

ARTICLE VII. USE SPECIFIC STANDARDS

DIVISION 1. GENERALLY

Sec. 36-223. Applicability.

- (a) The Use Specific Standards listed in this article are applicable to those uses listed in the Principal Uses and Accessory Uses tables in article III and article IV which are indicated as having use specific standards in that column of the table. Compliance with the use specific standards is required whether the uses are shown as Permitted with Standards or Conditional.

DIVISION 2. PRINCIPAL USES, RESIDENTIAL

Sec. 36-224. Bed and breakfast establishment.

- (a) The facility shall be owner occupied.
- (b) The total number of guestrooms shall be limited to three.
- (c) Not more than 50% of the gross floor area of the residence shall be used for the guesthouse operation.
- (d) Accommodations may be provided for a guest for a period not exceeding 14 days.
- (e) Food service shall be limited to breakfast.
- (f) Rented rooms shall not contain cooking facilities.
- (g) Rooms used for sleeping shall be part of the primary residential structure and shall not have been constructed specifically for rental purposes.

Sec. 36-225. Dwelling, single unit.

- (a) Lot access.
 - (1) If a lot is adjacent to an alley, driveway access shall be off the alley.
 - (2) If a lot is not adjacent to an alley but is a corner lot or a through lot, then driveway access shall be off the side street with the lower functional class as defined by the comprehensive plan.
 - (3) If a lot is not adjacent to an alley nor a corner lot, driveway access can be from the street.
 - (4) A driveway existing as of March 3, 2025 that does not meet the above lot access standards can continue in the same location until the property is redeveloped. Such driveway may be expanded as long as it is in conformance with the city code.
- (b) The maximum cumulative garage door width facing a public right of way shall not exceed 50% of the principal building's front facade.
- (c) If the dwelling is a manufactured home, it shall:
 - (1) Have a permanent, completely enclosed foundation which complies with the state manufactured home building code and which is constructed around the entire circumference of the structure.

- (2) Meet the standards and be certified by the U.S. Department of Housing and Urban Development.
- (d) For N-1 and N-2 districts, a single-unit dwelling which legally existed or for which a valid building permit had been granted on or before the effective date of the ordinance from which this chapter is derived, may be expanded by an addition or dormer, provided the addition does not extend into the existing side yard.

Sec. 36-226. Dwelling, single unit small.

- (a) The dwelling shall have a maximum size of no more than 1,200 square feet. The maximum ground floor area of the dwelling shall not exceed 800 square feet.
- (b) The maximum height of the dwelling unit shall be 25 feet.

Sec. 36-227. Dwelling, two-unit (duplex).

- (a) Any two-unit (duplex) dwelling shall abide by the standards required for dwelling, single-unit.

Sec. 36-228. Dwelling, two-unit attached (twinhome).

- (a) Any two-unit attached (twinhome) dwelling shall abide by the standards required for dwelling, single-unit.

Sec. 36-229. Dwelling, detached courtyard cottage/bungalow.

- (a) A cottage courtyard development shall consist of at least four and no more than 12 dwelling units located around a shared, centrally located courtyard.
- (b) The cottage courtyard development shall provide a minimum of 300 square feet of common open space per dwelling unit. This common open space includes the required shared courtyard, which shall be at least 20 feet in width and depth.
- (c) A cottage courtyard development may have more than one courtyard.
- (d) Each dwelling unit shall have a maximum height of 25 feet.
- (e) Each dwelling unit shall have a maximum ground floor area of 900 square feet.
- (f) Each dwelling unit shall have the primary entrance oriented to the shared courtyard.
- (g) Each dwelling unit abutting a public street shall have windows on the facade oriented to the public street.
- (h) Each dwelling unit shall have no more than a one-stall attached garage.
- (i) Accessory buildings. No accessory buildings shall be allowed except for a one-stall detached garage for each dwelling unit and accessory buildings for use by the homeowners association.
- (j) Parking areas shall not be located in any required yard abutting a public street.
- (k) Accessory dwelling units are prohibited.
- (l) Dwelling units may be located on one parcel or on individual parcels for each dwelling unit with a separate parcel for common open spaces and facilities.

Sec. 36-230. Dwelling, three-unit.

- (a) Any three-unit dwelling shall abide by the standards required for dwelling, single-unit.

Sec. 36-231. Dwelling, four-unit.

- (a) Lot access.
 - (1) If a lot is adjacent to an alley, driveway access shall be off the alley.
 - (2) If a lot is not adjacent to an alley but is a corner lot or a through lot, then driveway access shall be off the side street with the lower functional class as defined by the comprehensive plan.
 - (3) If a lot is not adjacent to an alley nor a corner lot, driveway access can be from the street.
 - (4) A driveway existing as of March 3, 2025 that does not meet the above lot access standards can continue in the same location until the property is redeveloped. Such driveway may be expanded as long as it is in conformance with the city code.
- (b) On the public street-facing facade, no garage shall occupy more than 50% of any street-facing individual unit facade.

Sec. 36-232. Dwelling, townhouse.

- (a) Lot access.
 - (1) If a lot is adjacent to an alley, driveway access shall be off the alley.
 - (2) If a lot is not adjacent to an alley but is a corner lot or a through lot, then driveway access shall be off the side street with the lower functional class as defined by the comprehensive plan.
 - (3) If a lot is not adjacent to an alley nor a corner lot, driveway access can be from the street.
 - (4) A driveway existing as of March 3, 2025 that does not meet the above lot access standards can continue in the same location until the property is redeveloped. Such driveway may be expanded as long as it is in conformance with the city code.
- (b) The maximum number of dwellings per structure shall be as follows:
 - (1) Small townhouse dwelling shall have no more than four units
 - (2) Large townhouse dwelling shall have no more than eight units. The orientation of the structure(s) shall match the orientation of other existing principal structures along the block on which it is located.
- (c) On the public street-facing facades, no garage door shall exceed more than 50% of the width of the front façade of any individual unit.
- (d) Buildings shall be designed with significant variation in the façade every 60 feet and minor variations at least every 20 feet. Variation can be achieved with articulation, texture, materials, doors, windows, roof dormers, gables, and covered porches. Any architectural projection or recess used to accomplish this change shall be a minimum of six feet wide and two feet deep.

Sec. 36-233. Dwelling, apartment (low-rise).

- (a) Lot access. Lot access for any low-rise apartment dwelling shall abide by the lot access standards as required for dwelling, townhouse above.
- (b) Individual dwelling unit entrances for ground floor units may be interior or exterior entrances.

- (c) Any driveways or parking areas within 30 feet of a property zoned N-1 or N-2 shall be screened. Such screening may consist of a solid hedge, an architectural compatible opaque wall, fence, berm or combination thereof.

Sec. 36-234. Dwelling, apartment (mid-rise).

- (a) Access shall be to a roadway identified in the comprehensive plan as a collector or arterial or shall be otherwise located so that access can be provided without generating significant traffic on local residential streets.
- (b) Any mid-rise apartment dwelling shall abide by the standards as required for dwelling, apartment (low-rise).

Sec. 36-235. Dwelling, apartment (high-rise).

- (a) Any high-rise apartment dwelling shall abide by the standards as required for dwelling, apartment (mid-rise).

Sec. 36-236. Dwelling, apartment mixed use (low-rise)

- (a) On the ground story, at least 75% of the building facade along the primary street frontage and 25% of the building facade along the secondary street shall be non-residential uses within the first 30 feet behind the street frontage facade.
 - (1) The 25% non-residential requirement along the secondary street shall not apply if adjacent to N-1 or N-2 zoned and used districts. In this case, residential and residential accessory uses (including parking) are allowed along the entire length of the building adjacent to the secondary street.
 - (2) Residential accessory uses may include leasing and/or property management offices, fitness facilities for tenants, meeting rooms, or similar uses for the exclusive use of residents of the building.
- (b) The uses are in conformance with the comprehensive plan.
- (c) Ground story residential dwellings in existence on December 11, 2020, shall be considered a conforming use.
- (d) The building design and placement shall provide a desirable residential environment.
- (e) Dwelling unit entrances are not required to be interior to the building and individual exterior entrances are encouraged for ground floor units.
- (f) Buildings shall be located a minimum of 10 feet from the back of the curb line of internal private roadways or parking lots.
- (g) A minimum five-foot-wide sidewalk or paved trail access to open space, plazas, pedestrian ways, and off-site parks shall be provided for building occupants.
- (h) A minimum of 12% of the net site area shall be developed as designed outdoor recreation area.
- (i) Lot access.
 - (1) If a lot is adjacent to an alley, then the access to the parking lot and structured parking shall be from the alley.

- (2) If a lot is not adjacent to an alley but is a corner lot or a through lot, then driveway access shall be off the street with the lower functional class as defined by the comprehensive plan.
- (j) Any driveways or parking areas within 30 feet of a property zoned N-1 or N-2 shall be screened to a height of eight feet. Such screening may consist of a solid hedge, an architectural compatible opaque wall, fence, berm or combination thereof.

Sec. 36-237. Dwelling, apartment mixed use (mid-rise).

- (a) Access shall be to a roadway identified in the comprehensive plan as a collector or arterial or shall be otherwise located so that access can be provided without generating significant traffic on local residential streets.
- (b) Any apartment mixed use (mid-rise) building shall abide by the standards as required for apartment mixed use (low-rise).

Sec. 36-238. Dwelling, apartment mixed use (high-rise).

- (a) Any apartment mixed use (high-rise) building shall abide by the standards as required for apartment mixed use (mid-rise).

Sec. 36-239. Dwelling, live/work unit.

- (a) The work space shall be separate from the living space.
- (b) The floor area devoted to the business use may not exceed the floor area devoted to the residential use within the unit.
- (c) Any space that will be used by walk-in customers of the business must be accessible from an exterior entrance that is not used to access other residential units.
- (d) With the exception of the exterior entrance, the business cannot substantially alter the exterior of the property or substantially affect the character of the neighborhood or the health, safety and welfare of the residents.
- (e) The business space must be designed to permit conversion to residential space with minimum work and no structural changes.
- (f) Uses which are not allowed include but are not limited to the following: uses classified as industrial; appliance, small engine and bicycle repair; motor vehicle sales; motor vehicle service and repair; pawnshops; animal handling; bars; food service; restaurants; private entertainment; cannabis businesses; sexually oriented businesses; and cannabis businesses.
- (g) The dwelling shall be located above or behind the work space.

Sec. 36-240. Group home/non-statutory.

- (a) The use shall not be located within 1,500 feet of any other group home or state-licensed residential facility.
- (b) The maximum occupancy of a facility shall not exceed six people in the N-1 and N-2 district, 30 people in the N-3 district, and 50 people in the N-4 district. A minimum of 300 square feet of gross building area shall be provided for each resident.

- (c) A minimum of 12% of the net site area shall be developed as designed outdoor recreation area.
- (d) At least 800 square feet of lot area shall be provided for each person, including resident staff, housed on the site.
- (e) The building structure shall not be modified or converted for the specific purpose of accommodating the group home use except to comply with Americans with Disabilities Act requirements or other normal maintenance and repair.
- (f) The following shall also be required for facilities located in the N-1 and N-2 districts:
 - (1) No more than two people shall occupy one bedroom
 - (2) One bathroom shall be provided for every three persons living at the facility.

Sec. 36-241. Hostel.

- (a) The hostel shall be affiliated with a national or international hostel organization and shall be subject to the operating procedures of such organization.
- (b) The hostel shall be available for occupancy only by members of the affiliate or the parent organization.
- (c) The hours for check-in/check-out shall be limited to 6:00 a.m. to 1:00 a.m.
- (d) Overnight parking of vehicles whose passenger capacity exceeds 15 shall be prohibited on the site.
- (e) Outdoor recreational and play areas shall be located at least 25 feet from any lot zoned N and either used for residential use or has an occupied institutional building, including but not limited to educational (academic) facilities, religious institutions, and community centers.
- (f) No room shall contain more than four beds.

Sec. 36-242. Hotel/motel.

