

**CITY OF PINE ISLAND
GOODHUE AND OLMSTED COUNTIES
STATE OF MINNESOTA**

ORDINANCE NO. 174 SECOND SERIES

AN ORDINANCE AMENDING CHAPTER 11 BY AMENDING SECTIONS 11.02 SUBD. 2, 11.27 SUBD. 4, 11.40 SUBD. 2, 11.41 SUBD. 2, 11.50 SUBD. 4, 11.51 SUBD. 3, 11.51 SUBD. 4, 11.52 SUBD. 2, 11.52 SUBD. 4 OF THE CITY OF PINE ISLAND CITY CODE RELATING TO CANNABIS BUSINESSES

THE CITY COUNCIL OF THE CITY OF PINE ISLAND DOES ORDAIN AS FOLLOWS:

Section 1. section 11.02 Subd. 2 of the city code is amended by deleting the ~~stricken~~ language and inserting the double underlined language:

SEC. 11.02. RULES AND DEFINITIONS.

Subd. 2. Definitions.

The following words and terms, wherever they occur in this Chapter, shall be interpreted as herein defined:

"Accessory Use or Structure" - A use or structure, or portion of a structure, on the same lot with, and of a nature customarily incidental and subordinate to, the principal use or structure.

"Acid Etch" - A finish achieved by casting concrete against a smooth, hard surface. After removal from the form, the element is allowed to harden to a uniform hardness. The element is then washed with an acid solution and scrubbed to remove the cement surface to a sand level, resulting in a smooth, sand-textured surface.

"Advertising Sign" - A sign which directs attention to a business, commodity, activity, service, or product not necessarily conducted, sold, or offered upon the premises where such sign is located.

"Agricultural Product Sign" - A sign displayed on any farm by the owner or other operator thereof, for the purpose of identifying such farm or advertising the products thereof.

"Agriculture Use" - The use of land for the growing and/or production of field crops, livestock, and livestock products for the production of income, including but not limited to the following:

A. Field crops, including: barley, soybeans, corn, hay, oats, potatoes, rye, sorghum, and sunflowers.

B. Livestock, including: dairy and beef cattle, goats, horses, sheep, hogs, poultry, game birds and other animals including dogs, ponies, deer, rabbits and mink.

C. Livestock products, including: milk, butter, cheese, eggs, meat, fur and honey.

"Alley" - A street or thoroughfare affording secondary access to abutting property.

"Agricultural Building or Structure" - Any building or structure existing or erected, which is used principally for agricultural purposes, with the exception of dwelling units.

"Animal Feedlot" - A lot or building or combination of lots and buildings intended for the confined feeding, breeding, raising, or holding of animals (not including animal laboratories, research and development facilities) and specifically designed as a confinement area in which manure may accumulate, or where the concentration of animals is such that a vegetative cover cannot be maintained within the enclosure. Open lots used for feeding and rearing of poultry (poultry ranges), and barns, dairy farms, swine facilities, beef lots and barns, horse stalls, mink

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cannot be maintained within the enclosure. Open lots used for feeding and rearing of poultry (poultry ranges), and barns, dairy farms, swine facilities, beef lots and barns, horse stalls, mink ranches and zoos, shall be considered to be animal feedlots. Pastures shall not be considered animal feedlots.

"Animal Kennel" - Any place where more than three domestic animals of one type, over six months of age, are kept, sold, boarded, bred, or exhibited, except hospitals, clinics, and other premises operated by a licensed veterinarian exclusively for the care and treatment of animals.

"Animal Unit" - A unit of measure used to compare differences in the production of animal manure that employs as a standard the amount of manure produced on a regular basis by a slaughter steer or heifer for an animal feedlot or manure storage area, calculated by multiplying the number of animals of each type by the respective multiplication factor and summing the resulting values for the total number of animal units. For the purposes of this Chapter, the following multiplication factors shall apply:

<u>Animal</u>	<u>Units</u>
• A. Dairy cattle:	
○ 1 mature cow (milked or dry) greater than 1,000 pounds	1.4
○ 1 mature cow (milked or dry) less than 1,000 pounds	1.0
○ 1 heifer	0.7
○ 1 calf	0.2
• B. Beef cattle:	
○ 1 cow and calf pair	1.2
○ 1 slaughter cow or stock steer	1.0
○ 1 feeder cattle or heifer	0.7
○ 1 calf	0.2
• C. Swine:	
○ 1 greater than 300 pounds	0.4
○ 1 55 pounds to 300 pounds	0.3
○ 1 less than 55 pounds	0.05
• D. 1 horse	1.0
• E. 1 sheep or lamb	0.1
• F. Chicken:	
○ 1 laying hen or broiler - liquid storage	0.033
○ 1 laying hen or broiler - dry storage greater than 5 pounds	0.005
○ 1 laying hen or broiler - dry storage less than 5 pounds	0.003
• G. Turkey:	
○ 1 greater than 5 pounds	0.018
○ 1 less than 5 pounds	0.005
• H. 1 duck	0.01

For animals not listed, the number of animal units shall be the average weight of the animal in pounds divided by 1,000 pounds.

"Animals" -

A. Farm Animals: Cattle, hogs, bees, sheep, goats, chickens, turkeys, horses, and other animals commonly accepted as farm animals in the state of Minnesota.

B. House Pets: Animals such as dogs, cats, birds (not including pigeons, chickens, geese, turkeys, or other domestic fowl), gerbils, hamsters, rabbits (including those normally sheltered outside of the principal structure), and tropical fish, that can be contained within a principal structure throughout the entire year, provided that the containment can be accomplished without special modification to the structure that would require a building permit, excluding wild or domesticated wild animals.

"Attached Sign" - Any sign posted, painted, or constructed, attached to the wall, roof, facade, canopy, marquee, or porch of any structure; provided the sign does not extend above the highest point of the roof.

"Auto or Motor Vehicle Reduction Yard" - A lot or yard where one or more unlicensed motor vehicles, or the remains thereof, are kept for the purpose of dismantling, wrecking, crushing, repairing, rebuilding, sale of parts, sales as scrap, storage, or abandonment. (See also Junk Yard.)

"Automobile Service Station" - A building designed primarily for the supplying of motor fuel, oil, lubrication, and accessories to motor vehicles or any portion thereof.

"Basement" - A portion of a building located partly underground but having half or more of its floor to ceiling height below the average grade of the adjoining ground.

"Boarding House" (Rooming or Lodging House) - A building other than a motel or hotel where, for compensation and by prearrangement for definite periods, meals or lodgings are provided for three or more persons, but not to exceed 20 persons.

