- (67) Watch or clock repair, locksmith or pawn shops.
- (68) Water conditioning sales and services.

(c) *Permitted accessory uses.* The following uses shall be permitted accessory uses in the B-2 central business district:

- (1) Accessory uses customarily secondary incident to the uses permitted in subsections (a) and (b) of this section.
- (2) Living quarters of persons employed on the premises.
- (3) Off-street parking and loading as regulated by article VI of this chapter.
- (4) Solar energy collectors and systems servicing the individual property.
- (5) Storage and parking garages ~~where the lot is occupied by a multiple-family dwelling, hospital or an institutional dwelling.~~

(d) *Conditional uses.* All conditional use permits for the B-2 district may only be issued if the proposed use meets the specific requirements of this section and also meets the general regulations as outlined in article VI and meets the eligibility for conditional use permits as specified in article II, division 2. The following uses may be allowed in the B-2 central business district by conditional use permit:

- (1) Automobile garages and repair shops, with no outside storage or sales of vehicles, equipment or accessories.
- (2) Automobile laundry or car wash.
- (3) Automobile service stations, for sale of gasoline, oil and accessories.
- (4) Boardinghouses and lodginghouses; convalescent, nursing and rest home.
- (5) Drive-in retail or service stores.
- (6) Garden supply stores.
- (7) Hospitals (excluding nonhuman).
- (8) Multiple-family dwellings, apartment buildings or townhouses.
- (9) Other business uses of the same general character as listed in subsection (b).
- (10) Parks and recreational areas owned or operated by governmental agencies.

- (11) Public, parochial or other private elementary, middle, junior high or senior high schools offering a curriculum equivalent to the public school system, and not operated for profit.
- (12) Repair and rental shops of domestic type equipment and items.
- (13) Residential facility or day care facility.
- (14) Self-storage warehouse on floors other than main level.
- (15) Sports arenas or stadiums, indoor skating rinks.
- (16) Tire, battery and automobile accessories shops.
- (17) Trade schools.
- (18) Upholstery and furniture repair shops.
- (19) Utility stations and structures.
- (20) Water supply buildings, reservoirs, wells, elevated tanks, and other similar essential public utility structures, municipal or other government service buildings.

(e) *Height, yard and lot coverage regulations.* Height, yard and lot coverage regulations for the B-2 district are as follows:

- (1) *Height regulations.* No building shall hereafter be erected or structurally altered to exceed 45 feet in height.
- (2) *Front yard regulations.* No front yard shall be required.
- (3) *Side yard regulations.* No side yard shall be required.
- (4) *Rear yard regulations.* No rear yard shall be required.

(f) *Lot coverage regulations.* There are no lot coverage regulations.

(g) *General regulations.* Additional regulations in the B-2 central business district are set forth in article VI of this chapter.

(h) *Cannabis and hemp. No otherwise permitted or conditional use may handle product regulated by the Minnesota Office of Cannabis Management, unless explicitly permitted.*

(Code 1976, § 11.13; Ord. No. 443, § 3, 11-6-2000; Ord. No. 463, § 1, 7-2-2001; Ord. No. 590 2nd series, § 1, 2-19-2008; Ord. No. 613 2nd series, § 1, 8-25-2009; Ord. No. 703 2nd series, § 1, 12-8-2015)

Cross reference(s)—Businesses, ch. 22.

HISTORY

Amended by Ord. [24-012](#) on 6/25/2024

Section 86-104 B-3 General Business District

(a) *Intent; scope.* This section applies to the B-3 general business district. This B-3 district provides a location for uses that are appropriate to thoroughfare locations, are largely dependent upon thoroughfare traffic, and are not suitable within other business districts.

(b) *Permitted uses.* The following uses shall be permitted in the B-3 business district:

- (1) Ambulance, taxi, bus, and rail stations or terminals.
- (2) Antique, gift or florist shop.
- (3) Apparel shops.
- (4) Appliance sales and service stores.
- (5) Art, office, school, camera and photography supply stores.
- (6) Audio recording sales or rental.
- (7) Auto parts and accessories.
- (8) Automobile and truck sales or used car lots.
- (9) Automobile garages and repair shops, with no outside storage of vehicles or equipment.
- (10) Automobile laundries and car washes.
- (11) Automobile parking lots and garages.
- (12) Automobile service stations, for sale of gasoline, oil and accessories.
- (13) Banks and savings institutions.
- (14) Barbershops or beauty shops.
- (15) Bars, taverns, cocktail lounges, nightclubs, dancehalls and theatres.
- (16) Bicycle or motorcycle sales or repair shops.
- (17) Billiard or pool halls.
- (18) Book or stationery stores.
- (19) Bowling alleys.
- (20) Business, commercial or dance schools.
- (21) Business or professional offices.
- (22) Cannabis related businesses as follows: Lower potency hemp retailers, cannabis retailers, cannabis delivery services, cannabis lounges, cannabis wholesaler, and cannabis event organizers, as defined and licensed by the Minnesota Office of Cannabis Management; ~~b~~Businesses allowing off-sale retail sales requiring a registration under City Code, § 22-222. ~~Businesses, except On-Site Intoxicating Hemp Product Businesses,~~ must be located at least:
 - a. 500 feet, when measured in a straight line from the center of the primary building of a school, as defined in Minnesota Statutes, section 120A.22, subd. 4, excluding a home school, to the property line of the property in which the registered establishment is located. The primary building of each school is established in a map that will be published by the City.