- (a) The facility shall contain a minimum of 600 square feet of lot area per unit.
- (b) Building heights shall be limited to four stories or 45 feet within 100 feet of any parcel that is zoned N and used for dwelling purposes.
- (c) Shall be located in the upper stories of a structure; the basement; or in the ground story, a minimum of 30 feet behind any primary street façade and behind a permitted use.
- (d) Rooms shall be accessed from the interior of the building.
- (e) Secondary service uses may also be provided, such as food service, meeting rooms, pools, and fitness rooms as accessory uses.
- (f) A lobby and secondary service uses serving the hotel/motel may be provided along 25% of the primary frontage as defined by the zoning administrator. The remaining 75% of the primary frontage shall be non-residential uses.

Sec. 36-243. Nursing home.

- (a) All structures shall be located a minimum of 30 feet from any parcel that is zoned N and used for dwelling purposes.

- (b) A minimum of 12% of the net site area shall be developed as designed outdoor recreation area.

Sec. 36-244. Manufactured home park.

- (a) The manufactured home park, and all manufactured homes sited within it, must meet all requirements set forth in state statutes.
- (b) A responsible attendant or caretaker must be in charge at all times and shall be responsible for ensuring the maintenance of the park, its facilities, and its equipment in clean, ordinary, and sanitary condition.
- (c) The manufactured home park must be at least 5 acres in size.
- (d) The manufactured home park shall meet the density requirement set forth in the comprehensive plan.
- (e) Uses permitted within the park shall include only manufactured homes, storm shelters, recreational facilities, and accessory uses to the manufactured homes, including common laundering facilities, garages, sheds, and similar structures necessary for the operation and maintenance of the park.
- (f) All manufactured homes shall be equipped with an anchoring system approved by the Minnesota Department of Administration (Building Code division). The frame, wheels, crawl space, storage areas, and utility connections of all manufactured homes shall be concealed from view by skirting made of durable all-weather construction material that is consistent with the exterior of the manufactured home. Installation of the skirting must be completed within 60 days of the placement of the manufactured home on the pad. No obstruction shall be permitted that impedes the inspection of plumbing and electrical facilities.
- (g) The maximum impervious surface coverage on individual manufactured home sites for the manufactured home, any accessory structures, and driveway shall be 50%.
- (h) Except for public, community, and utility structures, the maximum height of principal and accessory structures shall not exceed 20 feet.

Sec. 36-245. State-licensed residential facility.

- (a) The use shall have a valid state license authorizing the residential facility. The license shall be issued specifically for the property where the residential facility is being conducted.

DIVISION 3. PRINCIPAL USES, PUBLIC, SOCIAL, & INSTITUTIONAL

Sec. 36-246. Business/trade school/college.

- (a) All educational and training activities shall occur within a building.

Sec. 36-247. Educational facility.

- (a) Educational facilities with 20 or fewer students.
 - (1) The school shall be limited to preschool through eighth grade.

- (2) Access shall be to a roadway identified in the comprehensive plan as a collector or arterial or shall be otherwise located so that access can be provided without generating significant traffic on local residential streets.
- (3) Student drop-off and loading areas shall not interfere with traffic and pedestrian movements.
- (4) An outdoor play area shall be provided that contains at least 40 square feet per student enrolled at the school or be located adjacent to a public park.
- (b) Educational facility with more than 20 students.
 - (1) The principal buildings shall be located a minimum of 30 feet from any parcel zoned N and used for a dwelling.
 - (2) An off-street passenger loading area shall be provided to maintain vehicular and pedestrian safety.
 - (3) Access shall be to a roadway identified in the comprehensive plan as a collector or arterial or shall be otherwise located so that access can be provided without generating significant traffic on local residential streets.
- (c) Pick-up/drop-off areas shall not conflict with other on-site or abutting land uses and shall not create congestion on public streets. Only automobiles and passenger vans shall be allowed to use an alley for pickup and drop-off of students.
- (d) In multitenant buildings, the school shall have at least one separate building entrance or shall have an interior entrance that is within 50 feet of a common building entrance.
- (e) Outdoor areas designated for group activities shall be located a minimum of 25 feet from a lot zoned N and used for dwelling purposes.
- (f) The use must have a minimum of 40 square feet of outdoor area per student dedicated to outdoor student activity and enclosed by a fence or be within ¼ mile of a city park developed with recreational facilities.

Sec. 36-248. Hospital.

- (a) Buildings, or portions thereof, located within 100 feet of any parcel that is zoned N and used for dwelling purposes shall be limited to four stories or 45 feet, whichever is less.
- (b) Access shall be to a roadway identified in the comprehensive plan as a collector or arterial or shall be otherwise located so that access can be provided without generating significant traffic on local residential streets.
- (c) Internal traffic circulation shall be designed to minimize traffic within 100 feet of any abutting property zoned N and used for dwelling purposes.
- (d) Screening shall be installed along any abutting property zoned N and used for dwelling purposes, and the screening shall include a six-foot privacy fence.

Sec. 36-249. Municipal, county, state, or federal administrative or service facility.

- (a) Buildings shall be located at least 25 feet from a lot that is zoned N and used for dwelling purposes.
- (b) Access shall be to a roadway identified in the comprehensive plan as a collector or arterial or shall be otherwise located so that access can be provided without generating significant traffic on local residential streets.

Sec. 36-250. Place of assembly.

- (a) Access shall be to a roadway identified in the comprehensive plan as a collector or arterial or shall be otherwise located so that access can be provided without generating significant traffic on local residential streets.
- (b) In MU-1 district, not permitted in a building with residential uses.
- (c) In multitenant buildings, noise shall be contained within that space dedicated to the place of assembly use. No noise shall be audible within common areas or in adjacent units.
- (d) In multitenant buildings, the place of assembly shall have a separate entrance or shall have an interior entrance that is within 50 feet of a common building entrance.
- (e) All buildings shall be located a minimum of 30 feet from any parcel that is zoned N and used for dwelling purposes.
- (f) An off-street passenger loading area shall be provided to maintain vehicular and pedestrian safety.
- (g) Outdoor recreational and play areas shall be located at least 25 feet from any parcel that is zoned N and used for dwelling purposes.

Sec. 36-251. Police/fire station.

- (a) Buildings shall be located at least 25 feet from a lot that is zoned N and used for dwelling purposes.
- (b) Access shall be to a roadway identified in the comprehensive plan as a collector or arterial or shall be otherwise located so that access can be provided without generating significant traffic on local residential streets.
- (c) Unobstructed visibility shall be provided from the driveway to the adjacent streets for emergency vehicles and a traffic light shall be installed at the entrance to the facility to control non-emergency traffic if recommended by the Director of Public Works.

Sec. 36-252. Post office customer service.

- (a) The use shall only be permitted when it can be demonstrated that the operation will not have a significant adverse effect on the existing level of service and safety of adjacent streets and intersections.
- (b) Access shall be to a roadway identified in the comprehensive plan as a collector or arterial or shall be otherwise located so that access can be provided without generating significant traffic on local residential streets.
- (c) Outdoor mailboxes intended for in-vehicle service shall be located to allow in-vehicle mail drop-off by the vehicle's driver.

Sec. 36-253. Religious institution.

- (a) Access shall be to a roadway identified in the comprehensive plan as a collector or arterial or shall be otherwise located so that access can be provided without generating significant traffic on local residential streets.
- (b) All buildings shall be located a minimum of 30 feet from any parcel that is zoned N and used for dwelling purposes.

- (c) An off-street passenger loading area shall be provided to maintain vehicular and pedestrian safety.
- (d) Outdoor recreational and play areas shall be located at least 25 feet from any lot zoned N and used for dwelling purposes.

DIVISION 4. PRINCIPAL USES, COMMERCIAL

Sec. 36-254. Adult day care.

- (a) A minimum of 12% of the net site area shall be developed as designed outdoor recreation area or be adjacent to a city park or public open space with designed outdoor recreation opportunities.
- (b) Within the N-1 and N-2 districts, the facility may serve 16 or fewer persons.

Sec. 36-255. Animal handling.

- (a) No animals shall be kept outside the building or cause offensive odor or noise discernible at the property line of the lot on which the activity is conducted.
- (b) Boarding animals during the day and/or night shall not be permitted in a vertical mixed-use building.
- (c) The use shall be located a minimum of 100 feet from any parcel that is zoned N and used for dwelling purposes.

Sec. 36-256. Animal handling, limited.

- (a) Daytime or overnight boarding of animals is not permitted unless the animals are kept overnight for medical treatment/care.

Sec. 36-257. Appliance, small engine and bicycle repair.

- (a) Engines shall not be operated or tested outside of a structure if the use is located within 300 feet of any parcel that is zoned N.
- (b) Uses involving combustible engines shall not be permitted in a residential mixed-use building.

Sec. 36-258. Auto body/painting.

- (a) Damaged or inoperable vehicles shall be stored indoors or in areas that meet the outdoor storage standards listed in section 36-295.
- (b) The facility shall be located a minimum of 300 feet from any parcel that is zoned N or occupied with a residential mixed-use building.
- (c) No sales, storage or display of used automobiles shall be permitted.
- (d) In the B1 district, the facility shall only be allowed as accessory to a motor vehicle sales or motor vehicle fuel and repair use.

Sec. 36-259. Bank.

- (a) Self-service machines shall be located inside the building.

Sec. 36-260. Cannabis retailer.

- (a) The lot must be at least 1,000 feet from the property line of a site containing a school. In the case of a shopping center or multiuse building, the distance shall be measured from the portion of the shopping center or multiuse building occupied by the cannabis retailer.
- (b) The lot must be at least 1,000 feet from the property line of a site containing a pawn shop, currency exchange, payday loan agency, firearms sales or sexually-oriented business. In the case of a shopping center or multiuse building, the distance shall be measured from the portion of the shopping center or multiuse building occupied by the cannabis retailer.
- (c) The lot must be at least 1,000 feet from the property line of a site containing a cannabis retailer. In the case of a shopping center or multiuse building, the distance shall be measured from the portion of the shopping center or multiuse building occupied by the cannabis retailer.
- (d) In-vehicle sales or services are prohibited.
- (e) The use shall be contained within a completely enclosed building, and no outside storage, display, or sale of merchandise is permitted.
- (f) On-site consumption of cannabis or lower-potency hemp and beverages is prohibited.

Sec. 36-261. Car wash.

- (a) A car wash that is a principal use shall have parking space to permit the stacking of at least 30 cars or the maximum number of vehicles which can be washed during a 30-minute period, whichever is greater; plus an additional 10 off-street parking spaces for employees and storage of employee owned and washed cars.
- (b) Drainage and surfacing plans for a car wash shall be approved by the director of public works. The plans shall describe the wash water disposal and sludge removal facilities to be employed to accomplish dust, salt, and other chemical and mud abatement on the premises and prevent the accumulation of surface water, wash water or sludge on the site or in the vicinity of the premises.
- (c) No ingress or egress points for a car wash shall be closer than 150 feet from the point of intersection of the required front and side yard lines adjoining intersecting streets. The exit door from the car wash shall be at least 45 feet from the public right of way. Drainage shall be away from the public street at the egress points to prevent spillage onto the street. The grades of the interior floor shall be sloped away from the exit door, and such floor shall be sloped to an accepted interior drainage system. No water which is used in the operation of the car wash shall be allowed on any public right of way.
- (d) Automatic car washes shall be located a minimum of 95 feet from any parcel that is zoned N and used for dwelling purposes or any parcel that has a residential mixed-use building. In this case, entrance and exit doors for the car wash that face the residential parcel shall be located at least 100 feet from the residential parcel.
- (e) Automatic car washes accessory to a motor fuel station or motor vehicle service and repair facility shall provide stacking space for at least four cars. Cars located in these

stacking spaces should not block ingress and egress driveways on the site or driveways providing access to gasoline pumps, service bays or required off-street parking, except that vehicles in stacking spaces may block access to parking stalls which are signed for employee parking only. All other provisions of this section shall apply to automatic car washes, except that no additional off-street parking spaces shall be required for an automatic car wash and ingress or egress to an automatic car wash may be permitted within 150 feet of the point of intersection of the required front and side yard lines.

Sec. 36-262. Catering.

- (a) This use may also include associated facilities such as offices and small-scale warehousing, but distribution is limited to vans and small trucks. Distribution access shall be from the rear.
- (b) The maximum overall gross floor area is limited to 12,000 square feet.
- (c) Outside storage of catering vehicles or associated equipment shall be kept in areas that meet the outdoor storage standards specified in section 36-295.
- (d) All outdoor activities such as loading and unloading shall be located a minimum of 100 feet from any parcel that is zoned N or used for dwelling purposes.
- (e) Any exhaust system venting outdoors shall be located away from residential areas.