"Brick" - The conventional molded rectangular block of baked clay, nominal four-inch width. Thin brick veneer, faux brick, or decorative brick shall not be permitted as a building material for nonresidential structures.

"Brick Face" - A precast panel with a cavity cast in, or a plate cast in if the brick runs to the bottom of the edge so that the brick can be set in the panel after its removal from the form.

"Building" - Any structure having a roof which may provide shelter or enclosure of persons, animals, chattel, or property of any kind and when said structures are divided by party walls without openings, each portion of such building so separated shall be deemed a separate building.

"Building Height" - A distance to be measured from the mean ground level to the top of a flat roof, to the mean distance of the highest gable on a pitched or hip roof, to the deck line of a mansard roof, to the uppermost point on all other roof types.

"Building Integrated SES" - An active solar energy system that is an integral part of a principal or accessory building, rather than a separate mechanical device, replacing or substituting for an

architectural or structural component of the building. Building-integrated systems include, but are not limited to, photovoltaic or thermal solar systems that are contained within roofing materials, windows, skylights, and awnings.

"Building Line" - A line parallel to the street right-of-way line at any story level of a building and representing the minimum distance, which all or any part of the building is set back from said right-of-way line.

"Building Setback" - The minimum horizontal distance between the building and a lot line, or the normal high water mark of a stream or river.

"Business" - Any occupation, employment, or enterprise wherein merchandise is exhibited or sold, or where services are offered for compensation.

"Business Sign" - A sign which directs attention to a business, profession, commodity, service, or entertainment sold or offered upon the premises where such sign is located or to which it is attached.

"Cannabis cultivation business" means a business with a cannabis cultivator license, medical cannabis cultivator license, or cultivation endorsement from the State of Minnesota Office of Cannabis Management.

"Cannabis delivery business" means a business with a cannabis delivery service license or delivery service endorsement from the State of Minnesota Office of Cannabis Management.

"Cannabis event organizer" means a business with a cannabis event organizer license or event organization endorsement from the State of Minnesota Office of Cannabis Management.

"Cannabis manufacturing business" means a business with a cannabis manufacturer license, or manufacturing endorsement from the State of Minnesota Office of Cannabis Management.

"Cannabis retailer" means a business with a cannabis retailer license, medical cannabis retailer license, lower-potency hemp edible retailer license, or retail endorsement from the State of Minnesota Office of Cannabis Management.

"Cannabis testing business" means a business with a cannabis testing facility license or testing endorsement from the State of Minnesota Office of Cannabis Management.

"Cannabis transportation business" means a business with a cannabis transporter license or transportation endorsement from the State of Minnesota Office of Cannabis Management.

"Cannabis wholesaling business" means a business with a cannabis wholesaler license or wholesaling endorsement from the State of Minnesota Office of Cannabis Management.

"Cast Stone" - A finish achieved by ramming moist zero slump concrete against smooth rigid formwork until the product is densely compacted and ready for removal from the form. After curing, the panel may be hand rubbed or acid etched.

"Changing Sign" - A sign which has a message that is automatically changed, such as those signs providing the time, temperature, or stock market data.

"Clear-Cutting" - The entire removal of a stand of vegetation.

"Clustering/Cluster Housing" - The development pattern and technique whereby structures are arranged in closely related groups to make the most efficient use of the natural amenities of the land.

"Community SES" – A solar-electric (photovoltaic) array that provides retail electric power (or a financial proxy for retail power) to multiple community members or businesses residing or located off-site from the location of the solar energy system, for the primary purpose of generating electricity for use by members of the Community SES. A community SES shall be an accessory land use for the parcel on which it is located.

"Comprehensive Plan" – A compilation of goals, policy statements, standards, programs, and maps for guiding the physical, social, and economic development, both public and private, of the City and its environs, as defined in the Municipal Planning Act, and includes any unit or part of such plan separately adopted and any amendment to such plan or parts thereof.

"Commissioner" – The Commissioner of Natural Resources.

"Conditional Use" – A specific type of structure or land use that is allowed under this Chapter, but only upon a finding that: (1) certain specified conditions are satisfied or adequately addressed, and (2) the structure or land use conforms to the comprehensive land use plan and is compatible with the existing neighborhood.

"Conditional Use Permit" – A permit issued by the City Council in accordance with procedures specified in this Chapter that authorizes, with conditions, a requested structure or land use.

"Curb Level" – The grade elevation established by the Council of the curb in front of the center of the building. Where no curb level has been established, the engineering staff shall determine a curb level or its equivalent for the purpose of this Chapter.

"Daycare Facility" – Any state-licensed facility, public or private, which for gain or otherwise regularly provides one or more persons with care, training, supervision, habilitation, rehabilitation, or developmental guidance on a regular basis, for periods of less than 24 hours per day, in a place other than the person's own home. Daycare facilities include, but are not limited to: family daycare homes, group family daycare homes, daycare centers, day nurseries, nursery schools, daytime activity centers, day treatment programs, and other "nonresidential programs" as defined by Minnesota Statutes Section 245A.02, Subdivision 10.

"Directional Sign" – A sign directing traffic on private property but bearing no advertising matter.

"Drive-In" – Any use where products and/or services are provided to the customer under conditions where the customer does not have to leave the car or where service to the automobile occupants is offered regardless of whether service is also provided within a building.

"Dwelling, Attached" – One which is joined to another dwelling or building at one or more sides by a party wall or walls.

"Dwelling, Detached" – One which is entirely surrounded by open space on the same lot with no common party walls.

"Dwelling" – A building or portion thereof, designated for residential occupancy, including one-family, two-family, and multiple-family dwellings, but not including hotels, motels, boarding houses, bed and breakfast, mobile homes, or trailers.

"Dwelling, Efficiency Apartment" – A dwelling unit consisting of one principal room exclusive of bathroom, hallway, closets, or dining alcove.

"Dwelling, Multiple-Family" – A building designed with three or more dwelling units for occupancy by three or more families living independently of each other, but sharing hallways and main entrances and exits.

- **A. Apartment:** A room or suite of rooms, available for rent, which is occupied as a residence by a single family, or a group of individuals living together as a single-family unit.
- **B. Common Interest Communities:** A development containing individually owned units and jointly owned and shared areas wherein the boundaries are defined by a common interest community in accordance with Minnesota Statutes, Chapters 515, 515A or 515B, as amended.
- **C. Condominium:** A multiple-family dwelling or development containing individually owned dwelling units and jointly owned and shared areas and facilities, which dwelling or development is subject to the provisions of the Minnesota condominium law, Minnesota Statutes, Sections 515.01 through 515.29.
- **D. Cooperative:** A multiple-family dwelling owned and maintained by the residents and subject to the provisions of Minnesota Statutes 290.09 and 290.13.