- (25) Carpenter, plumbing and heating, paint and wallpaper, and janitorial service shops.
- (26) Carpet and flooring stores.
- (27) Churches.
- (28) Day care facility serving any number of individuals.
- (29) Department stores.
- (30) Drive-in restaurants and other establishments that provide goods and services to patrons in automobiles.
- (31) Drive-in retail or service stores.
- (32) Drive-in theatres.
- (33) Drive-up bank and other offices.
- (34) Electric motors service shops.
- (35) Fallout shelter.
- (36) Furniture stores.
- (37) Garden and lawn supply stores.
- (38) Gas stations.
- (39) Glass sales and service stores.
- (40) Grocery stores or supermarkets.
- (41) Hardware, hobby, sporting goods or toy stores.
- (42) Health clubs.
- (43) Ice sales.
- (44) Jewelry stores and leather goods or luggage.
- (45) Laundromats and dry cleaning or laundry pickup stores.
- (46) Leather goods stores.
- (47) Liquor stores.
- (48) Loan and finance company offices.
- (49) Lodge rooms or clubhouses for fraternal organizations.
- (50) Marine or boat sales and repair shops.
- (51) Meat shops and cold storage lockers, excluding slaughtering.
- (52) Medical clinics.
- (53) Medical, dental and optical laboratories.
- (54) Miniature golf courses, archery and golf driving ranges; swimming pools serving more than one-family, skating rinks, tennis clubs, but excluding auto, motorcycle or go-cart race tracks.
- (55) Monument sales centers.
- (56) Mortuaries or funeral homes.
- (57) Motels or hotels.
- (58) Motion picture theatre.

- (59) Municipal or other government administration buildings, police or fire stations, community center buildings, museums or art galleries, and post office stations.
- (60) Music studios or musical instrument stores.
- (61) Newspaper printing.
- (62) Outdoor nurseries and greenhouses.
- (63) Paint or wallpaper stores.
- (64) Pet shops.
- (65) Pet supply store.
- (66) Pharmacies or drugstores.
- (67) Photography studios.
- (68) Pipe or tobacco shops.
- (69) Post office stations.
- (70) Printing.
- (71) Public libraries.
- (72) Radio or television broadcasting stations.
- (73) Repair and rental of domestic type equipment and items.
- (74) Restaurants, cafes, delicatessens or tea rooms.
- (75) Retail bakeries or pastry shops.
- (76) Retail ice delivery stations.
- (77) Retail medical supply stores.
- (78) Sales and service centers for farm implements.
- (79) Sales and service centers of travel and camping trailers, and motor homes which do not require a special permit to be transported on a public highway.
- (80) Self-storage warehouse with inside access to individual units.
- (81) Sewing machine sales and service.
- (82) Shoe stores and repair.
- (83) Tailor shops.
- (84) Television or radio repair shops.
- (85) Tire, battery and automobile accessories shops.
- (86) Upholstery and furniture repair shops.
- (87) Veterinary clinic and hospital for small animals with associated indoor kennels where there are no animals allowed outside of a building at any time, where the entire business is conducted wholly within an enclosed sound proofed, heated and air conditioned building such that no noise or odors are perceptible beyond the property line.
- (88) Video sales or rental.
- (89) Water conditioning sales and service.

(90) Water supply buildings, reservoirs, wells, elevated tanks and similar essential public utility structures.

(91) Wholesale business and office with no outside storage.

(c) *Permitted accessory uses.* The following uses shall be permitted accessory uses in the B-3 business district:

(1) Accessory uses generally associated with the uses permitted in subsections (a) and (b) of this section.

(2) Off-street parking and loading as regulated by article VI of this chapter.

(3) ~~Signs as regulated by article VI of this chapter.~~

(4) Solar energy collectors and systems servicing the individual property.