Sec. 36-263. Dry cleaning or laundering facility.

- (a) The use shall not exceed 15,000 square feet in area.
- (b) Outside storage and parking of trucks involved in the operation of the business is limited to trucks and vans with a manufacturer's rated cargo capacity of one ton or less.
- (c) Outside vehicle storage shall meet the standards listed in section 36-295 outdoor storage.

Sec. 36-264. Grocery store.

- (a) When the grocery store is located in a mixed-use building with residential or office uses above the grocery use, the following applies:
 - (1) No activity results in any noxious or offensive odors, sounds, vibrations, emissions, or any external nuisances upon adjacent properties.

Sec. 36-265. Group day care/nursery school.

- (a) The principal buildings shall be located a minimum of 30 feet from any parcel zoned N and used for a dwelling.
- (b) The on-site outdoor activity areas shall be enclosed by a minimum four-foot-tall fence.
- (c) City parks may be utilized to meet up to 50% of the required outdoor activity areas with the following standards:
 - (1) The park must have age-appropriate play equipment.
 - (2) There is a clearly defined and maintained sidewalk or improved trail connecting the facility to the park.

- (3) Outdoor recreational and play areas shall be located at least 25 feet from any parcel zoned N and used for dwelling purposes.
- (d) An off-street passenger loading area shall be provided in order to maintain vehicular and pedestrian safety.

Sec. 36-266. Liquor store.

- (a) The lot must be at least 1,000 feet from the property line of a site containing a pawnshop, currency exchange, payday loan agency, firearms sales or sexually-oriented business. In the case of a shopping center or a multiuse building, the distance shall be measured from the portion of the center or building occupied by the liquor store.

Sec. 36-267. Lower potency hemp edible retailer.

- (a) The standards for lower-potency hemp edible retailers are that the use shall be located more than 300 feet from the property line of a site containing a school. In the case of a shopping center or multiuse building, the distance shall be measured from the portion of the shopping center or multiuse building occupied by the lower-potency hemp edible retailer.

Sec. 36-268. Motor fuel station.

- (a) All pump islands, air dispensers and other service devices shall be installed at least 12 feet off and toward the interior of the lot from the required yard line, and no display, servicing of vehicles, parking or dispensing of gasoline shall take place within the required yard. On sites where pump islands have been constructed at the required yard line, a landscaped area of eight feet shall be installed in the required yard.
- (b) All on-site utility installations shall be placed underground.
- (c) No outside sale or display shall be permitted except gasoline and other goods consumed in the normal operation of a car limited to the following kinds of products: oil, gasoline and oil additives, propane tanks, windshield cleaner, windshield wipers, tires and batteries. No products shall be sold or displayed in any required yard nor shall the total display area occupy more than 150 square feet in area or be more than five feet in height. No other vehicular parts and non-automobile-oriented goods shall be displayed or sold outside.
- (d) Modification of the requirement of this section may be made for service stations in existence on the effective date of the ordinance from which this chapter is derived, if the city council finds that, because of the shape of the lot, size of the lot, the location of the principal building on the lot or similar circumstances, it would be impossible to satisfy the strict terms of this section or that they could be satisfied only by imposing exceptional or undue hardship upon the owner of the lot.
- (e) Any canopy and canopy support systems shall be constructed using architectural design and materials which are compatible with the principal structure.
- (f) No public address system shall be audible from any parcel that is zoned N and used for dwelling purposes.
- (g) The use is in conformance with the comprehensive plan.

- (h) Refer to section 36-369 for electric vehicle supply equipment (EVSE) requirements.
- (i) In addition to the above requirements, the following standards shall apply to motor fuel stations in the MU-1 district:
 - (1) Hours of operation shall be between 6:00 a.m. and 11:30 p.m.
 - (2) Gasoline pump islands, dispenser type, and location shall be designed so that no more than eight vehicles can be refueled at any given time.
 - (3) The number of service stalls shall not exceed two.

Sec. 36-269. Motor vehicle sales.

- (a) No previously registered but currently unlicensed or inoperable vehicles shall be stored on premises.
- (b) A minimum of 50% of the vehicles for sale on the premises shall be new vehicles.
- (c) All open sales or rental lots shall be operated in conjunction with a building or buildings containing the same or similar materials as displayed on the open sales or rental lot.
- (d) The building and the sales or rental lot shall be on one contiguous site.
- (e) String lighting shall be prohibited.
- (f) The area of open sales or rental lot used for storage and display of merchandise shall not exceed two square feet for every one square foot of building on the site devoted to the same or a similar use or accessory use.
- (g) No test driving shall be permitted on local residential streets.
- (h) No outdoor public address system shall be permitted.
- (i) All customer and employee parking shall be clearly designated and signed.
- (j) No motor vehicle transport loading or unloading shall be permitted on any minor residential street.
- (k) No display or storage of motor vehicles shall be permitted on any public right of way.
- (l) The storage lot shall be located a minimum of 100 feet from any parcel that is zoned N and used for dwelling purposes, or has an occupied institutional building, including but not limited to schools, religious institutions, and community centers.
- (m) The use is in conformance with the comprehensive plan.

Sec. 36-270. Motor vehicle service and repair.

- (a) No public address system shall be audible from any parcel that is zoned residential and used or subdivided for residential, or has an occupied institutional building, including but not limited to schools, religious institutions, and community centers.
- (b) All repair, assembly, disassembly and maintenance of vehicles shall be inside a closed building except tire inflation, changing wipers or adding oil.
- (c) Test driving shall be prohibited on any street in a N district.
- (d) Access shall be to a roadway identified in the comprehensive plan as a collector or arterial or shall be otherwise located so that access can be provided without generating significant traffic on local residential streets.
- (e) The building housing the use shall be located a minimum of 100 feet from any parcel that is zoned neighborhood and used or subdivided for residential use, or any parcel that has a residential mixed-use building.

Sec. 36-271. Office.

- (a) The use shall occupy no more than 50% of the building in the I-2 district.
- (b) Access shall be to a roadway identified in the comprehensive plan as a collector or arterial or shall be otherwise located so that access can be provided without generating significant traffic on local residential streets.
- (c) The parking areas shall be set back at least five feet from any parcel that is zoned N.
- (d) The materials used in and placement of all signs shall be integrated with the building design and architecture.

Sec. 36-272. Pawnshop.

- (a) The lot must be at least 1,000 feet from the property line of a site containing another pawnshop, currency exchange, payday loan agency, firearms sales, liquor store, sexually oriented business or cannabis retailer. In the case of a shopping center or multiuse building, the distance shall be measured from the portion of the center or building occupied by the pawnshop.
- (b) The pawnshop use shall not operate in conjunction with a sexually oriented business.
- (c) The lot must be at least 1,000 feet from the property line of a site containing another pawnshop, currency exchange, payday loan agency, firearms sales, liquor store or sexually oriented business. In the case of a shopping center or multiuse building, the distance shall be measured from the portion of the center or building occupied by the pawnshop.
- (d) The lot shall be located a minimum of 350 feet from any parcel that is zoned N, or has an educational use, religious institution, park, library or community center. In the case of a shopping center or multiuse building, the distance shall be measured from the portion of the center or building occupied by the pawnshop.
- (e) Access shall be to a roadway identified in the comprehensive plan as a collector or arterial. Access to and from local residential streets is prohibited.
- (f) In-vehicle sales or services are prohibited.
- (g) Firearm transactions are prohibited.
- (h) The use shall be contained within a completely enclosed building. Outside storage, display, or sale of merchandise is prohibited.
- (i) Exterior loudspeakers or public address systems are prohibited.
- (j) Visibility into the store shall be maintained by utilizing clear, transparent glass on all windows and doors, and by keeping all windows free of obstructions for at least three feet into the store. Product may be displayed for sale in the window as long as the display, including signage, does not occupy more than 30% of the window area.
- (k) Interior and exterior bars, grills, mesh or similar obstructions, whether permanently or temporarily affixed, shall not cover any exterior door or more than 10% of any individual window or contiguous window area.
- (l) Neon accents and back-lighted awnings shall be prohibited.
- (m) Parking space requirements shall be determined pursuant to section 36-363. If a pawnshop is combined with another use such as a currency exchange or payday loan

agency, each use shall be considered a separate use for purposes of determining minimum parking requirements.

Sec. 36-273. Payday loan agency and currency exchange.

- (a) The lot must be at least 1,000 feet from the property line of a site containing a pawnshop, currency exchange, payday loan agency, firearms sales, liquor store, sexually oriented business, or cannabis retailer. In the case of a shopping center or multiuse building, the distance shall be measured from the portion of the center or building occupied by the payday loan agency or currency exchange.
- (b) The use shall not operate in conjunction with a sexually-oriented business.
- (c) The lot shall be located a minimum of 350 feet from any parcel that is zoned N, or has an educational (academic) use, religious institution, park, library or community center. In the case of a shopping center or multiuse building, the distance shall be measured from the portion of the center or building occupied by the use.
- (d) Access shall be to a roadway identified in the comprehensive plan as a collector or arterial. Access to and from local residential streets is prohibited.
- (e) In-vehicle sales or services are prohibited.
- (f) The use shall be contained within a completely enclosed building.
- (g) Exterior loudspeakers or public address systems are prohibited.
- (h) Windows must be of clear, transparent glass and be free of obstructions for at least three feet into the store. Product may be displayed in the window as long as the display, including signage, does not occupy more than 30% of the window area.
- (i) Neon accents and back-lighted awnings shall be prohibited.

Sec. 36-274. Restaurant.

- (a) The uses must be so located as to be visible and easily accessible to pedestrians from the public right of way.
- (b) A six-foot sidewalk for pedestrian use shall be constructed along the perimeter of parking lot, drive aisle, and street adjacent to building to allow for the separation of pedestrian and vehicular movements within the parking lot.
- (c) If there is a wine and/or beer liquor license, there shall be no separate bar area within the restaurant.

Sec. 36-275. Retail or service establishment over 50,000 square feet.

- (a) This use shall only be permitted when it can be demonstrated that the operation will not have a significant adverse effect on the existing level of service on adjacent streets and intersections.
- (b) Access shall be to a roadway identified in the comprehensive plan as a collector or arterial or shall be otherwise located so that access can be provided without generating significant traffic on local residential streets.
- (c) All buildings and structures shall be set back a minimum of 25 feet from any parcel that is zoned N and used for dwelling purposes.
- (d) The use is in conformance with the comprehensive plan.

Sec. 36-276. Self-storage facility.

- (a) No hazardous or flammable materials shall be stored on site.
- (b) No auctions, commercial sales/rentals, garage sales, or other activities not consistent with the approved storage use shall be conducted on the premises.
- (c) No separate, dedicated utility connections, namely, electricity, water, telephone, cable TV, or gas, will be provided to the individual units.
- (d) No unit within a self-storage facility shall be utilized as a place of business.
- (e) Outdoor storage is permitted with the following conditions:
 - (1) Only commercial and recreational vehicles may be stored outside.
 - (2) The vehicles must be properly licensed and in operable condition.
 - (3) The outdoor storage area shall not exceed 10% of the property size.
 - (4) The outdoor storage area shall be screened from view from surrounding properties with a 15-foot landscaped buffer and an 8-foot privacy fence and trees.

Sec. 36-277. Sexually-oriented business, high impact.

- (a) No person shall operate a high impact sexually oriented business on property, any part of which is within the area circumscribed by a circle which has a radius of 350 feet from any of the uses listed in this subsection (a). Distances shall be measured by following a straight line, without regard to intervening structures or objects, between the closest points on the property lines of the two uses. This distance requirement applies to the following uses:
 - (1) Property developed or zoned for residential uses;
 - (2) Property frequented by children or designed as a family destination, such as a day care facility, school, library, park, playground, nature center, religious institution, and other public recreational facility;
 - (3) Premises licensed under chapter 3 of this ordinance, relating to on-sale liquor, beer and wine licensing.
- (b) No person shall operate a high impact sexually oriented business on property, any part of which is within the area circumscribed by a circle which has a radius of 1,000 feet from another high impact sexually oriented business, pawnshop, currency exchange, payday loan agency, firearms sales, liquor store, or cannabis retailer. Distances shall be measured by following a straight line, without regard to intervening structures or objects, between the closest points on the property lines of the two uses.
- (c) No owner, manager or employee may sell or display for sale any sexually-oriented materials except in original unopened packages.
- (d) No owner, manager or employee of a high impact sexually-oriented business shall have been convicted of a sex crime, as identified in M.S.A. §§ 609.293 609.352, 609.746 609.749, 609.79, 518B.01, or related statute dealing with sexual assault, sexual conduct, harassment, obscenity, or domestic abuse.
- (e) No owner, manager or employee of a high impact sexually-oriented business shall allow any sexually-oriented materials or entertainment to be used on any sign or window display.