"Dwelling, Nursing Home" – A state-licensed facility or that part of a facility which provides nursing care to five or more persons and does not include a facility or that part of a facility which is a hospital, a hospital with approved swing beds, clinic, doctor's office, diagnostic or treatment center, or a residential program licensed pursuant to Minnesota Statutes, Sections 245A.01 to 245A.16 or 252.28.

"Dwelling, Senior Housing" – A dwelling with open occupancy limited to persons over 55 years of age.

"Dwelling, Single-Family" – A dwelling unit designed for and occupied exclusively by one family.

A. Attached: A dwelling which is joined to another at one or more sides by a party wall.

B. Detached: A dwelling unit not attached to another dwelling or structure.

"Dwelling, Townhouses" – Structures housing three or more dwelling units contiguous to each other only by the sharing of one or more common walls, with each unit having a separate entrance/exit.

"Dwelling, Townhouses, Detached" – A structure having the characteristics of a multiple-unit townhouse structure that has been separated into single dwelling units at the common side wall, typically with structure dimensions that have a narrow front and deep side walls and are typically without windows or features on at least one of the side walls.

"Dwelling, Two-Family" – A structure designed for occupancy by two families living independently of each other.

A. Duplex: A two-family dwelling with one unit above the other.

B. Twinhome: A two-family dwelling with two units side by side.

"Dwelling Unit" – A residential building or portion thereof intended for occupancy by one or more persons with facilities for living, sleeping, cooking, and eating, but not including hotels, motels, nursing homes, tents, seasonal cabins, boarding or rooming houses, motor homes, or travel trailers.

"Earth Sheltered Building" – A building constructed so that 50% or more of the completed structure is covered with earth. Earth covering is measured from the lowest level of livable space in residential units and of usable space in non-residential buildings. An earth-sheltered building is a complete structure that does not serve just as a foundation or substructure for above-ground construction.

"Earth Sheltered Berm" – An earth covering on the above-grade portions of building walls.

"Easement" – A grant by a property owner for the use of a strip of land for the purpose of constructing and maintaining walkways, roadways, utilities, including but not limited to sanitary sewers, water mains, electric lines, telephone lines, storm sewer or storm drainage ways, and gas lines.

"Efficiency Unit" – A dwelling unit with one primary room which doubles as a living room, kitchen, and bedroom.

"Equal Degree of Encroachment" – A method of determining the location of floodway boundaries so that flood plain lands on both sides of a stream are capable of conveying a proportionate share of flood flows.

"Essential Services" – The erection, construction, alteration, or maintenance by private or public utilities, or municipal departments of underground or overhead telephone, gas, electrical, steam, hot water, communication, waste, or water transmission, distribution, collection, supply, or disposal systems, including water towers, wells, poles, wires, radio receivers and transmitters, mains, drains, sewers, pipes, conduits, cables, fire alarm boxes, police call boxes, traffic signals, hydrants, utility substations, and other similar equipment, accessories, and related structures in connection therewith for the furnishing of adequate service by such private or public utilities or municipal departments.

"Exposed Aggregate" – A finish achieved by:

A. Casting against a form surface that has been painted with a retarder that retards the set of the concrete at its surface.

B. Application of a chemical retarder to the surface of the form. The retarder prevents the matrix from hardening at the surface of the panel to a specific depth, controlled by the strength of the retarder. After curing, the unhardened layer of matrix at the surface of the panel is removed by a high-pressure water washing, thus exposing the aggregate used in the concrete.

C. Casting concrete against a smooth hard surface. After removal from the form, the finished surface is sandblasted to remove the matrix and expose, as well as etch, the coarse aggregate.

"Exterior Storage" (Includes Open Storage) – The storage of goods, materials, equipment, manufactured products, and similar items not fully enclosed by a building.

"Extraction Area" – Any non-agricultural artificial excavation of earth exceeding 50 square feet of surface area or two feet in depth, other than activity involved in preparing land for earth-sheltered or conventional construction of residential, commercial, and industrial buildings. This includes excavation made by removing natural matter such as sod, soil, sand, gravel, stone, or other materials or by turning, breaking, or undermining the earth's surface, except public improvement projects.

"Family" – An individual, or two or more persons related by blood, marriage, or adoption, living together as a single housekeeping unit in a dwelling unit

"Farm" A tract of land primarily used for agricultural activities such as cash crop production, livestock, or poultry farming. Such farms may include agricultural dwellings and accessory buildings necessary for farm operations.

"Fence" Any partition, structure, wall, or gate erected as a divider, marker, barrier, or enclosure, and located along the boundary or within the required yard.

"Fitness Center" A business that provides strength machines and cardiovascular exercise stations within a circuit training program, usually for the benefit of its membership. This excludes group classes, hot tubs, saunas, and competitive sports facilities.

"Flashing Sign" A sign that contains an intermittent flashing light, either through animation or an externally-mounted light source.

"Flood" A temporary increase in the flow or stage of a stream, wetland, or lake that results in the inundation of normally dry areas.

"Flood Frequency" The expected frequency for which a specific flood stage or discharge may be equaled or exceeded.

"Flood Fringe" That portion of the floodplain outside of the floodway. It is synonymous with the term **"floodway fringe"** used in the Flood Insurance Study for Pine Island, Minnesota.

"Flood Plain" The beds proper and areas adjoining a wetland, lake, or watercourse that have been or may be covered by the regional flood.

"Flood Proofing" A combination of structural provisions, changes, or adjustments to properties and structures subject to flooding, primarily aimed at reducing or eliminating flood damages.

"Floodway" The bed of a wetland or lake and the channel of a watercourse, along with those portions of the adjoining floodplain that are required to carry or store the regional flood discharge.

"Floor Area" The sum of the gross horizontal area of the several floors of a building or portion devoted to a particular use, including accessory storage areas within a building or structure.

"Form Liners" A finish achieved by the use of plaster, rubber, grained wood, rope, or other materials as liners in casting forms to impart a specific finish to the face of the panel.

"Freestanding Sign" A sign that stands on the ground, usually supported by one or more poles or posts or similar uprights, with or without braces, including benches and "A" or sandwich boards.

"Frontage" The boundary of a lot that abuts an existing or dedicated public street.

"Garage, Private" An accessory building or portion of the principal building intended for storing private passenger vehicles of the family or families residing on the premises.