(5) Storage and parking garages ~~where the lot is occupied by an institutional building.~~

(d) *Conditional uses.* All conditional use permits for the B-3 district may only be issued if the proposed use meets the specific requirements of this section and also meets the general regulations as outlined in article VI and meets the eligibility for conditional use permits as specified in article II, division 2. The following use may be permitted in the B-3 business district by conditional use permit:

(1) Amusement parks.

(2) Armories, convention or exhibition halls.

(3) Billboards.

(4) Brewpubs.

(5) Cannabis related businesses as follows: Medical cannabis combination and cannabis testing facility, as defined and licensed by the Minnesota Office of Cannabis Management; businesses allowing off-sale retail sales must be located at least:

a. 500 feet, when measured in a straight line from the center of the primary building of a school, as defined in Minnesota Statutes, section 120A.22, subd. 4, excluding a home school, to the property line of the property in which the registered establishment is located. The primary building of each school is established in a map that will be published by the City.

~~(5)(6)~~ College, university, post high school education or training institution, or seminary; public or private; with the nearest building line to property line distance of 150 feet to any single family dwelling property.

~~(6)(7)~~ Convalescent, nursing and rest homes.

~~(7)(8)~~ Farm feed and seed, or lawn and gardening supply store.

~~(8)(9)~~ Golf courses, including clubhouses.

~~(9)(10)~~ Heliport.

~~(10)(11)~~ Hospitals and medical centers.

~~(11)(12)~~ Kennels.

~~(12)(13)~~ Lumberyards.

~~(13)(14)~~ Meat and butcher shops and cold storage lockers, with limited slaughtering.

~~(14)(15)~~ Multiple-family dwellings, apartment buildings or townhouses.

~~(15)~~(16) Municipal or other governmental service buildings.

~~(16)~~(17) Other business uses of the same general character as listed in subsection (b).

~~(17)~~(18) Parks and recreational areas owned or operated by governmental agencies.

~~(18)~~(19) Public, parochial or other private elementary, middle, junior high or senior high schools offering a curriculum equivalent to the public school system, and not operated for profit.

~~(19)~~(20) Residential facilities serving six or fewer individuals.

~~(20)~~(21) Self-storage warehouse with outside access to individual units.

~~(21)~~(22) Sports arenas or stadiums, indoor skating rinks and physical culture or health clubs and gymnasiums.

~~(22)~~(23) Trophy and award assembly.

~~(23)~~(24) Utility stations and structures.

(e) *Height and yard regulations.* Height and yard regulations for the B-3 district are as follows:

(1) *Height regulations.* No building shall hereafter be erected or structurally altered to exceed 45 feet in height.

(2) *Front yard regulations.*

a. There shall be a front yard having a depth of not less than 25 feet on a lot or plot that abuts a minor street or a marginal access service street.

b. There shall be a front yard having a depth of 35 feet on a thoroughfare as shown on the adopted city thoroughfares plan, except that an 80-foot setback shall be required when the council determines that a service road is necessary.

c. There shall be a front yard on each street side of a corner lot. No accessory buildings shall project beyond the front yard line on either street.

d. No front yard shall be required in the downtown district.

(3) *Side yard regulations.*

a. There shall be a side yard on each side of a building, having a width of not less than ten feet.

b. No building shall be located within 20 feet of any side lot line abutting a lot in any of the classes of residence districts.

c. No side yard shall be required in the downtown district.

(4) *Rear yard regulations.*

a. There shall be a rear yard having a depth of not less than 25 percent of the lot depth or a maximum required rear yard of 25 feet.

b. No building shall be located within 20 feet of any rear lot line abutting a lot in any of the classes of residence districts.

c. No rear yard shall be required in the downtown district.

(f) *Lot coverage regulations.* Not more than 50 percent of a lot shall be occupied by buildings in the B-3 district. No lot coverage restrictions apply in the downtown district.

(g) *General regulations.* Additional regulations in the B-3 general business district are set forth in

article VI of this chapter.

- (h) *Cannabis and hemp. No otherwise permitted or conditional use may handle product regulated by the Minnesota Office of Cannabis Management, unless explicitly permitted.*

(Code 1976, § 11.14; Ord. No. 410 2nd series, § 2, 2-16-1999; Ord. No. 443, § 3, 11-6-2000; Ord. No. 463, § 1, 7-2-2001; Ord. No. 590 2nd series, § 1, 2-19-2008; Ord. No. 613 2nd series, § 1, 8-25-2009; Ord. No. 655 2nd series, § 1, 5-22-2012; Ord. No. 719 2nd series, § 1, 5-9-2017; Ord. No. 753 2nd series, § 1, 7-28-2020)

Cross reference(s)—Businesses, ch. 22.