- (f) No owner, manager or employee of a high impact sexually-oriented business shall engage in any activity or conduct or permit any other person to engage in any activity or conduct in or about the high impact sexually-oriented business establishment which is prohibited by any ordinance of the city, the laws of the state, or the laws of the United States. Nothing in this chapter shall be construed to authorize or permit conduct which is prohibited or regulated by other statutes or ordinances, including but not limited to statutes or ordinance prohibiting the exhibition, sale or distribution of obscene material generally, or the exhibition, sale or distribution of specified materials to minors.
- (g) The business owner, manager or employee shall ensure that no person under the age of 18 years enters the business.
- (h) No owner, manager or employee shall allow any sexually-oriented materials or entertainment to be visible or perceivable in any manner, including aurally, at any time from outside of the business.
- (i) No owner, manager or employee shall allow any person under the age of 18 years to have access to sexually-oriented materials, whether by sight, purchase, touch, or any other means.
- (j) Each business shall display a sign on its main entrance door which reads: "This business sells sexually-oriented material or entertainment. Persons under the age of 18 are prohibited from entering." The sign letters shall be a minimum of two inches high.
- (k) No business regulated by this subsection may have a license under chapter 3 of this code, and no alcoholic beverages may be consumed in the business.
- (l) No business shall exceed 10,000 square feet in gross floor area.
- (m) No patron, employee, or other person may physically contact any specified anatomical area of himself or herself, or of any other person, except that a live performer may touch himself or herself.
- (n) Each live performer shall remain at all times a minimum distance of ten feet from all members of the audience and shall perform on a platform intended for that purpose, which shall be raised at least two feet from the level of the floor on which the audience is located. No performer may solicit or accept any pay, tip, or other item from any member of the audience.
- (o) No business shall have any booths, stalls or partitions which separate any area from a general public room. The restrictions of this subsection do not apply to restrooms, storage rooms, or private offices of the owner, manager, or employees of the business, if such storage rooms or offices are used solely for running the business and no person other than the owner, manager, and employees is allowed in the storage rooms or offices.

Sec. 36-278. Sexually-oriented business, limited impact.

- (a) No owner, manager or employee shall allow any sexually-oriented materials or entertainment to be visible or perceivable in any manner, including aurally, at any time from outside of the business.
- (b) The business owner, manager or employee shall assure that no person under the age of 18 years enters the separate area where sexually-oriented materials are provided.

- (c) No owner, manager or employee shall allow any person under the age of 18 years to have access to any sexually-oriented materials, whether by sight, purchase, touch, or any other means.
- (d) No owner, manager, or employee may sell or display for sale any sexually-oriented materials except in original unopened packages.
- (e) No business may have a license under chapter 3 of this code other than an off-sale license for non-intoxicating malt liquor.
- (f) Both the owner of a sexually-oriented business and the manager of the business shall be responsible for the conduct of their employees and for compliance with this section.
- (g) No owner or manager of a sexually-oriented business shall employ a person under the age of 18 years.
- (h) No owner, manager or employee of a sexually-oriented business shall have been convicted of violating this section three or more times within 24 months.

Sec. 36-279. Shopping center, neighborhood.

- (a) The shopping center development shall not exceed 50,000 square feet of gross floor area.
- (b) Location shall be at the intersection of collector and/or arterial roadways.
- (c) Access shall be to a roadway identified in the comprehensive plan as a collector or arterial or shall be otherwise located so that access can be provided without generating significant traffic on local residential streets.
- (d) All buildings and structures shall be set back a minimum of 25 feet from any parcel that is zoned N and used for dwelling purposes, or has an occupied institutional building, including but not limited to schools, religious institutions, and community centers.
- (e) A neighborhood shopping center shall meet the pedestrian access requirements in article VIII, division 3.

Sec. 36-280. Shopping center, community.

- (a) The shopping center development shall not exceed 200,000 square feet of gross floor area.
- (b) Location shall be at the intersection of two arterial roadways, the intersection of an arterial and a collector, or along an arterial near such an intersection.
- (c) Access shall be to a roadway identified in the comprehensive plan as a collector or arterial or shall be otherwise located so that access can be provided without generating significant traffic on local residential streets.
- (d) All buildings and structures shall be set back a minimum of 25 feet from any parcel that is zoned N and used for dwelling purposes, or has an occupied institutional building, including but not limited to schools, religious institutions, and community centers.

Sec. 36-281. Showroom.

- (a) Distribution is limited to vans and small trucks. Distribution access shall be from the rear of the building.
- (b) Delivery vehicles cannot be stored on-site.

- (c) Showrooms with attached warehousing components shall be separated from the warehousing components by a minimum eight-foot-tall permanent wall.
- (d) Distribution shall be from a designated loading area only.

Sec. 36-282. Studio.

- (a) No impact noise shall be audible from any property located in a N district or dwelling unit if the studio use is located in a residential mixed-use building.
- (b) Distribution access shall be from the rear of the building.
- (c) A showroom or retail outlet is permitted as an accessory use.

Sec. 36-283. Vendor market.

- (a) In-vehicle sales or services are prohibited.
- (b) In multitenant buildings, the vendor market shall have a separate entrance or shall have an interior entrance that is within 50 feet of a common building entrance.

DIVISION 5. PRINCIPAL USES, RECREATION

Sec. 36-284. Country club.

- (a) All structures shall be located a minimum of 30 feet from any parcel that is zoned N and used for dwelling purposes.

Sec. 36-285. Golf course.

- (a) All structures shall be located a minimum of 30 feet from any parcel that is zoned N and used for dwelling purposes or has an occupied institutional building, including but not limited to educational facilities, religious institutions, and community centers.

Sec. 36-286. Indoor entertainment.

- (a) Access shall be to a roadway identified in the comprehensive plan as a collector or arterial or shall be otherwise located so that access can be provided without generating significant traffic on local residential streets.
- (b) Not permitted in a building with residential uses.
- (c) In multitenant buildings, noise shall be contained within that space dedicated to the place of assembly use. No noise shall be audible within common areas or in adjacent units.
- (d) In multitenant buildings, the place of assembly shall have a separate entrance or shall have an interior entrance that is within 50 feet of a common building entrance.
- (e) All buildings shall be located a minimum of 30 feet from any parcel that is zoned N and used for dwelling purposes.
- (f) An off-street passenger loading area shall be provided to maintain vehicular and pedestrian safety.
- (g) Outdoor recreational and play areas shall be located at least 25 feet from any parcel that is zoned N and used for dwelling purposes.
- (h) In-vehicle sales or services prohibited.

- (i) The use must be so located as to be visible and easily accessible to pedestrians from the public right of way.
- (j) If there is a wine, beer, and/or intoxicating liquor license, there shall be no separate bar area within the establishment.

Sec. 36-287. Park/recreation.

- (a) All structures shall be located a minimum of 30 feet from any parcel that is zoned N and used for dwelling purposes or as an institutional building, including but not limited to educational facilities, religious institutions and community centers.
- (b) Areas designated for group activities shall be located a minimum of 25 feet from any parcel that is zoned N and either used for dwelling purposes or as an institutional building, including but not limited to educational facilities, religious institutions, and community centers.
- (c) Facilities which serve a regional function shall not be permitted.
- (d) Facilities which serve a community wide or regional function shall be located with primary vehicular access on a collector or arterial street.
- (e) Swimming pools shall be located a minimum of 50 feet from any lot line and a minimum of 12 feet from any other structure on the same lot.
- (f) Swimming pools shall be completely enclosed using an F4 fence as a minimum requirement.
- (g) Screening shall be installed along the property line when the use abuts property used for dwelling purposes or in an N districts. This screening shall include a berm or fence which shall be adequately maintained. Application of this provision shall not require a fence within the required front yard.

DIVISION 6. PRINCIPAL USES, INDUSTRIAL

Sec. 36-288. Anaerobic digester.

- (a) Anaerobic digesters shall be permitted only as part of a larger development which contains at least one other principal use, and where electricity and biogas produced by the digester is used primarily by the larger development.
- (b) Organic material, as defined in the zoning code, is the only input allowed.
- (c) No more than 30,000 tons of organic material shall be processed per year.
- (d) The digester system, associated equipment and operations must occur completely within a negative pressure building.
- (e) Organic material shall be deposited from the delivery vehicle directly into an enclosed container integrated with the digester system.
- (f) Sorting of material must occur in an enclosed container integrated with the digester system.
- (g) Odor controlling devices shall be used to prevent odors from being detectable outside of the building containing the digester system.
- (h) Flaring of biogas is only allowed to burn excess gas and shall not be visible from off-site.
- (i) No outdoor storage is allowed.

- (j) Retail distribution of compressed natural gas is not allowed.
- (k) All necessary permits relating to items such as emissions, solid waste processing, energy production, industrial wastewater, and storm water must be obtained from the appropriate agencies.
- (l) All necessary contracts or agreements with material providers and utility companies must be submitted to the city prior to the issuance of a building permit.

Sec. 36-289. Cannabis operation.

- (a) The lot must be at least 1,000 feet from the property line of a site containing a school. In the case of a shopping center or multiuse building, the distance shall be measured from the portion of the shopping center or multiuse building occupied by the cannabis producer.
- (b) The lot must be at least 1,000 feet from the property line of a site containing a cannabis operation. In the case of a shopping center or multiuse building, the distance shall be measured from the portion of the shopping center or multiuse building occupied by the cannabis producer.
- (c) The use shall be contained within a completely enclosed building, and no outside storage, display or sale of merchandise is permitted.

Sec. 36-290. Composting operation.

- (a) All buildings, structures and activity areas shall be located a minimum of 30 feet from all lot lines.
- (b) No food scraps or other vermin-attracting materials shall be processed, stored, or disposed on the site.
- (c) Operations shall not involve the on-site holding, storage or disposal of hazardous wastes as defined by applicable statutes, rules, or regulations.

Sec. 36-291. Hemp processor.

- (a) The lot must be at least 1,000 feet from the property line of a site containing a school. In the case of a shopping center or multiuse building, the distance shall be measured from the portion of the shopping center or multiuse building occupied by the hemp processor.
- (b) The lot must be at least 1,000 feet from the property line of a site containing a cannabis operation. In the case of a shopping center or multiuse building, the distance shall be measured from the portion of the shopping center or multiuse building occupied by the hemp processor.
- (c) The use shall be contained within a completely enclosed building, and no outside storage, display or sale of merchandise is permitted.

Sec. 36-292. Manufacturing/processing.

- (a) All outdoor activities such as loading and unloading shall be located a minimum of 100 feet from any parcel that is zoned N and used for dwelling purposes and any residential mixed-use building.

- (b) All manufacturing/processing activities shall occur within a building.
- (c) All doors and windows facing a property zoned N shall remain closed.

Sec. 36-293. Manufacturing/processing, light.

- (a) All activities shall occur within a building.
- (b) Outside storage is prohibited.
- (c) All doors and windows facing a property zoned N shall remain closed.
- (d) Operation shall not result in noxious or offensive odors, sounds, vibrations, emissions, or any external nuisances upon adjacent properties. Noise and odors pertaining to the assembly, manufacturing and processing activities shall not be discernable from the property line of a property zoned N.
- (e) A showroom and/or retail outlet is required and shall be located in the primary street frontage of the building.
- (f) The showroom and/or retail outlet shall occupy a minimum of 20% of the gross floor area with no maximum limit.
- (g) All outdoor activities such as loading and unloading shall be located a minimum of 100 feet from any parcel that is zoned residential and used residential.

Sec. 36-294. Microbrewery or microdistillery.