"Grade" The average finished level at the center of the exterior walls of a building. For earth-sheltered buildings, grade means the finished level at the center of the lot. For buildings with less

than 50% earth covering, grade is the average finished level at the center of the building at the beginning of the earth berm.

"Ground Mounted SES" Freestanding solar energy system (panels) mounted to the ground using stabilizers or similar apparatus.

"Health Club" A business that provides recreational services and facilities for its members, such as aerobic exercises, strength and cardiovascular equipment, game courts, swimming pools, massage, saunas, and personal services.

"Home Occupation" Any gainful occupation or profession carried on by the occupant of a dwelling unit, such as professional offices, minor repair services, photo/art studios, dressmaking, barbershops, beauty shops, or similar uses.

"Home Occupation Sign" A sign permitted in association with a business conducted within a dwelling unit.

"Horticulture" Horticulture uses and structures designed for the storage of products and machinery necessary to the practice.

"Hotel" A building providing a common entrance, lobby, halls, and stairways, in which 20 or more people can be lodged, with or without meals, for compensation.

"Identification Sign" A permanent sign announcing the name of a subdivision, group housing project, church, school, park, shopping center, industrial center, or public/quasi-public areas.

"Illuminated Sign" Any sign illuminated by electric lights, tubes, or artificial light directed to the sign or internally illuminated.

"Interim Use" A temporary use of property until a particular date, event, or until zoning regulations no longer allow it.

"Interim Use Permit" A permit issued to allow a temporary use of property, with conditions and time limits assigned by the City Council.

"Junk Yard" An open area where waste, used, or secondhand materials (such as metals, paper, rags, and rubber tires) are bought, sold, exchanged, stored, baled, packed, disassembled, or handled, including auto-wrecking yards, but excluding enclosed uses and sanitary landfills.

"Kennel" Any structure or premises where two or more dogs over six months of age are kept for sale, breeding, or profit.

"Landscaping" Plantings, including trees, grass, ground cover, and shrubs.

"Light Sandblast" A finish achieved by casting concrete against a smooth, hard surface and light sandblasting to remove the cement skin, resulting in a smooth, sand-textured surface.

"Location Sign" A sign directing attention to the approximate location of an establishment where the advertised product may be obtained.

"Lodging Rooms" A room rented as sleeping and living quarters, but without cooking facilities. If multiple rooms are involved, each room providing sleeping accommodations is counted as one lodging room.

"Lot" A designated parcel or portion of land established by subdivision or plat of land, separated from other parcels by legal description, intended for conveyance or use.

"Lot of Record" A lot recorded in the office of the County Recorder prior to the effective date of the Chapter that conforms to the legal standards and regulations.

"Lot Area" The area of a lot in a horizontal plane bounded by the lot lines.

"Lot, Corner" A lot located at the junction of two or more intersecting streets, or at the point of deflection in a continuous street alignment where the interior angle does not exceed 135 degrees.

"Lot Coverage" The area of the zoning lot occupied by principal and accessory buildings, excluding earth berms. Only above-grade portions of an earth-sheltered building are considered in lot coverage calculations.

"Lot Depth" The mean horizontal distance between the front lot line and the rear lot line of a lot.

"Lot Line" The property line bounding a lot, except where a portion of the lot extends into the public right-of-way.

"Lot Line, Front" The boundary of a lot that abuts an existing or dedicated public street. For corner lots, it is the shortest dimension of the lot on the street.

"Lot Line, Rear" The boundary of a lot opposite the front lot line. If the rear line is less than ten feet, or if the lot forms a point at the rear, the rear lot line is considered a line 10 feet in length parallel to and at the maximum distance from the front lot line.

"Lot Line, Side" Any boundary of a lot that is not a front or rear lot line.

"Lot, Substandard" A lot that does not meet the minimum area, setback, or dimensional standards of the Chapter, but has a recorded deed prior to the effective date of the Chapter.

"Lot Width" The maximum horizontal distance between the side lot lines of a lot, measured within the first 30 feet of the lot depth.

"Lower-potency hemp edible retailer" means a business with a lower-potency hemp edible retailer license from the Office of Cannabis Management.

"Lower-potency hemp edible manufacturer" means a business with a lower-potency hemp edible manufacturer license from the Office of Cannabis Management.

"Lowest Floor" The lowest floor of the lowest enclosed area, including basements. If used solely for parking, building access, or storage and not as a basement area, it is not considered the lowest floor.

"Manufactured Home" A structure transportable in sections, built on a permanent chassis, designed to be used as a dwelling, with or without a permanent foundation, when connected to required utilities, including plumbing, heating, and electrical systems.

"Manufactured/Mobile Home Park" A site, lot, or tract of land under single ownership, intended for the placement of two or more occupied manufactured or mobile homes, including buildings and structures used as part of the park.

"Metes and Bounds" A property description method using directions and distances from identifiable points.

"Mining" The extraction of sand, gravel, rock, soil, or other materials in amounts of 1,000 cubic yards or more, excluding materials removed for construction purposes under an approved building permit.

"Modular Home" A non-mobile housing unit fabricated at a central factory, transported to a building site, and permanently installed with final installation affixing the module to the site.

"Motel" (Tourist Court) A building or group of detached, semi-detached, or attached buildings containing guest rooms or dwellings, with garage or parking space conveniently located to each unit, designed, used, or intended for the accommodation of automobile transients.

"Name Plate Sign" A sign stating the name or address (or both) of the business or occupant of the lot where the sign is placed.

"Natural Stone Veneer" A finish achieved by placing natural stone pieces into a form and casting concrete behind it, resulting in a precast panel with a natural stone face.

"New Construction" Structures, including additions, improvements, and placement of manufactured homes, for which construction commenced on or after the effective date of this ordinance.

"Non-Conforming Use" Use of land, buildings, or structures legally existing on the effective date of this Chapter, which does not comply with all regulations of this Chapter or amendments governing the zoning district in which the use is located.

"Nursery, Landscape" A business growing and selling trees, flowering and decorative plants, and shrubs, which may be conducted indoors or outdoors, for landscape construction.

"Nursing Home" A building with facilities for the care of children, the aged, infirm, or those suffering bodily disorders. The nursing home must be licensed by the State Board of Health as per Minnesota Statutes, Section 144.50.

"Obstruction" Any structure or matter in, along, across, or projecting into any channel, watercourse, or regulatory floodplain that impedes, retards, or changes the flow of water, either by itself or by collecting debris carried by such water.

"Off Premises Sign" A commercial speech sign (e.g., billboards) directing attention to a business, activity, or product at a different location than the sign's placement. Signs located in easements are considered off-premises.