HISTORY

Amended by Ord. [23-011](#) on 6/13/2023

Amended by Ord. [24-012](#) on 6/25/2024

Section 86-105 B-4 Shopping Center Business District

~~(a) Intent; scope. This section applies to the B-4 shopping center business district. This B-4 district is intended to provide for existing and/or proposed shopping centers.~~

~~(b) Permitted uses. The following uses shall be permitted in the B-4 business district:~~

- ~~(1) Animal pet shops.~~
- ~~(2) Antique, gift or florist shop.~~
- ~~(3) Apparel shops.~~
- ~~(4) Appliance stores.~~
- ~~(5) Art, office, school, or camera and photography supply stores.~~
- ~~(6) Audio recording sales and rental.~~
- ~~(7) Auto parts and accessories.~~
- ~~(8) Automobile and truck parking lots.~~
- ~~(9) Banks and savings institutions.~~
- ~~(10) Barbershops or beauty shops.~~
- ~~(11) Bars, cocktail lounges, nightclubs and theatres.~~
- ~~(12) Bicycle sales shops.~~
- ~~(13) Bookstores.~~
- ~~(14) Bowling alleys.~~
- ~~(15) Bus stations or taxistands.~~
- ~~(16) Business, commercial and dance schools.~~
- ~~(17) Business or professional offices.~~
- ~~(18) Businesses requiring a registration under City Code, § 22-222. Businesses, except On-Site Intoxicating Hemp Product Businesses, must be located at least:
 - ~~a. 500 feet, when measured in a straight line from the center of the primary building of a school, as defined in Minnesota Statutes, section 120A.22, subd. 4, excluding a home school, to the property line of the property in which the registered establishment is located. The primary building of each school is established in a map that will be published by the City.~~~~
- ~~(19) Butcher shops, excluding slaughtering.~~
- ~~(20) Cabinet stores.~~
- ~~(21) Candy, ice cream, soft drinks or confectionery stores.~~
- ~~(22) Carpet and flooring stores.~~
- ~~(23) Clock repair.~~
- ~~(24) Communications broadcasting station.~~
- ~~(25) Department store.~~
- ~~(26) Drive-up bank.~~

- ~~(27) Dry-cleaning stores or laundry pickup stores.~~
- ~~(28) Fallout shelter.~~
- ~~(29) Finance company offices.~~
- ~~(30) Funeral homes.~~
- ~~(31) Furniture stores.~~
- ~~(32) Garden and lawn supply stores.~~
- ~~(33) Gas stations.~~
- ~~(34) Glass sales.~~
- ~~(35) Governmental buildings.~~
- ~~(36) Grocery stores.~~
- ~~(37) Hardware, hobby, sporting goods or toy stores.~~
- ~~(38) Jewelry stores.~~
- ~~(39) Leather goods and luggage shops.~~
- ~~(40) Libraries.~~
- ~~(41) Liquor stores (for consumption off the premises).~~
- ~~(42) Loan and finance.~~
- ~~(43) Lodge rooms or clubhouses for fraternal organizations.~~
- ~~(44) Medical clinics.~~
- ~~(45) Motels.~~
- ~~(46) Motion picture theatre.~~
- ~~(47) Music studios or musical instrument stores.~~
- ~~(48) Newsstands.~~
- ~~(49) Office and photo supply (retail).~~
- ~~(50) Paint, wallpaper or interior decorating stores.~~
- ~~(51) Pet supply store.~~
- ~~(52) Pipe or tobacco shops.~~
- ~~(53) Pharmacies or drugstores.~~
- ~~(54) Photography studios.~~
- ~~(55) Physical culture or health clubs and gymnasiums.~~
- ~~(56) Plumbing and heating sales.~~
- ~~(57) Pool halls and video arcades.~~
- ~~(58) Post office stations.~~
- ~~(59) Printing.~~
- ~~(60) Restaurants, cafes, delicatessens or tea rooms.~~
- ~~(61) Retail bakeries or pastry shops.~~

~~(62) Retail medical supply stores.~~

~~(63) Sewing machine sales and service.~~

~~(64) Shoe stores.~~

~~(65) Supermarkets.~~

~~(66) Tailor shops.~~

~~(67) Veterinary clinic and hospital for small animals with associated indoor kennels where there are no animals allowed outside of a building at any time, where the entire business is conducted wholly within an enclosed sound proofed, heated and air conditioned building such that no noise or odors are perceptible beyond the property line.~~

~~(68) Video recording sales and rental.~~

~~(69) Water conditioning sales.~~

~~(c) *Permitted accessory uses.* The following uses shall be permitted accessory uses in the B-4 business district:~~

~~(1) Accessory uses generally associated with the uses permitted in subsections (a) and (b) of this section.~~

~~(2) Off-street parking and loading as regulated by article VI of this chapter.~~