- (a) The brewery or distillery shall not produce more than 20,000 barrels of malt liquor per year.
- (b) Alcohol produced off-site shall not be sold on-site, this includes both on-sale and off-sale transactions.
- (c) In addition to the standards above, the following standards apply within the MU-1, MU-2, MU-3 and B-1 districts:
 - (1) A taproom and/or retail outlet is required and shall occupy up to 25% of the gross floor area of the brewery or distillery.
 - (2) This use may include associated facilities such as offices and small-scale warehousing, but distribution is limited to vans and small trucks. Distribution access shall be from the rear of the building.
 - (3) The maximum overall gross floor area is limited to 20,000 square feet.

Sec. 36-295. Outdoor storage.

- (a) Storage areas shall be surrounded on all sides by a minimum six-foot-tall privacy fence. Slatted chain-link fences shall not be allowed. Fence may be increased to eight feet when:
 - (1) Adjacent to a property zoned N or a property improved with a residential mixed-use building.
 - (2) Stored items are visible above the six-foot fence.
- (b) For properties adjacent to a railroad track, fencing shall not be required on the side of the storage yard adjacent to the railroad track when the grade of the railroad track is more than six feet above the adjacent grade of the storage area.

- (c) A minimum five-foot-wide landscaped greenway, and six-inch tall concrete curb shall be required when the storage area is adjacent to a right of way, property zoned neighborhood, or a property improved with a residential mixed-use building.
- (d) Storage shall not be permitted within any required yards.
- (e) Storage areas shall be separated from the required parking and circulation areas.
- (f) Stored materials shall not interfere with either on-site or off-site traffic visibility.
- (g) Inoperative vehicles or equipment or other items typically stored in a junkyard or salvage yard shall not be stored on land on which storage is permitted with conditions under this section.
- (h) All areas used for outdoor storage shall be paved and bordered with a six-inch concrete curb.
- (i) When allowed as an accessory use, in addition to the above requirements, storage areas shall not be allowed to be closer to a street than the principal building.

Sec. 36-296. Printing facility.

- (a) This use may also include associated facilities such as offices and small-scale warehousing.
- (b) The maximum overall gross floor area is limited to 12,000 square feet.
- (c) A showroom and/or retail outlet is required and shall be located in the primary street frontage of the building.
- (d) The showroom and/or retail outlet shall occupy a minimum of 25% of the gross floor

Sec. 36-297. Warehouse/storage.

- (a) In the I-1 district, no more than 60% of floor area may be utilized for warehouse.
- (b) With the exception of loading and unloading of commodities, and parking and storage of trailers, all functions shall be within an enclosed building. Parking and storing trailers shall be considered outdoor storage and shall comply with the outdoor storage outdoor storage land use regulations allowed in the district.
- (c) All outdoor activities such as loading and unloading shall be located a minimum of 100 feet from any parcel that is zoned neighborhood and used or subdivided for residential, or any property that is occupied by a residential mixed-use building.
- (d) Where possible, the loading and unloading areas shall be located on the side of the building farthest from any parcel that is zoned neighborhood and used for residential or is occupied by a residential mixed-use building.

DIVISION 7. PRINCIPAL USES, TRANSPORTATION AND UTILITIES

Sec. 36-298. Communication towers and antennas.

- (a) Purpose.
 - (1) To accommodate the reasonable communication needs of residents and business in the community while protecting the public health, safety, and general welfare of the community.

- (2) To establish appropriate maximum heights of communication towers and antennas, considering their potential adverse impacts on the community at large and the ability to mitigate such impacts.
 - (3) To minimize adverse impacts on properties in close proximity to communication towers and antennas.
 - (4) To minimize adverse visual effects of communication towers and antennas through careful design and siting standards.
 - (5) To avoid potential damage to adjacent properties from communication tower and antenna failure through structural standards and setback requirements.
 - (6) To maximize the use of existing communication towers, antennas and buildings to accommodate new antennas in order to reduce the number of communication towers needed to serve the community.
- (b) Zoning compliance. Communication towers and antennas are allowed as provided in each zoning district and must be in compliance with the provisions of this chapter.
- (c) Communication tower and antenna design requirements. Communication towers and antennas proposed or modified anywhere in the city shall meet the following design requirements:
- (1) Communication towers up to 120 feet in height shall be of a monopole type.
 - (2) The city may impose reasonable requirements to preserve the design, appearance or intended purpose of a structure when collocation is proposed.
 - (3) Antenna designs and mounts shall be designed to minimize visual impact.
 - (4) All small wireless facilities and their support structures must use the same color and/or finish as the pole they are mounted to.
 - (5) Antenna must be mounted within two inches of the support pole.
 - (6) With the exception of the antenna, all components of the small wireless facilities, including wires and conduit must be located inside the building, structure, or pole it is attached to, and inside the, mounting bracket used to attach the antenna to the building, structure or pole it is attached to. Wires and conduit must also be placed underground when applicable. Components of the antenna may be screened from off-site views when located on the roof of a building.
 - (7) Communication towers shall not be illuminated by artificial means and shall not display strobe lights unless such lighting is specifically required by the Federal Aviation Administration or other federal or state law or regulation that preempts local regulations. Wireless facilities and lighting may collocate if the lighting is intended for pedestrian or traffic safety or to illuminate parking lots or recreational fields.
 - (8) All small wireless facilities and support facilities must comply with the city's noise regulations.
 - (9) Back-up battery facilities that generate noise are prohibited.
 - (10) Small wireless facilities shall not obstruct city street and wayfinding signage.
 - (11) The use of any portion of a communication tower for displaying flags or signs other than warning or equipment information signs is prohibited.

- (12) No stickers, signs, or decals are allowed to be visible on small wireless facilities. The exceptions to this rule are safety alerts required by law. These must be placed on the back or underside of facilities.
- (13) Ground equipment associated with a communication tower or antenna shall be housed in a building. The building shall meet the architectural design standards of this chapter and shall meet the minimum communication tower setback requirements of the underlying zoning district. This provision shall not apply to small wireless facilities.
- (14) Wireless facilities and wireless support structures shall maintain at least eight feet of clearance from other poles, furniture, landscaping, art, and other obstructions.
- (15) All small wireless facilities must be mounted so that there is a vertical clearance of at least 12 feet between the facility and the grade at the base of the structure.
- (16) Every communication tower or free-standing antenna shall be protected to discourage climbing of the tower or antenna by unauthorized persons.
- (17) No small wireless facility may extend more than 10 feet above its wireless support structure.
- (d) Free-standing antennas. Any antenna that is a separate structure and not attached to a building shall comply with all height and other requirements of this chapter relating to towers.
- (e) Co-location requirements.
- (1) A proposal for a new communication tower or antenna shall not be approved unless the applicant shows that the antenna cannot be reasonably accommodated on an existing pole, structure, communication tower or building.
- (2) The owner of any communication tower exceeding 50 feet in height constructed after the effective date of this ordinance shall permit the reasonable joint use of the structure for other antennas.
- (f) Building-mounted antennas.
- (1) Antennas attached to a building shall be no higher than 10 feet above the highest point of the building.
- (2) All building-mounted equipment shall be consistent with the architectural features of the building and be painted to match the color of the building exterior, roof or sky, whichever most effectively screens the equipment, as determined by the zoning administrator.
- (g) Location specific regulations for communication towers and antennas.
- (1) No more than one communication tower is allowed per parcel zoned and used for residential.
- (2) Communication towers located on parcels occupied by residential dwellings are only allowed in the rear yard.
- (3) Communication towers and antennas located on property zoned residential and used for residential purposes shall be limited to communication towers and antennas used for the private enjoyment of those on the premises.
- (4) Monopoles shall be setback at least 10 feet from all lot lines. Communication towers of all other construction types shall be setback a distance equal to 1.5 times their engineered collapse radius or a distance equal to their height,

- whichever is less, except that all communication towers located on private property shall be located a minimum distance of twice their height from any parcel zoned or used for residential purposes or zoned mixed-use.
- (5) All equipment located on the ground shall be set back as to comply with the minimum yards of the zoning district they are located in, except that equipment located entirely underground is allowed to encroach into the required yards.
 - (6) Communication towers shall not be located between a principal structure and a lot line adjacent to a street, with the following exceptions:
 - a. In Industrial zoning districts, communication towers may be placed between the building and the side lot line abutting a street.
 - b. On sites adjacent to public streets on all sides, communication towers may be placed between the building and either the side lot line abutting a street or the rear lot line.
 - (7) Public right of way. Communication towers and antennas may be installed in the public right of way as permitted by chapter 24, article VII, division 2 of the St. Louis Park city code.
 - (8) A communication tower that complies with all other requirements of this chapter is allowed as a conditional use in a wetland, public waters wetland, Wetland Conservation Act (WCA) wetland, flood fringe district or general floodplain district. The standards for the issuance of a conditional use permit shall be the general criteria contained in this chapter applicable to all conditional use permits and the specific requirements for conditional uses in the flood fringe and general floodplain districts. The tower shall also comply with all other applicable laws and regulations.
 - (h) Permit requirements. All antennae and communication towers erected, constructed, or located within the city shall obtain a building permit.
 - (i) Maintenance requirements. Communication tower and antenna shall be structurally sound. Additionally, finish and paint shall be maintained in good condition, free from rust, graffiti, peeling paint, or other blemish.
 - (j) Additional submittal requirements. In addition to the information required elsewhere in this code, applications for communication towers or antennas that are permitted with conditions or require a conditional use permit shall include the following supplemental information unless it is determined by the zoning administrator that certain information is not required based upon the nature of the proposed antenna or communication tower:
 - (1) A report from a qualified and licensed professional engineer that:
 - a. Describes the communication tower height, width including antennas, and design including a cross section and elevation; a site plan which demonstrates all building dimensions and horizontal setbacks of associated equipment, HVAC and decibels, paving, landscaping, security lighting, and fencing.
 - b. Documents the height above grade for all potential mounting positions for co-located antennas and the minimum separation distances between antennas.

- c. Describes the communication tower's capacity, including the number and type of antennas it can accommodate.
 - d. Documents what steps the applicant will take to avoid interference with established public safety telecommunications.
 - e. Includes an engineer's stamp and registration number.
 - f. Includes other information necessary to evaluate the request.
 - g. Includes the dimensions and expected quality of the existing and proposed transmission service area.
 - h. Includes the location, depth of utilities and other land lines connected to the communication tower and associated equipment.
 - i. Reviews potential interference with public safety telecommunications equipment and renders an opinion as to what the interference issues may be resulting from the proposed antenna, and recommendations as to how the interference can be mitigated. The report must also state whether or not the proposed antenna complies with all non-interference requirements of the FCC. A copy of the FCC approval of the antennae in regard to non-interference must be attached.
- (2) For all communication towers which are not used solely for private use antenna, a letter of intent committing the communication tower owner and his or her successors to allow the shared use of the communication tower if an additional user agrees in writing to meet reasonable terms and conditions for shared use.
 - (3) Before the issuance of a conditional use permit and/or building permit, proof that the proposed communication tower complies with regulations administered by the Federal Aviation Administration and Federal Communications Commission shall be submitted.
- (k) Discontinued or unused communication towers or antennas. All discontinued or unused communication towers or antennas or portions of communication towers and antennas, together with associated facilities shall be removed within 12 months of the cessation of operations at the site. In the event that a communication tower is not removed within 12 months of the cessation of operations at a site, the communication tower and associated facilities may be removed by the city and the costs of removal assessed against the property.
- (l) Amateur radio towers.
 - (1) Communication towers supporting amateur radio antennas shall be setback at least 15 feet from any property line.
 - (2) Amateur radio towers must be installed in accordance with the instructions furnished by the manufacturer of that tower model. Because of the experimental nature of amateur radio service, antennas mounted on such a tower may be modified or changed at any time so long as the published allowable load on the tower is not exceeded and the structure of the tower remains in accordance with the manufacturer's specifications.
 - (3) As part of any administrative or Conditional Use Permit approval, any requirements of this chapter may be modified to the extent necessary to provide

reasonable accommodation to an amateur radio tower to the extent required by federal law.

- (m) Legal non-conforming towers. New or replacement antennas may be installed on a legal non-conforming tower so long as the new or replacement antenna does not increase the overall height of the tower and is designed to minimize visual impact.

Sec. 36-299. Parking ramp.