"Open Sales Lot" (Exterior Storage) Land used for buying and selling goods or materials, or for storing such items under the open sky prior to sale.

"Parking Space" A suitably surfaced and permanently maintained area on privately owned property, either within or outside of a building, designed to store one standard automobile.

"Pedestrian Way" A public or private right-of-way across or within a block, intended for use by pedestrians.

"Permitted Use" A use that conforms to the purpose, objectives, requirements, regulations, and performance standards of the applicable zoning district.

"Photovoltaic System" An active solar energy system that converts solar energy directly into electricity.

"Planned Unit Development" A residential development where buildings are clustered around common open space areas, and the common space is owned and maintained by the homeowners or a homeowners' association.

"Principal Use or Structure" The main use or structure on a property, not including accessory uses or structures. A principal use may be permitted or conditional.

"Professional Sign" An attached sign, no larger than 15 square feet, indicating the location of a professional office and its tenants, which may only be illuminated if it does not cause glare on adjacent properties.

"Projecting Sign" A sign attached to a building wall that extends more than 18 inches from the face of the wall and is supported by the wall.

"Property Line" The legal boundaries of a parcel of property, which may also coincide with a right-of-way line or a road, cartway, etc.

"Property Owner" A person, association, or corporation owning a freehold or leasehold interest in land, or having a dominant easement interest, not including those holding interests for security purposes.

"Protective Covenant" A contract between private parties that restricts the use of a particular parcel of property.

"Public Land" Land owned or operated by municipal, school district, county, state, or other governmental entities.

"Public Service Sign" A sign advertising the name, time, and place of a bona fide fair, carnival, festival, bazaar, or similar event conducted by a public agency or for a civic or charitable cause. Political signs must be displayed no sooner than 90 days before the event.

"Pylon Sign" A free-standing sign erected on a single pylon or post, over 10 feet in height, with the sign mounted on top.

"Reach" A hydraulic term describing a segment of a stream or river influenced by a natural or man-made obstruction, often between two consecutive bridge crossings in urban areas.

"Real Estate Sign" An on-premise sign advertising the sale or lease of real estate, removed within 14 days of the sale or lease. Signs of 6 square feet or less do not require a zoning permit.

"Recreation, Commercial" Privately owned businesses such as bowling alleys, skating rinks, driving ranges, and movie theaters, intended to provide entertainment for the public for profit.

"Recreation, Public" Publicly provided recreational areas such as tennis courts, ball fields, and picnic areas, typically found in parks and community centers.

"Regional Flood" A flood of a magnitude representative of large floods known to have occurred generally in Minnesota, with an average recurrence of 100 years. It is synonymous with the term **"base flood"** used in the Flood Insurance Study.

"Registered Land Survey" A survey map of registered land that simplifies a complicated description into a tract or tracts designated by a Registered Land Survey Number (Minnesota Statutes 508.47).

"Regulatory Flood Protection Elevation" An elevation at least one foot above the regional flood elevation plus any increases in flood elevation caused by encroachments.

"Religious Institution" A building where people regularly assemble for religious purposes and related social events, maintained and controlled by a religious body.

"Residential Care Facility" A living unit for the accommodation and treatment of mentally ill, developmentally disabled, physically disabled, and drug-dependent individuals.

"Roof or Building Mounted SES" A solar energy system mounted on a roof or building using brackets, stands, or other apparatus.

"Roof Pitch" The exterior slope of a building roof, expressed by the ratio of rise over run (e.g., 3/12, 9/12, 12/12).

"Rotating Sign" A sign or portion of a sign that moves mechanically in a revolving or oscillating manner, excluding changing signs.

"Selective Cutting" The removal of individual scattered trees.

"Setback" The minimum distance between a structure or sanitary facility and a road, highway, or property line.

"Shore Land" Land within 1,000 feet from the ordinary high water mark of a lake, pond, or flowage, or 300 feet from a river or stream, or the landward extent of a floodplain, whichever is greater.

"Shore Land Alteration" Grading and filling in shore land areas or altering the natural topography near public waters.

"Shoreland Setback" The minimum horizontal distance between a structure and the ordinary highwater mark.

"Sign" Any presentation, symbol, number, or combination thereof visible from a public right-of-way to make something known, including devices, pennants, emblems, and pictures, but excluding interior signs.

"Sign Structure" The supports, uprights, bracing, or framework of any structure displaying a sign.

"Smooth As Cast" Concrete placed against smooth formwork to achieve a smooth surface finish on a precast element.

"Solar Access" A view of the sun from any point on a solar collector, unobstructed by vegetation, buildings, or objects on neighboring properties, between 9:00 AM and 3:00 PM Central Standard Time.

"Solar Collector" A device that transforms direct solar energy into thermal, mechanical, chemical, or electrical energy.

"Solar Energy" Radiant energy received from the sun that can be collected as heat or light by a solar collector.

"Solar Energy System (SES)" An active solar energy system that collects or stores solar energy, converting it into another form of energy or transferring heat using mechanical, electrical, thermal, or chemical means.

"Solar Farm" A commercial facility, located on a parcel of 5 acres or more, that converts sunlight into electricity for wholesale sales of generated electricity.

"Solar Skyspace" The space between a solar energy collector and the sun, free from obstructions that would block sunlight and affect the collector's performance.

"Solar Skyspace Easement" A property interest protecting the solar skyspace of a solar collector, limiting activities that interfere with access to solar energy.

"Story" The portion of a building between floors, including below-ground portions of earth-sheltered buildings.

"Street" A public right-of-way that provides primary access to abutting properties, including avenues, highways, roads, or ways.

"Street, Collector" A street that serves as a traffic way for a neighborhood or as a feeder to a major street.

"Street, Major or Thoroughfare" A street designed to handle heavy traffic flows and serve as a route between communities or other traffic-generating areas.

"Street, Local" A street intended primarily for access to abutting properties.

"Street Pavement" The exposed surface of the roadway used by vehicular traffic.

"Street Width" The width of the right-of-way for a street, including curbs, sidewalks, and bike lanes.

"Structure" Anything constructed or erected that requires location on the ground, excluding sidewalks, driveways, and other impervious surfaces.

"Structure Height" A distance to be measured from the mean ground level to the top of the structure. (Added Ord. No. 127, Second Series, 2-17-15)

"Subdivision" The division or redivision of a lot, tract, or parcel of land into two or more lots, either by plat or by metes and bounds description.