~~(3) Signs as regulated by article VI of this chapter.~~

~~(4) Solar energy collectors and systems.~~

~~(5) Storage garages where the lot is occupied by an institutional building.~~

~~(d) *Conditional uses.* All conditional use permits for the B-4 district may only be issued if the proposed use meets the specific requirements of this section and also meets the general regulations as outlined in article VI and meets the eligibility for conditional use permits as specified in article II, division 2. The following uses may be permitted in a B-4 district by conditional use permits:~~

~~(1) Automobile car washes.~~

~~(2) Automobile service stations for sale of gasoline, oil and accessories.~~

~~(3) Brewpubs.~~

~~(4) Cabinet sales.~~

~~(5) Day care facility serving any number of individuals.~~

~~(6) Drive-in restaurants and other establishments that provide goods and service to patrons in automobiles.~~

~~(7) Drive-in retail stores.~~

~~(8) Garden and lawn supply stores.~~

~~(9) Lodge rooms or clubhouses for fraternal organizations.~~

~~(10) Medical, dental and optical lab.~~

~~(11) Multiple-family dwelling, apartments, townhouses.~~

~~(12) Municipal or other government administration building, police or fire stations and museums.~~

- ~~(13) Municipal or other governmental service buildings.~~
- ~~(14) Parks and recreational areas.~~
- ~~(15) Plumbing, television or radio repair shops when operated as accessory uses to retail shops.~~
- ~~(16) Public libraries.~~
- ~~(17) Public, parochial or other private elementary, middle, junior high or senior high schools offering a curriculum equivalent to the public school system, and not operated for profit.~~
- ~~(18) Public utility structures.~~
- ~~(19) Repair and rental shops of domestic type equipment and items.~~
- ~~(20) Sports arenas.~~
- ~~(21) Trade schools.~~
- ~~(22) Utility stations and structures.~~

~~(e) Height and yard regulations. Height and yard regulations in the B-4 district are as follows:~~

~~(1) Height regulations. No building shall hereafter be erected or structurally altered to exceed 45 feet in height.~~

~~(2) Front yard regulations.~~

~~a. There shall be a front yard having a depth of 50 feet on a thoroughfare as shown on the adopted city thoroughfares plan, except that an 80-foot setback shall be required when the council determines that a service road is necessary.~~

~~b. There shall be a front yard on each street side of a corner lot. No accessory buildings shall project beyond the front yard line on either street.~~

~~(3) Side yard regulations.~~

~~a. There shall be a side yard on each side of a lot, having a width of not less than 30 feet.~~

~~b. No building shall be located within 20 feet of any side lot line abutting a lot in any of the classes of residence districts.~~

~~(4) Rear yard regulations.~~

~~a. There shall be a rear yard having a depth of not less than 25 percent of the lot depth or a maximum required rear yard of 25 feet.~~

~~b. No building shall be located within 20 feet of any rear lot line abutting a lot in any of the classes of residence districts.~~

~~(f) Lot coverage regulations. Not more than 30 percent of the lot may be occupied by buildings in the B-4 district.~~

~~(g) General regulations. Additional regulations in the B-4 shopping center business district are set forth in article VI of this chapter.~~

~~(Code 1976, § 11.15; Ord. No. 463, § 1, 7-2-2001; Ord. No. 590 2nd series, § 1, 2-19-2008; Ord. No. 612 2nd series, § 1, 8-25-2009; Ord. No. 655 2nd series, § 1, 5-22-2012)~~

~~Cross reference(s)—Businesses, ch. 22.~~

HISTORY

Amended by Ord. [24-012](#) on 6/25/2024

Section 86-106 I-1 Limited Industrial District

- (a) *Intent; scope.* This section applies to the I-1 limited industrial district. This I-1 district provides a location for nonnuisance type manufacturing and/or less intensive commercial uses such as wholesale activities, with only incidental outside storage.
- (b) *Permitted uses.* The following uses shall be permitted in the I-1 industrial district:
- (1) Ambulance and taxi service, bus, and rail stations or terminals.
 - (2) Animal hospitals.
 - (3) Auto parts and accessories sales.
 - (4) Automobile garages and repair shops, with no long-term outside storage of vehicles or equipment.
 - (5) Automobile parking lots and garages.
 - (6) Building materials sales and storage and lumberyards.
 - (7) Business or professional offices.
 - (8) Camera and photographic supplies manufacture.
 - (9) Cannabis related businesses as follows: Lower potency hemp retailers, cannabis retailers, cannabis delivery services, cannabis lounges, cannabis wholesaler, cannabis transporter, cannabis testing facility, and medical cannabis combination, as defined and licensed by the Minnesota Office of Cannabis Management; businesses allowing off-sale retail sales must be located at least:
 - a. 500 feet, when measured in a straight line from the center of the primary building of a school, as defined in Minnesota Statutes, section 120A.22, subd. 4, excluding a home school, to the property line of the property in which the registered establishment is located. The primary building of each school is established in a map that will be published by the City.
 - (10) Carpenter and cabinet shops, plumbing and heating shops, and janitorial services.
 - (11) Cartage and express facilities.
 - (12) Cartography, bookbinding, engraving, publishing, job printing, lithographing and copying.
 - (13) Commercial greenhouses, nurseries or tree farms.
 - (14) Contractor's offices shops and yards for plumbing, heating, glazing, painting, paper hanging, roofing, ventilating, air conditioning, masonry and electrical and refrigeration supplies and other
 - (15) Construction related trades when completely enclosed within a building.
 - (16) Electrical and electronic products manufacture.
 - (17) Electrical service shops.
 - (18) Fallout shelter.
 - (19) Farm equipment sales and service.
 - (20) Farm, feed and seed supply stores.