- (a) For parking ramps in N districts, the following standards apply:
 - (1) The height of any parking ramp shall meet the height standards for principal buildings of the district in which it is located.
 - (2) The minimum required yard for any parking ramp located within 200 feet of any parcel that is zoned N and either used for residential use or has an occupied institutional building, including but not limited to educational (academic) facilities, religious institutions, and community centers shall be 50 feet. Parking ramps which are entirely enclosed shall meet the principal building yard requirements of the applicable zoning district.
 - (3) The parking ramp shall be screened from view from any abutting property located within an N district. The screening shall include a six-foot berm where the parking ramp is above ground.
 - (4) If the parking ramp is located within 400 feet of any parcel that is zoned N and either used for dwelling purposes or has an occupied institutional building, including but not limited to educational (academic) facilities, religious institutions, and community centers, all light sources on the top deck of a parking ramp shall be below the sight lines drawn from a point one foot above the light source to any point within said parcel ten feet lower than the maximum structure height of that use at a distance of 400 feet from the wall of the parking ramp nearest to said parcel.
- (b) For parking ramps located outside of N districts, the following standards apply:
 - (1) Access shall be from a roadway identified in the comprehensive plan as a collector or arterial or otherwise located so that access can be provided without conducting significant traffic on local residential streets.
- (c) Parking ramps shall be designed so that vehicles are not visible from the sidewalk and the only openings at street level are those to accommodate vehicle ingress and egress.
 - (1) Parking ramp facades that are visible from off the site shall display an integration of building materials, building form, textures, architectural motif, and building colors with the principal building. If the parking ramp is located within 20 feet of a street right of way or recreational trail, the facade facing the street shall be subject to the same requirements for exterior surface materials as for buildings.
 - (2) Snow removal areas shall not be located in the front yard or side yard abutting a street.
 - (3) Parking ramps shall be located only behind the rear of the building.
 - (4) Parking ramps located on a street frontage shall have principal uses on the ground floor.

- (5) The minimum yard requirement for any parking ramp located within 200 feet of a parcel that is zoned neighborhood and used for residential shall be 50 feet.
- (6) The parking ramp shall be screened from view from any abutting property located within a N district.
- (7) Vehicular entrances to structured parking garages within the building generally shall be limited to locations on the rear façade that face the rear parking yard; except such entrances may be located on the side façade, facing the limited side parking yard, if the following is met:
 - a. The location may not be closer to the street than the maximum setback requirement.
- (8) No signs shall be permitted on parking ramp facades.

Sec. 36-300. Public service structure.

- (a) Outdoor storage areas shall be located a minimum of 25 feet from any parcel that is zoned N and used or subdivided for residential use.
- (b) All structures shall be located a minimum of 10 feet from any parcel that is zoned N and used or subdivided for residential.
- (c) All service drives shall be paved.

Sec. 36-301. Utility substation.

- (a) No structure shall be located within 25 feet of any property line.
- (b) No structure shall be located within 200 feet of any parcel that is zoned N and used for dwelling purposes or a property occupied by a residential mixed-use building.

DIVISION 8. ACCESSORY USES

Sec. 36-302. Accessory dwelling unit.

- (a) Accessory dwelling units shall only be permitted on single-unit dwelling lots.
- (b) There shall be no more than one accessory dwelling unit permitted per lot.
- (c) Occupancy of the single-unit dwelling lot, including both the principal dwelling unit and the accessory dwelling unit, shall be limited to no more than one household and up to two persons who are boarders/roomers or reside in one of the dwelling units.
- (d) The accessory dwelling unit shall not be sold independently of the principal residential dwelling and may not be a separate tax parcel.
- (e) Accessory dwelling units that are attached to the principal dwelling unit shall be no more than 40% of the gross floor area of the single-unit dwelling.
- (f) Accessory dwelling units that are detached from the principal residential structure shall comply with the regulations for accessory structures and must comply with the following additional requirements:
 - (1) Detached accessory dwelling units shall be located a minimum of five feet from any rear lot line unless the rear lot line is adjacent to an alley, in which case it may be located five feet from the rear lot line.
 - (2) Detached accessory dwelling units located less than six feet from the principal dwelling is subject to the same side yard as required for the principal dwelling.

Detached accessory dwelling units located six feet or more from the principal dwelling shall be located a minimum of five feet from any side property line.

- (3) Detached accessory dwelling units shall have a floor area greater than 200 square feet.
- (4) Balconies and decks above the ground floor shall be located a minimum of 15 feet from a side yard or a rear yard. Rooftop decks for an accessory dwelling unit shall not be allowed.

(g) Accessory dwellings may not be used for short-term rental purposes.

Sec. 36-303. Accessory dwelling unit affiliated with a religious institution.

- (a) The dwelling units/living quarters shall be on the same property as the religious institution.
- (b) The dwelling units/living quarters shall at a minimum have access to on-site facilities for cooking, sleeping, and bathing.
- (c) At least 12% of the lot area shall be developed as a designed outdoor recreation area.
- (d) The persons living/staying on-site must be clergy, employees, or similarly associated with the religious institution.
- (e) The residential density of the accessory dwelling units/living quarters shall not exceed the residential density that would otherwise be allowed on the property, and in no case shall it exceed 15 persons.
- (f) The combined gross floor area of the accessory dwelling units/living quarters shall be less than the gross building area of the principal building and principal use.
- (g) If the dwelling units/living quarters are not within the principal building:
 - (1) The buildings shall be built on a permanent foundation and connected to city sanitary sewer and water.
 - (2) The accessory dwelling units/living quarters shall be exempt from the accessory building size limitations.
 - (3) The accessory building(s) shall be architecturally compatible with the principal building.
 - (4) The accessory building(s) shall not be taller or otherwise larger in scale than the principal building.
- (h) All required licenses or permits to establish and maintain the dwelling units/living quarters shall be obtained.

Sec. 36-304. Accessory building.

- (a) Accessory buildings located less than six feet from a principal building on the same lot, measured from ground to sky, and from the nearest projection of each building, excluding decks and stoops less than 30 inches in height, shall be considered part of the principal building and shall follow principal building standards.
- (b) All accessory buildings shall obtain a zoning or building permit prior to installation and must be anchored in a manner approved by the city.
- (c) Accessory buildings shall not be located in a drainage or utility easement without first obtaining approval of an encroachment agreement.

- (d) Accessory buildings used as accessory dwelling units shall abide by the accessory building regulations and the accessory dwelling unit regulations. Regulations for accessory dwelling units shall prevail when there are conflicts between the two sections.
- (e) Location.
 - (1) Shall not be located in front of the principal building's front face.
 - (2) Accessory buildings located behind the principal building's rear face shall meet the following requirements:
 - a. Accessory buildings shall be located a minimum of two feet from any lot line, except when the side of the building accessed by the vehicle is less than 30 degrees to the property line adjacent to an alley, then the building shall be at least five feet from the lot line.
 - b. Eaves, overhangs, or other extensions from the roof shall be located a minimum of two feet from the lot line.
 - c. Gutters shall be located a minimum of 18 inches from the side and rear lot line.
 - (3) Detached garages when located between the front and rear faces of the principal building shall meet the following requirements:
 - a. It shall meet the same side yards as required for the principal building.
 - b. Eaves shall meet the same yard requirements as required for the principal building.
 - (4) Accessory buildings on through lots shall be subject to the front and side yard requirements of the principal building if the accessory building is located within 60 feet of the rear lot line.
- (f) Size.
 - (1) The total cumulative ground floor area of all accessory buildings on lots improved with single-unit dwellings shall not exceed the smaller of 800 square feet or 25% of the area behind the rear face of the principal building. This provision shall not prohibit the construction of either a detached garage or a detached accessory dwelling unit, or a combination thereof, that is no greater than 576 square feet in area provided there are no other accessory buildings. This exception does not allow more impervious surface than allowed for the principal use.
 - (2) The total cumulative ground floor area of all accessory buildings on lots improved with two, three, or four-unit dwellings shall not exceed the smaller of 1,200 square feet or 25% of the area behind the rear face of the principal building. This provision shall not prohibit the construction of a detached garage that is no greater than 576 square feet in area provided there are no other accessory buildings. This exception does not allow more impervious surface than allowed for the property.
- (g) Height.
 - (1) Shall not exceed 15 feet in height.
 - (2) The maximum height may be increased to 24 feet where the primary exterior materials of the accessory building match the primary exterior materials of the

principal building and the roof pitch matches a roof pitch of the principal building, and provided the wall height shall not exceed 9 feet from the building ground floor to the highest top plate of the exterior non-gable end walls. Dormers are exempt from the height measurement if the combined width of the dormers is less than 50% of the side of the building they are located on.

- (3) The height of all accessory buildings shall be lower than the highest roof line of the principal building.

(h) Design.

- (1) All detached garages and other accessory buildings shall be compatible in design and materials to the principal building on the parcel.
- (2) No plumbing for kitchen or bathroom facilities (including but not limited to toilets and showers) is allowed in any detached garage or other accessory building unless it is determined to be an accessory dwelling unit. Hose bibs and utility sinks are allowed.
- (3) Windows, doors, and similar openings may be located in the second story of an accessory building if the wall or dormer in which it is located faces a lot line that abuts a public right of way or the door and/or window is at least 15 feet from any property that is zoned residential and used or subdivided for residential use.

- (i) Garages below grade level. Where the natural grade of a lot at the building line of a house is eight feet or more above the established curb level, a private garage may be erected within any yard provided one-half or more of its height is below grade level and it is located a minimum of ten feet from any lot line adjacent to a street and five feet from any side lot line.

Sec. 36-305. Accessory retail sales.

- (a) Accessory retail sales shall be limited to a maximum of 15% of the gross floor area of the principal use.

Sec. 36-306. Accessory structure.

- (a) All detached decks, patios, sport courts, detached pergolas, and similar structures shall obtain a permit prior to installation and must be anchored in a manner approved by the city.
- (b) Accessory structures shall not be located in a drainage or utility easement without first obtaining approval of an encroachment agreement.
- (c) Accessory structures located behind the principal building's front face shall be a minimum of two feet from the lot line if over six feet in height.
- (d) Accessory structures that are located in front of the principal building's front face and are over four feet in height shall be located:
 - (1) At least 15 feet from the street lot line.
 - (2) At least three feet from internal side lot lines.
 - (3) At least nine feet from all other lot lines abutting a street when there is more than one street frontage.
- (e) Arbors, pergolas, arches, gateways, or similar open structures over purposeful pedestrian walkways that extend between properties, between front and back yard

areas, or from the public right of way to a house or garage may be located up to the property line as long as:

(1) There is no more than one such structure per lot line.

(2) The structure is not more than 10 feet in height, 10 feet in width, and three feet in depth.

(f) All accessory structures shall be no more than 15 feet in height and lower than the highest roofline of the principal building.

Sec. 36-307. Adult day care in a religious institution, community center, or nursing home.

(a) There shall be at least 150 square feet of outdoor sitting and exercise area per person under care at peak periods.

Sec. 36-308. Bar.

(a) Allowed only as accessory to a restaurant, hotel or place of assembly.

Sec. 36-309. Boarders or roomers.

(a) Up to two boarders or roomers shall be allowed per resident household provided the living area for the boarders/roomers is within the principal building and does not constitute a separate dwelling unit.

Sec. 36-310. Cannabis retailer.

(a) The use shall locate within and be accessory to a cannabis operation.

(b) The use shall occupy a maximum of 25% of the gross floor area of a cannabis operation.

(c) The lot must be at least 1,000 feet from the property line of a site containing a school. In the case of a shopping center or multiuse building, the distance shall be measured from the boundary of the portion of the shopping center or building occupied by the cannabis retailer.

(d) The lot must be at least 1,000 feet from the property line of a site containing a pawn shop, currency exchange, payday loan agency, firearms sales or sexually oriented business. In the case of a shopping center or multiuse building, the distance shall be measured from the boundary of the portion of the shopping center or building occupied by the cannabis retailer.

(e) The lot must be at least 1,000 feet from the property line of a site containing a cannabis retailer. In the case of a shopping center or multiuse building, the distance shall be measured from the portion of the shopping center or multiuse building occupied by the cannabis retailer.

(f) In vehicle sales or services are prohibited.

(g) The use shall be contained within a completely enclosed building, and no outside storage, display, or sale of merchandise is permitted.

(h) On-site consumption of lower-potency hemp or cannabis edibles and beverages is prohibited.

Sec. 36-311. Catering.