"Substantial Damage" Damage of any origin sustained by a structure, where the cost of restoring the structure to its pre-damaged condition would equal or exceed 50% of the market value of the structure before the damage occurred. (3-21-17)

"Substantial Improvement" Any reconstruction, rehabilitation (including normal maintenance and repair), repair after damage, addition, or other improvement of a structure within any consecutive 365-day period, where the cost equals or exceeds 50% of the market value of the structure before the **"start of construction"** of the improvement. This term includes structures that have incurred substantial damage, regardless of the actual repair work performed.
Exclusions:

A. Any project for improvement of a structure to correct existing violations of state or local health, sanitary, or safety code specifications identified by the local code enforcement official, which are the minimum necessary to assure safe living conditions.

B. Any alteration of a historic structure, as defined in the Federal Code of Regulations in Part 59.1, provided the alteration will not preclude the structure's continued designation as a historic structure.

"Surface Area of Sign" The entire area within a single continuous perimeter enclosing the extreme limits of the actual sign surface. It does not include any structural elements outside the limits of the sign that do not form an integral part of the display.

"Temporary Sign" An attached sign for a seasonal or other brief activity (e.g., summer camps, horse shows, or auctions), displayed for less than 14 consecutive days.

"Tooled" A finish achieved by casting concrete against a smooth or specifically textured or patterned formwork. After removal from the form, the hardened surface is treated mechanically to create the desired effect, such as **"fractured fin"** or **"bush hammered."**

"Travel Trailer" A vehicle built on a single chassis, 400 square feet or less when measured at the largest horizontal projection, designed to be self-propelled or permanently towable by a light-duty truck, primarily used as temporary living quarters for recreational, camping, travel, or seasonal use. The terms **"recreational vehicle," "travel trailer,"** and **"travel vehicle"** are synonymous.

"Use" The purpose or activity for which the land or building is designated, arranged, or intended, or for which it is occupied, utilized, or maintained.

"Variance" A City Council-approved modification to the literal requirements of this Chapter.

"Wall Sign" A sign affixed directly to the exterior wall of a building, confined within the limits thereof, and which projects from that surface less than 18 inches at all points.

"Wetland" Land that is annually subject to periodic or continual inundation by water, commonly referred to as bog, swamp, or marsh. (6-29-11)

"Yard" A required open space on a lot that is unoccupied and unobstructed by a structure from its lowest level to the sky, except as permitted in this Chapter. The yard extends along the lot line at right angles to such lot line to a depth or width specified in the setback regulations for the

zoning district in which the lot is located. For earth-sheltered buildings or buildings covered with earth berms, the building line is measured from the exterior surface of the building, regardless of whether it is above or below grade.

"Yard, Rear" The portion of the yard on the same lot with the principal building, located between the rear line of the building and the rear lot line, and extending for the full width of the lot.

"Yard, Side" The yard extending along the side lot line between the front yard and rear yard, to a depth or width required by setback regulations for the zoning district in which the lot is located.

"Yard, Front" A yard extending along the full width of the front lot line between side lot lines and extending from the front lot line to a depth required in the setback regulations for the zoning district in which the lot is located.

"Zoning Amendment" A change authorized by the City either in the allowed use within a district or in the boundaries of a district.

"Zoning District" An area or areas within the limits of the City for which the regulations and requirements governing use are uniform, as defined by this Chapter.

"Zoning District Overlay" A Zoning District containing regulations superimposed upon other Zoning District regulations and superseding the underlying Zoning District use regulations.

Section 2. section 11.27 Subd. 4 of the city code is amended by deleting the ~~stricken~~ language and inserting the double underlined language:

SEC. 11.27. AGRICULTURAL DISTRICT (AG).

Subd. 4. Conditional Uses.

- A. Home occupations.
- B. Cemeteries and memorial gardens.
- C. Agricultural products and livestock processing plants.
- D. Commercial stables and riding academies.
- E. Resort campgrounds.
- F. Nursery and garden supplies.

G. Planned unit developments as regulated by Section 11.11 of this Chapter.

H. Animal kennels provided that:

1. No animals shall be kept outside the building or be otherwise located so as to cause offensive odors discernible at the property line of lot on which the animals are kept.

2. The building in which animals are kept shall be at least 100 feet from the nearest property line.

I. Essential services involving transmission pipelines (i.e., pipelines not required for local distributing network), and overhead transmission and substation lines in excess of 33 kV and up to 100 kV.

J. Government buildings and structures necessary for the health, safety and general welfare of the City; public or quasi-public or private recreational buildings and neighborhood or community centers provided that:

1. The required side yard setback shall be a minimum 30 feet.

2. Screening and landscaping shall be installed and maintained along all public right-of-ways and along all lot lines adjacent to a residentially zoned district according to Section 11.70, Subdivision 7 of this Chapter.

3. All service drives shall be paved.

K. Wind energy conversion systems (WECS) as regulated by Section 11.73, Subdivision 2 of this Chapter.

L. Cannabis cultivation business.

Section 3. section 11.40 Subd. 2 of the city code is amended by deleting the ~~stricken~~ language and inserting the double underlined language:

SEC. 11.40. CENTRAL BUSINESS DISTRICT (C-I).

Subd. 2. Permitted Uses.

A. Apartments, provided they are located above the first floor level.

B. Commercial establishments offering merchandise or services to the general public in return for compensation. Such establishment to include but not be limited to the following:

1. Retail establishments such as groceries, bakery, department stores, hardware, drug, clothing and furniture stores.
 2. Personal services such as laundry, barber, shoe repair shop and photography studios.
 3. Existing drinking establishments, including restaurants, cafes and supper clubs.
 4. Professional services such as architects and attorneys offices.
 5. Repair services such as jewelry and radio and television repair shops.
 6. Banks, finance, insurance and real estate services.
 7. Indoor commercial recreations such as, entertainment and amusement services such as motion picture theaters, bowling alleys, art galleries.
 8. Lodging services such as hotel and motel.
- C. Government and public utility buildings and structures necessary for the health, safety and general welfare of the City.
- D. Private clubs and lodges.
- E. Hospitals and medical and dental clinics.
- F. Public garages, parking lots and bus stations. (6-29-11) 11.40, Subd. 2.G. (Rev. 2015)
- G. Automobile and implement sales.
- H. Funeral homes and mortuaries.
- I. Essential services, except transmission pipelines (i.e., pipelines not required for local distributing network), and overhead transmission and substation lines in excess of 33 kV and up to 100 kV.
- J. Cannabis delivery business
- K. Cannabis event organizer
- L. Cannabis retailer
- M. Lower-potency hemp edible retailer

Section 4. section 11.41 Subd. 2 of the city code is amended by deleting the ~~stricken~~ language and inserting the double underlined language:

SEC. 11.41. HIGHWAY COMMERCIAL DISTRICT (C-2).