- (21) Garage and storage of motor vehicles.
- (22) Governmental service buildings.
- (23) Household goods repair and service shops.
- (24) Ice plant.
- (25) Industrial truck and equipment sales and service shops.
- (26) Jewelry manufacture.
- (27) Kennels.
- (28) Leather goods.
- (29) Medical, dental and optical equipment manufacture.
- (30) Mobile home and camping trailer sales.
- (31) Musical instruments manufacture.
- (32) Railroad rights-of-way.
- (33) Rentals of industrial type equipment.
- (34) Research, experimental or testing stations.
- (35) Self-storage warehouse.
- (36) Soft drink and bottling establishments (enclosed).
- (37) Storage or warehousing, when completely enclosed within a building.
- (38) Telephone exchange.
- (39) Trade schools.
- (40) Transformer and booster stations, transmitters and other utility stations.
- (41) Trophy and award manufacturing or assembling.
- (42) Water supply buildings, reservoirs, wells, elevated tanks and similar essential public utility structures.
- (43) Wholesale business and office establishments.

(c) *Permitted accessory uses.* The following uses shall be permitted accessory uses in the I-1 industry district:

- (1) All uses customarily secondary incidental to the uses permitted in subsections (a) and (b) of this section.
- (2) Off-street parking and loading as regulated by article VI of this chapter.
- ~~(3) Signs, as regulated by article VI of this chapter.~~
- ~~(4)~~(3) Solar energy collectors and systems servicing the individual property.

(d) *Conditional uses.* All conditional use permits for the I-1 district may only be issued if the proposed use meets the specific requirements of this section and also meets the regulations as outlined in article VI and meets the eligibility for conditional use permits as

specified in article II, division 2. The following uses may be allowed in the I-1 industrial district by conditional use permit:

- (1) Automobile and truck sales or used car lots.
- (2) Billboards.
- (3) Brewpubs and microbreweries.
- (4) Cannabis related businesses as follows: Cannabis cultivator (indoor only), cannabis event organizer, and lower potency hemp manufacturer, as defined and licensed by the Minnesota Office of Cannabis Management; businesses allowing off-sale retail sales must be located at least:
 - a. 500 feet, when measured in a straight line from the center of the primary building of a school, as defined in Minnesota Statutes, section 120A.22, subd. 4, excluding a home school, to the property line of the property in which the registered establishment is located. The primary building of each school is established in a map that will be published by the City.
- (5) Day care facility serving any number of individuals.
- (6) Heliport.
- (7) Meat and butcher shops and cold storage lockers, with limited slaughtering.
- (8) Municipal or other governmental administration buildings, police and fire stations, community centers, public libraries, museums, art galleries and post office stations.
- (9) Other industrial uses of the same general character as listed in subsection (b).
- (10) Overnight campgrounds.
- (11) Parks and recreational areas owned or operated by governmental agencies.
- (12) Public, parochial or other private elementary, middle, junior high or senior high schools offering a curriculum equivalent to the public school system, and not operated for profit.
- (13) Recyclable materials processing when completely enclosed within a building.
- (14) Utility stations and structures.

(e) *Height, yard, area, lot width and lot coverage regulations.* Height, yard, area, lot width and lot coverage regulations for the I-1 district are as follows:

- (1) *Height regulations.* No building shall hereafter be erected to exceed 75 feet in height.
- (2) *Front yard regulations.*
 - a. There shall be a front yard having a depth of not less than 25 feet except as otherwise provided in this section.
 - b. There shall be a front yard having a depth of 35 feet on a lot or plot that abuts a thoroughfare as shown on the adopted city thoroughfares plan, except that an 80-foot setback shall be required when the council determines that a service road is necessary.
 - c. No front yard shall be required in the downtown district.