- (a) In the N-1 district, this use is allowed only as accessory to community centers, educational (academic) facilities, country clubs and religious institutions.
- (b) In the MU and B-1 districts, this use is allowed only if accessory to a restaurant, food service, or grocery store.
- (c) All vehicles used in connection with any catering operation shall be stored within a building or screened area of a parking structure or in a legal off-site location.

Sec. 36-312. Community garden.

- (a) Allowed only as an accessory use to community centers, educational (academic) facilities, country clubs, and religious institutions.

Sec. 36-313. Food service.

- (a) Service shall be intended for employees of the development.
- (b) It shall not occupy more than 5% of the gross floor area of the building.
- (c) Seating may be provided for more than ten persons.
- (d) Signs posted outside the building are not permitted.

Sec. 36-314. Family day care serving 14 or fewer persons.

- (a) Only one employee who does not live within the dwelling unit is allowed.

Sec. 36-315. Group day care/nursery school in a religious institution, community center, or educational (academic) institution.

- (a) The on-site outdoor activity area shall be enclosed with a fence. If adjacent to an N district, the fence shall meet the screening requirements listed in section 36-276.
- (b) As allowed for by state licensing, city parks may be utilized to meet up to 50% of the required outdoor activity areas with the following conditions:
 - (1) The park must have age-appropriate play equipment.
 - (2) There is a clearly defined and maintained sidewalk or improved trail connecting the facility to the park.
- (c) Within the N districts, the following standards apply:
 - (1) Outdoor activity areas shall be located at least 25 feet from any lot zoned N and used for a dwelling.
 - (2) An off-street passenger loading area shall be provided to maintain vehicular and pedestrian safety.
- (d) In districts other than N districts, the following standards apply:
 - (1) The use shall occupy a maximum of 10% of the gross floor area.
 - (2) The use is intended for the benefit of employees.

Sec. 36-316. Helistop.

- (a) Helistops shall be used exclusively in connection with a hospital and shall be subordinate to the hospital in area, extent, and purpose.

- (b) The helicopter pad must be dust free and screened from view and takeoff and landings shall not be over residential areas.
- (c) Hours of operation shall be limited to 7:00 a.m. to 9:00 p.m., excluding emergency operations.

Sec. 36-317. Home occupation.

- (a) Authorized home occupations. A dwelling in any use district that permits dwellings may conduct a home occupation as an accessory use if it complies with the following conditions:
 - (1) A registration of land use is required for any home occupation established after July 12, 2019, that has customers, students or employees coming to the site.
 - (2) The home occupation and structure housing the home occupation meets all applicable fire and building codes, as well as any other city, county, state, or federal regulations.
 - (3) The home occupation is clearly incidental and subordinate to the residential use of the property and does not change the character of the property.
 - (4) The floor area of the home occupation cannot exceed 25% of the total floor area of the principal dwelling unit. If a home occupation is conducted by the occupant of an accessory dwelling unit, then it is limited to 25% of the floor area of the accessory dwelling unit.
 - (5) Operation of the home occupation is not apparent from the public right of way.
 - (6) All material or equipment is stored within an enclosed structure.
 - (7) The home occupation does not produce nuisance noise, odors, smoke, heat, glare, vibration, or electrical interference beyond the residential lot occupied by the home occupation.
 - (8) One person who does not legally reside at the property may be employed at a home occupation. If there is a home occupation being conducted in both the primary dwelling and accessory dwelling unit, then only one of the two may have an employee that does not legally reside on the property.
 - (9) Persons do not come to the location of the home occupation to be dispatched to other locations, or to pick-up or drop-off equipment, materials, or supplies.
 - (10) Sale of products related to the home occupation is allowed with the following conditions:
 - a. Products are shipped to and from the premises; or
 - b. Product sales occur off-site at a permissible location; or
 - c. Customers visit the premises by appointment only; or
 - d. Products are sold on the premises at garage sales as regulated by this chapter.
 - (11) No more than one non-illuminated wall sign up to two square feet in area is used to identify the home occupation.
 - (12) The home occupation does not include any of the following uses: auto body/painting, motor vehicle sales, motor vehicle service and repair, small engine repair, massage, medical/dental office, animal handling, restaurant, firearm sales, currency exchange, payday loan agency, sexually oriented business, high-impact

sexually oriented business, cannabis retailers, lower-potency hemp edible retailers, or cannabis operations.

- (13) No portion of the home occupation is conducted within any attached or detached accessory building, except the occupants of an accessory dwelling unit may conduct a home occupation in the accessory dwelling unit.

Sec. 36-318. Incidental repair or processing which is necessary to conduct a permitted principal use.

- (a) Shall not exceed 25% of the gross floor area.
- (b) All repairs and maintenance shall be conducted indoors unless the vehicle or equipment is too large to be moved indoors or if the vehicle or equipment cannot practically be moved indoors or if the repair is of an emergency nature.
- (c) No outdoor repair or maintenance shall be conducted within 100 feet of any parcel that is occupied by a dwelling.

Sec. 36-319. In-vehicle sales or services.

- (a) Not allowed in residential mixed-use buildings.
- (b) Stacking shall be provided for six cars per customer service point and shall comply with all yard requirements.
- (c) Drive-through facilities and stacking areas shall not be located within 100 feet of any parcel zoned N.
- (d) This use shall only be permitted when it can be demonstrated that the operation will not have a significant adverse effect on the existing level of service on adjacent streets and intersections.
- (e) The drive-through facility shall be designed so it does not impede traffic or impair vehicular and pedestrian traffic movement, or exacerbate the potential for pedestrian or vehicular conflicts.
- (f) Access shall be to a roadway identified in the comprehensive plan as a collector or arterial or shall be otherwise located so that access can be provided without generating significant traffic on local residential streets.
- (g) Any canopy constructed as part of this use shall be compatible with the architectural design and materials of the principal structure.
- (h) The use is in conformance with the comprehensive plan.

Sec. 36-320. Living quarters of persons employed for domestic or medical purposes.

- (a) The living area for the domestic/medical household staff shall be within the principal building and does not constitute a separate dwelling unit.

Sec. 36-321. Mikvah pool.

- (a) Shall be accessory to a single-unit dwelling or religious institution.
- (b) Shall be allowed within an occupied single-unit dwelling if there are three additional off-street parking spaces.

Sec. 36-322. Motor fuel station.

- (a) The motor fuel station shall be for fleet vehicle use only and shall not be open to the public.
- (b) All pump islands, air dispensers and other service devices shall be installed toward the interior of the lot at least 12 feet from the required yard line, and no display, servicing of vehicles, parking or dispensing of gasoline shall take place within the required yard. On sites where pump islands have been constructed at the required yard line, a landscaped area of eight feet will be installed in the required yard.
- (c) All on-site utility installations shall be placed underground.
- (d) Canopy and canopy support systems shall be constructed using architectural design and materials which are compatible with the principal structure. Only incidental regulatory signage may be permitted on the canopy and canopy support systems.
- (e) No sound generated on the site by any means including a public address system shall be audible from any N district.
- (f) Modification of the requirements of this section may be made for businesses in existence on the effective date of the ordinance from which this chapter is derived, if the city council finds that, because of the shape of the lot, size of the lot, the location of the principal building on the lot, or similar circumstances, it would be impossible to satisfy the strict terms of this section or that they could be satisfied only by imposing exceptional or undue hardship upon the owner of the lot. This section shall not be interpreted to allow public use of the motor fuel station.
- (g) Refer to section 36-369 for electric vehicle supply (EVSE) requirements.

Sec. 36-323. Motor vehicle service and repair.

- (a) Shall be permitted only if accessory to a motor fuel station or motor vehicle sales.
- (b) The number of service bays shall not exceed two.
- (c) No public address system shall be permitted.
- (d) All repair, assembly, disassembly and maintenance of vehicles shall be inside a closed building except tire inflation, changing wipers or adding oil.
- (e) Test driving shall be prohibited on any street in a N district.

Sec. 36-324. Outdoor sales (display).

- (a) All outdoor sales (display) shall meet the conditions of section 36-333(b)(6) for temporary outdoor sales.
- (b) For outdoor sales uses related to motor vehicles, the following standards apply:
 - (1) No public address system shall be audible from any property located in an N district.
 - (2) The site shall be kept neat and orderly.
 - (3) The use shall not be permitted within any required yard, or landscaped area.
 - (4) The use shall be located a minimum of 100 feet from any parcel that is occupied by a dwelling.
 - (5) The operator of the use shall not sell or trade exclusively in used merchandise but shall have at least one-third of its stock on the site in new, unused merchandise.

- (6) All open sales or rental lots shall be operated in conjunction with a business operated in a building or buildings in which the same or similar materials are displayed and offered for sale as those displayed on the open sales or rental lot.
- (7) All paved areas shall be graded, designed and landscaped as required by article VIII, divisions 4 and 5 of this chapter.
- (8) String lighting shall be prohibited.
- (9) The area of open sales or rental lot used for storage and display of merchandise shall not exceed two square feet for every one square foot of building on the site devoted to the same or similar use or accessory use.

Sec. 36-325. Outdoor seating and service of food and beverages.

- (a) The use shall be accessory to restaurants or food service or characterized as employee outdoor seating which may have chairs and a grill.
- (b) The use shall not be located in the interior side or back yard facing a parcel zoned N and used for dwelling purposes. This provision will not apply if the first floor of the building located on the adjacent parcel is not occupied by a residential dwelling or if a residential dwelling is located above the principal use.
- (c) No speakers or other electronic devices which emit sound are permitted outside of the principal structure.
- (d) Hours of operation shall be limited to 7:00 a.m. to 10:00 p.m.
- (e) A minimum of six feet horizontal distance is required between obstructions on sidewalks.

Sec. 36-326. Outdoor storage.

- (a) Storage shall not be permitted within any required yards other than the rear yard.
- (b) Outdoor storage is limited to a maximum area of 25% of the property area.
- (c) The minimum required front yard shall be equal to the distance the principal building is from the front lot line.
- (d) The minimum required side yard abutting a street shall be equal to the distance the principal building is from the side lot line abutting a street.
- (e) Storage areas shall be separated from required parking areas and loading facilities by a landscaped greenway at least five feet wide and enclosed around the perimeter with a six-inch high, poured-in-place concrete curb.
- (f) Storage areas shall be screened from off-site views with a six-foot minimum fence constructed of wood or similar opaque material.
- (g) For properties adjacent to a railroad track, fencing shall not be required on the side of the storage yard adjacent to the railroad track when the grade of the railroad track is more than six feet above the adjacent grade of the storage area.
- (h) Stored materials shall not interfere with traffic visibility standards in section 36-50.
- (i) Inoperative vehicles or equipment shall not be stored in the storage area.
- (j) All areas used for outdoor storage shall be maintained in a fashion which minimizes the generation of dust from the storage area and precludes the transport of sand, gravel, or other sediment to the public drainage system during stormwater runoff. Surface

materials used in outdoor storage areas may include, but are not limited to, concrete, asphalt, crushed rock and gravel.

Sec. 36-327. Residential swimming pool, whirlpool, or sport court.

- (a) Shall only be permitted behind the front face of the principal building.
- (b) Shall be a minimum of five feet from the rear lot line.
- (c) Shall meet the same side yard setbacks as required for the principal building.
- (d) A six-foot privacy fence shall be required to screen the portion of the swimming pool, whirlpool, or sport court located within 25 feet of the rear lot line.
- (e) Mechanical equipment shall meet the same setback required for the swimming pool or whirlpool unless it is contained within an accessory building.
- (f) Residential swimming pools shall be in conformance with section 36-49 and section 12-3 of the city ordinance.
- (g) A pool house is an accessory building and shall be in conformance with the following conditions:
 - (1) Property must have an in-ground swimming pool that is larger in area than the pool house building.
 - (2) The pool house cannot exceed 400 square feet in area and one story in height.
 - (3) The building design and materials shall be consistent with the principal building.
 - (4) The building may include a bathroom but shall not include kitchen facilities.
 - (5) The building cannot be designed or used as a dwelling unit or for any business use.

Sec. 36-328. Showroom.

- (a) The use shall not exceed 15% of the gross floor area of the associated principal use.

Sec. 36-329. Solar energy system.