Subd. 2. Permitted Uses.

- A. Farm implement dealers.
- B. Cafes and restaurants including drive-in restaurants.
- C. Restaurant cocktails lounges and other eating and drinking establishments.
- D. Motels and hotels.
- E. Motor vehicle fuel sales and motor vehicle fuel sales including convenience grocery \ and/or prepared food.
- F. Motor vehicle sales, including new and used automobiles, trucks, motorcycles, recreational vehicles and equipment, boats and marine sales, that involve open and outdoor sales and display areas larger than 30% of the area of the principal building provided that:
 - 1. The outside sales areas are fenced or screened from view of neighboring residential uses or an abutting residential district.
 - 2. The architectural appearance, scale, building materials and functional plan of the site and building shall not be dissimilar to existing uses and buildings so as to cause a blighting influence.
 - 3. The sales area is surfaced with bituminous material or concrete.
 - 4. The sales area does not take up parking space as required for conformity to this Chapter.
 - 5. Hours of operation shall be limited to 7:00 A.M. to 10:00 P.M. unless otherwise allowed by the City Council.
 - 6. Accessory automobile repair shall require the processing of a separate conditional use permit.

G. Bait and sporting goods shops.

H. Essential services, except transmission pipelines (i.e., pipelines not required for local distributing network), and overhead transmission and substation lines in excess of 33 kV and up to 100 kV.

I. Ambulance service.

J. Appliance store, sales and storage.

K. Auction rooms.

L. Auto parts and accessory sales including outdoor display of auto accessories provided that such outdoor display or storage is separated from abutting development by ornamental fencing or screen planting.

M. Bank.

N. Beauty or barbershop.

O. Bicycle store.

P. Blueprinting, photostatting and lithographing.

Q. Bowling alley and billiard parlor.

R. Bus, railway, or airline depot or ticket office.

S. Catalog service and mail order house.

T. Private clubs or lodges.

U. Dance hall.

V. Diaper service.

W. Discount store.

X. Drugstore.

Y. Dry cleaning.

Z. Electric contractor.

AA. Exterminator.

BB. Floral sales.

CC. Fruit store.

DD. Furniture store.

EE. Government and public utility buildings and structures necessary for the health, safety and general welfare of the City.

FF. Grocery store.

GG. Gunsmith.

HH. Halls; rented for meetings, conventions, or social gatherings.

II. Hardware store.

JJ. Health equipment and supply store.

KK. Janitorial service.

LL. Laboratory; scientific and testing.

MM. Laundromat.

NN. Linen supply.

OO. Liquor store (off-sale).

PP. Locksmith.

QQ. Medical facilities including clinics, appliances, sales and fittings.

RR. Mortuary.

SS. Office Building.

TT. Paint and wallpaper store.

UU. Painting and decorating contractor.

VV. Pawn shop.

WW. Pet store.

XX. Photographic studio, picture processing, or equipment.

YY. Shopping centers.

ZZ. Plumbing contractor.

AAA. Printing, publishing, and allied industries.

BBB. Radio and television broadcasting (including transmitter and studios).

CCC. Second hand store. (6-29-11)

DDD. Sign contractor.

EEE. Tailor.

FFF. Taxidermist.

GGG. Theatrical studio.

HHH. Upholstery shop of any type.

III. Variety store.

JJJ. Cannabis delivery business

KKK. Cannabis event organizer

LLL. Cannabis retailer

MMM. Lower-potency hemp edible retailer

Section 5. section 11.50 Subd. 4 of the city code is amended by deleting the ~~stricken~~ language and inserting the double underlined language:

SEC. 11.50. HEAVY INDUSTRIAL DISTRICT (I-1).

Subd. 4. Conditional Uses.

A. Dwellings for watchmen or custodians of industrially used property only.

B. Outdoor storage of vehicles or materials or open sales lot.

- C. Restaurants, lunch counters, confectioneries to serve the employees of the district.
- D. Manufacturing, refining and processing of chemicals.
- E. Animal kennels provided that:
 - 1. No animals shall be kept outside the building or be otherwise located so as to cause offensive odors discernible at the property line of lot on which the animals are kept.
 - 2. The building in which animals are kept shall be at least 100 feet from the nearest property line.
- F. Crude oil, gasoline or other liquid storage tanks.
- G. Daycare facilities as an accessory use, except as provided for by this chapter.
- H. Essential services involving transmission pipelines (i.e., pipelines not required for local distributing network), and overhead transmission and substation lines in excess of 33 kV and up to 100 kV.
- I. Planned unit developments as regulated by Section 11.11 of this Chapter.
- J. Adult use businesses.
- K. Truck/car washes (automatic mechanical drive-through only) as an accessory use associated with a truck stop, provided:
 - 1. The accessory car/truck wash must be on the same parcel of record as the truck stop.
 - 2. Magazine or stacking space is constructed to accommodate six vehicles per wash stall and shall be subject to the approval of the City Engineer.
 - 3. Magazine or stacking space must not interfere with on-site circulation patterns or required on-site parking or loading areas.
 - 4. Parking or car/truck magazine storage space shall be screened from view of abutting residential districts.
 - 5. The location and operation of vacuum machines must not interfere with magazines or stacking areas, on-site circulation, or on-site parking and loading areas.
 - 6. Provisions are made to control and reduce noise, and special precautions shall be taken to limit the effects of noise associated with vacuum machines. Additionally, the garage doors must remain closed during the operation of the car/truck wash.

7. Untreated water from the car/truck wash shall not be discharged into the storm sewer. If the water is to be pretreated and discharged into the storm sewer, the pretreatment plans shall be subject to review and approval of the City Engineer and building official.

L. Truck stops.

M. Wind energy conversion systems (WECS) as regulated by Section 11.73, Subdivision 2 of this Chapter.

N. Cannabis cultivation business.

O. Cannabis manufacturing business

P. Cannabis testing business

Q. Lower-potency hemp edible manufacturer

Section 6. section 11.51 Subd. 3 of the city code is amended by deleting the ~~stricken~~ language and inserting the double underlined language:

SEC. 11.51. LIGHT INDUSTRIAL DISTRICT (I-2).

Subd. 3. Accessory Uses.

A. Any accessory uses permitted in the I-1 District.

B. Cannabis retailer when operated by a cannabis cultivation or manufacturing business with a retail endorsement.

Section 7. section 11.51 Subd. 4 of the city code is amended by deleting the ~~stricken~~ language and inserting the double underlined language:

SEC. 11.51. LIGHT INDUSTRIAL DISTRICT (I-2).