(3) *Side yard regulations.*

- a. There shall be two side yards, one on each side of a building, each having a width of not less than ten feet.
- b. No building shall be located within 20 feet of any rear lot line abutting a lot in any of the classes of residence districts.
- c. No side yard shall be required in the downtown district.

(4) *Rear yard regulations.*

- a. There shall be a rear yard having a depth of not less than 25 percent of the lot depth or a maximum required rear yard of 25 feet.
- b. No rear yard shall be required in the downtown district.

(5) *Lot coverage regulations.* Not more than 50 percent of the total area of a lot shall be covered by buildings. No lot coverage restrictions apply in the downtown district.

(f) *General regulations.* Additional regulations in the I-1 limited industrial business district are set forth in article VI of this chapter.

(g) *Cannabis and hemp. No otherwise permitted or conditional use may handle product regulated by the Minnesota Office of Cannabis Management, unless explicitly permitted.*

(Code 1976, § 11.16; Ord. No. 401 2nd series, § 1, 10-19-1998; Ord. No. 410 2nd series, § 3, 2-16-1999; Ord. No. 443, § 3, 11-6-2000; Ord. No. 590 2nd series, § 1, 2-19-2008; Ord. No. 606 2nd series, § 1, 3-10-2009; Ord. No. 650 2nd series, § 1, 3-27-2012; Ord. No. 655 2nd series, § 1, 5-22-2012; Ord. No. 694 2nd series, § 1, 5-12-2015; Ord. No. 719 2nd series, § 2, 5-9-2017; Ord. No. 753 2nd series, § 1, 7-28-2020)

Cross reference(s)—Businesses, ch. 22.

HISTORY

Amended by Ord. [23-027](#) on 11/28/2023

Section 86-107 I-2 General Industrial District

- (a) *Intent; scope.* This section applies to the I-2 general industrial district. This I-2 district provides a location for heavier industrial and manufacturing activities, without encroachment by incompatible use areas.
- (b) *Permitted uses.* The following uses shall be permitted in the I-2 industrial district:
- (1) Animal hospitals.
 - (2) Auto parts and accessories sales.
 - (3) Automobile and truck parking lots and garages.
 - (4) Bottling establishments.
 - (5) Building materials sales and storage and lumberyard.
 - (6) Camera and photographic supplies manufacture.
 - (7) Cannabis related businesses as follows: Cannabis delivery services, cannabis wholesaler, cannabis transporter, cannabis testing facility, and cannabis cultivator (indoor only), as defined and licensed by the Minnesota Office of Cannabis Management.
 - (8) Carpenter and cabinet shops, plumbing and heating shops, and janitorial services.
 - (9) Cartage and express facilities.
 - (10) Cartography, bookbinding, engraving, publishing, job printing, lithographing and copying.
 - (11) Cleaning and dyeing.
 - (12) Contractor's offices, shops and yards for plumbing, heating, glazing, painting, paper hanging, roofing, ventilating, air conditioning, masonry, electrical and refrigeration supplies.
 - (13) Egg grading, sorting and wholesale business.
 - (14) Electric light or power generating station.
 - (15) Electrical and electronic products manufacture.
 - (16) Electrical service shops.
 - (17) Fallout shelters.
 - (18) Farm equipment sales and service.
 - (19) Farm, feed and seed supply stores.
 - (20) Feed and seed processing.
 - (21) Freight terminal.
 - (22) Fuel and ice sales and storage.
 - (23) Garages and storage, repair and servicing of motor vehicles.
 - (24) Governmental service buildings.
 - (25) Highway maintenance shops and yards.
 - (26) Ice plant.
 - (27) Industrial training schools.

- (28) Industrial truck and equipment sales and service shops.
- (29) Jewelry manufacture.
- (30) Kennels.
- (31) Landscaping including outside material storage.
- (32) Leather goods.
- (33) Manufacturing, processing, and associated storage, servicing and testing.
- (34) Medical, dental and optical equipment manufacture.
- (35) Mobile home and camping trailer sales.
- (36) Musical instruments manufacture.
- (37) Printing.
- (38) Public utility structure (industrial).
- (39) Railroad rights-of-way.
- (40) Rentals of industrial type equipment.
- (41) Research, experimental or testing stations.
- (42) Soft drink and bottling establishments (enclosed).
- (43) Storage or warehousing, when completely enclosed within a building.
- (44) Telephone exchange.
- (45) Trophy and award manufacturing or assembling.
- (46) Warehouses.
- (47) Water supply buildings, reservoirs, wells, elevated tanks and similar essential public utility structures.
- (48) Wholesale business and office establishments.