Subd. 4 Conditional Uses.

A. Animal kennels provided that:

1. No animals shall be kept outside the building or be otherwise located so as to cause offensive odors discernible at the property line of the lot on which the animals are kept.

2. The building in which animals are kept shall be at least 100 feet from the nearest property line.

B. Auto body shops, auto glass, muffler and upholstery shops, tire recapping and supply stores, and vehicle (automobiles, boats) storage for new or used vehicles (this does not include dismantling or wrecking), provided:

1. Not less than 25% of the lot, parcel, or tract of land shall remain as landscaped green area according to the approved landscape plan.

2. The entire area other than occupied by buildings or structures or planting shall be surfaced with bituminous material or concrete which will control dust and drainage. The entire area shall have a perimeter curb barrier, a stormwater drainage system and is subject to the approval of the City Engineer.

3. The hours of operation shall be between 7:00 A.M. and 6:00 P.M. Evening hours of operation shall be subject to the approval of the City Council.

4. All painting must be conducted in an approved paint booth. All paint booths and all other activities of the operation shall thoroughly control the emission of fumes, dust, or other particulate matter so that the use shall be in compliance with the state of Minnesota pollution control standards, Minnesota regulation APC 1-15, as amended.

5. The emission of odor by a use shall be in compliance with and regulated by the state of Minnesota pollution control standards, Minnesota regulation APC 7011, as amended.

6. All flammable materials, including liquids and rags, shall conform with the applicable provisions of the Minnesota uniform fire code.

7. All outside storage is prohibited. The storage of damaged vehicles, vehicles being repaired, and vehicle parts and accessory equipment must be completely inside a principal or accessory building.

8. All conditions pertaining to a specific site are subject to change when the City Council, upon investigation in relation to a formal request, finds that the general welfare and public betterment can be served by modifying the conditions.

C. Commercial recreation facilities, provided that:

1. The architectural appearance and function plan of the building and the site shall be designed with a high standard of architectural and aesthetic compatibility with surrounding properties. Building materials, orientation, colors, height, roof design, lighting, signage, and site landscaping shall be designed to complement the surrounding industrial properties and demonstrate potential industrial reuse. All sides of the principal and accessory structures are to have essentially the same or a coordinated, harmonious exterior finish treatment.

2. A commercial recreational use in a shared tenancy building shall have its own exterior entrance and exit.

D. Daycare facilities as an accessory use, except as provided for by this Chapter.

E. Essential services involving transmission pipelines (i.e., pipelines not required for local distributing network), and overhead transmission and substation lines in excess of 33 kV and up to 100 kV.

F. Planned unit developments as regulated by Section 11.11 of this Chapter.

G. Wind energy conversion systems (WECS) as regulated by Section 11.73, Subdivision 2 of this Chapter.

H. Cannabis cultivation business.

I. Cannabis manufacturing business

J. Cannabis testing business

K. Lower-potency hemp edible manufacturer

Section 8. section 11.52 Subd. 2 of the city code is amended by deleting the ~~stricken~~ language and inserting the double underlined language:

SEC. 11.52. BUSINESS PARK DISTRICT (BP).

Subd. 2. Permitted Uses.

A. Commercial printing establishments.

B. Conference centers.

C. Hotels.

D. Indoor commercial recreation.

E. Laboratories, research and development facilities.

F. Office businesses.

- G. Trade and post-secondary schools.
- H. Wholesale showrooms.
- I. Government and public utility buildings and structures necessary for the health, safety and general welfare of the City.
- J. Essential services, except transmission pipelines (i.e., pipelines not required for local distributing network), and overhead transmission and substation lines in excess of 33 kV and up to 100 kV.
- K. Cannabis transportation business
- L. Cannabis wholesaling business

Section 9. section 11.52 Subd. 4 of the city code is amended by deleting the ~~stricken~~ language and inserting the double underlined language:

SEC. 11.52. BUSINESS PARK DISTRICT (BP).

Subd. 4. Conditional Uses.

A. Commercial recreation facilities, provided that:

1. The architectural appearance and function plan of the building and the site shall be designed with a high standard of architectural and aesthetic compatibility with surrounding properties. Building materials, orientation, colors, height, roof design, lighting, signage and site landscaping shall be designed to complement the surrounding industrial properties and demonstrate potential industrial reuse. All sides of the principal and accessory structures are to have essentially the same or a coordinated, harmonious exterior finish treatment.

2. A commercial recreational use in a shared tenancy building shall have its own exterior entrance and exit.

B. Compounding, assembly, or packaging of products and materials, provided that:

1. The proposed use is not a waste facility.

C. Fitness centers and health clubs, provided that:

1. Adequate off-street parking and off-street loading shall be provided in compliance with Section 11.70, Subdivision 24 of this Chapter.

2. The total number of stations shall not exceed one per 100 square feet of gross floor area.

3. The use is located and developed so as not to create an incompatible operation problem with adjoining and neighboring commercial and/or residential uses.

4. Hours of operation shall be limited to 5:00 A.M. to 11:00 P.M. unless otherwise allowed by the City Council.

D. Hospitals.

E. Indoor limited retail sales and service accessory to office/manufacturing uses, provided that:

1. Location:

a. All sales are conducted in a clearly defined area of the principal building reserved exclusively for retail sales. Said sales area must be physically segregated from other principal activities in the building.

b. The retail sales area must be located on the ground floor of the principal building.

2. Sales Area: The retail sales and service activity shall not occupy more than 15% of the gross floor area of the building.

3. Access: The building where such use is located has access without the necessity of using residential streets.

4. Hours: Hours of operation are limited to 6:00 A.M. to 10:00 P.M.

F. Warehousing and self-storage facilities, provided that:

1. The proposed use is not a waste facility.

G. Daycare facilities as a principal or an accessory use, except as provided for by this Chapter.

H. Essential services involving transmission pipelines (i.e., pipelines not required for local distributing network), and overhead transmission and substation lines in excess of 33 kV and up to 100 kV.

I. Planned unit developments as regulated by Section 11.11 of this Chapter.

J. Wind energy conversion systems (WECS) as regulated by Section 11.73, Subdivision 2 of this Chapter.

K. Cannabis testing business

Section 10. This ordinance shall take effect and be in force immediately after its passage and publication in accordance with applicable law.

Adopted this 17th day of December 2024

ATTEST:

David Friese, Mayor

Elizabeth Howard, City Administrator

MOTION:
SECOND:

AYE:
NAY:

Published this 24th day of December 2024