(c) *Permitted accessory uses.* The following uses shall be permitted accessory uses in the I-2 industry district:

- (1) All uses customarily ~~secondary incidental~~ to the uses permitted in subsections (a) and (b) of this section.
- (2) Off-street parking and loading as regulated by article VI of this chapter.
- ~~(3) Signs, as regulated by article VI of this chapter.~~
- ~~(4)~~(3) Solar energy collectors and systems servicing the individual property.

(d) *Conditional uses.* All conditional use permits for the I-2 district may only be issued if the proposed use meets the requirements of this section and also meets the general regulations as outlined in article VI and meets the eligibility for conditional use permits as specified in article II, division 2. The following uses may be allowed in the I-2 industrial district by conditional use permit:

- (1) Adult uses complying with the following regulations:
 - a. The use must be contained within a building.
 - b. No sign or exterior graphics permitted except for those written in letters English language.

- c. The use is not permitted within 2,000 feet of another adult use, establishment selling beer or alcoholic beverages, school, church, any residential use, library, park, daycare facility, or residential facility, as measured from property line to property line.
- d. This use must not be greater than 2,000 square feet in total building floor area and contained in one building on a lot, plot, or property.

(2) Automobile and truck sales or used car lots.

(3) Billboards.

(4) Brewpubs, microbreweries, and breweries.

(5) Cannabis related businesses as follows: Medical cannabis combination, as defined and licensed by the Minnesota Office of Cannabis Management; businesses allowing off-sale retail sales must be located at least:

a. 500 feet, when measured in a straight line from the center of the primary building of a school, as defined in Minnesota Statutes, section 120A.22, subd. 4, excluding a home school, to the property line of the property in which the registered establishment is located. The primary building of each school is established in a map that will be published by the City.

(6) Cultivation, maintenance, and harvest of plants for the sale or other commercial use.

(7) Day care facility serving any number of individuals.

(8) Processing, or storage and stockpiling of sand, gravel, stone or other raw material.

(9) Greenhouses (commercial).

(10) Gas stations.

(11) Hazardous chemicals (processing/storage).

(12) Heliport.

(13) Junkyards, wrecking yards or auto salvage yards.

(14) Meat and butcher shops and cold storage lockers.

(15) Meat processing plants.

(16) Municipal or other governmental administration or service buildings, police and fire stations, and post office stations.

(17) Other industrial uses of the same general character as listed in subsection (b).

(18) Outdoor nurseries and tree farms.

(19) Public service structures including power substations, gas regulator stations, sewage disposal plant, elevated tanks and water works.

(20) Recyclable materials processing.

(21) Restaurants.

(22) Truck stops.

(e) *Height, yard, area, lot width and lot coverage regulations.* Height, yard, area, lot width and lot coverage regulations in the I-2 district are as follows:

(1) *Height regulations.* No building shall hereafter be erected to exceed 75 feet in height.

(2) *Front yard regulations.*

- a. There shall be a front yard having a depth of not less than 25 feet except as otherwise provided in this section.
- b. There shall be a front yard having a depth of 35 feet on a lot or plot that abuts a thoroughfare as shown on the adopted city thoroughfares plan, except that an 80-foot setback shall be required when the council determines that a service road is necessary.
- c. No front yard shall be required in the downtown district.

(3) *Side yard regulations.*

- a. There shall be two side yards, one on each side of a building, each having a width of not less than ten feet.
- b. No building shall be located within 20 feet of any rear lot line abutting a lot in any of the classes of residence districts.
- c. No side yard shall be required in the downtown district.

(4) *Rear yard regulations.*

- a. There shall be a rear yard having a depth of not less than 25 percent of the lot depth or a maximum required rear yard of 25 feet.
- b. No rear yard shall be required in the downtown district.

(5) *Lot coverage regulations.* There are no lot coverage regulations.

(f) *General regulations.* Additional regulations in the I-2 general industrial business district are set forth in article VI of this chapter.

(g) *Cannabis and hemp. No otherwise permitted or conditional use may handle product regulated by the Minnesota Office of Cannabis Management, unless explicitly permitted.*

(Code 1976, § 11.17; Ord. No. 443, § 3, 11-6-2000; Ord. No. 590 2nd series, § 1, 2-19-2008; Ord. No. 606 2nd series, § 2, 3-10-2009; Ord. No. 622 2nd series, § 1, 7-27-2010; Ord. No. 655 2nd series, § 1, 5-22-2012; Ord. No. 685, § 1, 1-28-2014; Ord. No. 694 2nd series, § 1, 5-12-2015; Ord. No. 719 2nd series, § 2, 5-9-2017; Ord. No. 753 2nd series, §§ 1, 2, 7-28-2020)

Cross reference(s)—Businesses, ch. 22.

HISTORY

Amended by Ord. [24-008](#) on 5/14/2024