- (a) Solar energy systems (SES) shall be in conformance with the following standards:
 - (1) Roof-mounted SES shall be located per one of the following:
 - a. Pitched roof. Locate the equipment on a rear facing surface of the roof, if feasible for communication purposes.
 - b. Flat roof. Locate the equipment towards the rear portion of the roof, where visibility is limited from the street to the maximum extent possible. Solar panels may be located anywhere on the roof and may be utilized to screen rooftop equipment.
 - (2) Ground-mounted SES shall only be allowed in the following locations:
 - a. Rear yard.
 - b. May be located in the side yard if the SES is screened from the street with an opaque wall of the same or similar material as the principal building's street facade.
 - (3) Height. The height of the SES is either a maximum of 12 feet or the maximum that is not visible from any street sidewalk, whichever is greater.
 - (4) Performance standards. When noxious or offensive odors, sounds, vibrations, emissions, or any external nuisances upon adjacent properties, including truck

traffic, will be generated by this accessory use above any generated by the principal use, a Conditional Use Permit is required (see section 36-452).

Sec. 36-330. Student housing.

- (a) Student housing may be allowed as an accessory use to educational facilities within the N-2 and N-3 districts with the following conditions:
 - (1) No more than 50 students may live on-site in the N-2 district, while no more than 200 students may live on-site in the N-3 district.
 - (2) An outdoor recreation area shall be provided that contains at least 40 square feet per student living at the educational (academic) facility.
 - (3) The housing must be supervised 24 hours a day, seven days a week by an adult living on-site.
 - (4) The students living on-site must be actively enrolled in the educational (academic) facility as full-time students.
 - (5) The student housing must be located on the same parcel as the educational (academic) facility.

Sec. 36-331. Warehouse/storage.

- (a) The use shall not exceed 25% of the gross floor area of the associated principal use.

Sec. 36-332. Wind energy conversion system (WECS).

- (a) Standards by Zoning District. Table 36-332(a) lists, by zoning district, the maximum height, maximum number of WECS per lot, and minimum lot size requirements.

Table 36-332(a). Wind energy conversion system standards.

Districts	Maximum height* (feet)	Maximum number of WECS per lot*	Minimum lot size (acres)
N, MU, B-1, P-1	110' 170' with CUP	2	1.5
I-1, I-2	110' 199' with CUP	4	1.5
* The height and number of WECS per lot is dependent on meeting the yard requirements.			

- (b) Required yards. WECS shall meet the following yard requirements:
 - (1) At least 110% of the WECS height from all property lines.
 - (2) At least 100% of the WECS height from other WECS.
 - (3) At least 20 feet from principal buildings.
 - (4) The furthest reach of the blade must be at least 30 feet from the ground and any other obstruction.
- (c) Design requirements. All WECS shall meet the following design requirements:
 - (1) Monopole tower. All towers shall be of a free-standing monopole type that does not utilize guyed wires or any other means to support the tower.

- (2) Roof mounting. Roof mounted WECS are prohibited.
- (3) Minimize visual impact. WECS design and location shall minimize visual impact.
- (4) Color and finish. All WECS shall be white, grey or another non-obtrusive color. Blades may be black to facilitate deicing. Finishes shall be matt or non-reflective.
- (5) Tower lighting. WECS shall not be artificially lighted, except to the extent required by the FAA or other federal or state law or regulations that preempt local regulations.
- (6) Signs and displays. The use of any portion of a WECS for displaying flags and signs, other than warning or equipment information signs, is prohibited.
- (7) Associated equipment. Ground equipment associated with a WECS shall be housed in a structure. Structures housing equipment shall meet the architectural design standards of this chapter. Control wiring and powerlines shall be wireless or underground.
- (8) Braking system required. All WECS shall have an automatic braking, governing or feathering system to prevent uncontrolled rotation, over speeding and excessive pressure on the tower structure, rotor blades and turbine components.
- (9) Design height. The applicant shall provide evidence that the proposed height of the WECS does not exceed the height recommended by the manufacturer or distributor of the system.
- (10) Interconnection agreement. The applicant shall provide a copy of the utility notification requirements for interconnection, unless the applicant intends, and states on the application, that the WECS will not be connected to the electricity grid.
- (11) Technology standards. WECS must meet the minimum standards of a WECS certification program recognized by the American Wind Energy Association (AWEA), such as AWEA's Small Wind Turbine Performance and Safety Standard, the Emerging Technologies program of the California Energy Commission, or other 3rd party standards acceptable to the city.
- (d) Permits required. In addition to the information and permits required elsewhere in this chapter, applications for a WECS shall include the following information unless it is determined by the zoning administrator that certain information is not required based upon the nature of the proposed WECS:
 - (1) A dimensioned drawing that illustrates the total WECS height, including the footings and tower width.
 - (2) A site plan illustrating that the proposed WECS complies with all required yards and other requirements affecting where a WECS can be located.
 - (3) A report that describes decibels at varying wind speeds for a set distance from the turbine, up to the cut-out wind speed.
 - (4) Additional information requested by the zoning administrator necessary to evaluate the request.
- (e) Noise. Audible sound due to WECS operations shall comply with the standards governing noise contained in chapter 12, article IV.
- (f) Abandonment and decommissioning. If the WECS remains nonfunctional or inoperative for a continuous period of one year, the WECS shall be deemed abandoned

and shall constitute a public nuisance. The owner shall remove the abandoned WECS at their expense after a demolition permit has been obtained. Removal includes the entire structure including foundations to below natural grade and transmission equipment.

Sec. 36-333. Temporary uses.

- (a) Purpose and effect. The purpose of this section is to provide conditions under which temporary uses may be allowed in order to ensure a minimum negative impact to neighborhoods and neighboring land uses.
- (b) Authorized temporary uses. A structure or land may be used for one or more of the following temporary uses if the use complies with the conditions stated in this chapter:
 - (1) Construction structures.
 - a. No construction structure, except leasing offices, shall be permitted for a period of time exceeding that necessary for construction of the project.
 - b. No construction structure shall be located within the dripline of any trees which are designated to be saved under section 36-381.
 - c. Construction structures may be located within required yards, but not within 15 feet of any public right of way or where prohibited under section 36-50.
 - d. All construction structures must be removed before a final occupancy permit is issued.
 - (2) On-site equipment and material storage.
 - a. Construction materials shall not be placed on a construction site unless a valid building permit has been issued for that construction.
 - b. Construction materials shall not be permitted on the site after the time necessary for construction has expired.
 - c. Construction materials may not be located within the dripline of any trees which are to be saved under the approved tree removal plan.
 - d. Construction materials may be located within required yards, but not within 15 feet of any public right of way or where prohibited under section 36-50.
 - (3) Any equipment or construction materials stored on the site for a period exceeding 120 days shall be screened from view from any properties within a N district.
 - (4) Temporary structures.
 - a. Temporary structures shall not be permitted for more than 180 days per calendar year, except that temporary structures used for the storage of vehicles, equipment or other household items shall not be permitted for more than 14 days per calendar year on any parcel that is zoned N and used or subdivided for residential.
 - b. No significant trees shall be removed for the placement of a temporary structure.
 - c. Temporary structures may be located within required yards, but not within 15 feet of any public right of way or where prohibited under section 36-50.

(5) Carnivals and festivals.

- a. Carnivals and festivals shall not be permitted for more than 14 days in any calendar year except in public parks or closed right of way as approved by the city or as specified by PUD approval. The city council may approve events lasting more than 14 days at any other location with the following conditions:
 1. Approval of a site plan showing compliance with city code;
 2. Approval of a public safety plan, including traffic control, fire protection and security of the site and area;
 3. Approval of a cleanup and restoration plan;
 4. Other conditions to address the public health, safety, welfare and community impacts from the use, including any sound and vibration impacts to surrounding properties;
 5. A financial guarantee, in an amount determined by the zoning administrator or city council, may be required to ensure compliance with and/or completion of the approved plans;
 6. Payment of all required application fees.
- b. Carnivals and festivals shall be permitted within the required front yard, side yard, and rear yard; except where prohibited under section 36-50. Carnivals and festivals shall not be allowed within the public right of way unless such right of way will be closed for the event as approved by the city.
- c. All signage must meet the temporary signage provisions found in section 36-412; a sign plan for carnivals and festivals lasting longer than 14 days may vary from the temporary signage provisions if approved by the city council. Exceptions to the temporary sign ordinance shall be limited to allowing:
 1. Temporary signs to be displayed for the duration of the event.
 2. Up to twice the temporary sign area on the site than otherwise allowed. More than twice the temporary sign area may be approved for sites larger than 200,000 square feet.
 3. Private directional signage provided the signs are unlit, for directional purposes only, are 2 square feet per sign face or less, and are located to direct traffic to and from the location and the closest highways and away from residential and other sensitive land use areas.

(6) Temporary outdoor sales.

- a. Temporary sales, including licensed food service, shall only be permitted within a MU, B, I or PUD district or in public parks or closed right of way as approved by the city.
- b. Temporary outdoor sales which do not exceed 100 square feet shall be permitted. However, no merchandise shall be stored outside overnight.
- c. Temporary sales which exceed 100 square feet shall be permitted for a period not to exceed four consecutive days or a total of 14 days in a calendar year except in public parks or closed right of way as approved by the city or as specified by PUD approval.

- d. Temporary sales shall only be allowed if associated with a permitted retail business operating within a building on the site in which the same or similar merchandise is offered for sale except in public parks or closed right of way as approved by the city or as specified by PUD approval.
 - e. Temporary sales shall be permitted in the required front yard, side yard, and rear yard unless prohibited under section 36-50; however, temporary outdoor sales shall not be allowed in any required landscaped area or within the public right of way unless such right of way will be closed for the event as approved by the city or as specified by PUD approval. All signage must meet the temporary signage provisions found in section 36-412.
- (7) Agricultural commodities--Not more than 90 days.
- a. Christmas tree sales or the sale of other agricultural commodities may be located within required yards, but not within 15 feet of any public right of way or where prohibited under section 36-50.
 - b. Agricultural commodities shall be permitted on a parcel for not more than 90 days within any calendar year.
 - c. Tents, stands and other similar temporary structures may be utilized, provided they are clearly identified on the plan reviewed and approved by the zoning administrator. The use shall not impair parking capacity, emergency access, or the safe and efficient movement of pedestrian and vehicular traffic on or off the site.
- (8) Agricultural commodities--Up to six months. The sale of agricultural commodities, including seasonal farmers' markets, greenhouses, and gardening supplies, which are offered for sale directly from the grower/producer, shall be allowed as a temporary use provided the following standards are satisfied:
- a. A site plan must be submitted to the city.
 - b. The temporary use shall be located in the B-1, MU and PUD districts, in a public park or closed right of way as approved by the city.
 - c. The owner of any private property on which the temporary use is proposed to be located shall submit a letter in support of the use to the city.
 - d. If the temporary use is located on a surface parking lot or area, such use shall not encumber more than 10% of the total amount of available parking spaces.
 - e. Products shall be limited to produce, vegetables, flowers, plants and related items.
 - f. Sales activities may be conducted within a required yard provided the area is paved and the activity does not interfere with parking, traffic circulation or emergency access. Temporary sales on unpaved landscaped areas are prohibited except in public parks as approved by the city or as specified by PUD approval.
 - g. Tents, stands and other similar temporary structures may be utilized, provided they are clearly identified on the submitted plan and provided it is determined

that they will not impair parking capacity, emergency access, or the safe and efficient movement of pedestrian and vehicular traffic on or off the site.

- h. The submitted plan shall clearly demonstrate that adequate off-street parking for the proposed temporary use can and will be provided for the duration of the temporary use. Determination of compliance with this requirement shall include the consideration of the nature of the temporary use and applicable parking requirements set forth in article VIII, division 4 of this chapter or the approved PUD. Consideration shall be given to the parking needs and requirements of the principal uses located on the same property. If unforeseen circulation or congestion problems occur on the site, or causes traffic to back up on public streets, the city may order the use to relocate on the same property or to be removed.
 - i. Signage related to the temporary use shall be in compliance with the applicable standards set forth in the approved PUD, or article VIII, division 9 of this chapter and the following standards:
 - 1. Freestanding signs shall not exceed 16 square feet.
 - 2. All other signage shall be placed on a tent or canopy.
 - 3. No sign face shall exceed 100 square feet. Special signage for purposes of traffic direction and control may be authorized by the city.
 - j. The maximum time for sales activities shall be six months per calendar year per property.
 - k. All stands, equipment, signs, and other structures shall be maintained in good repair.
 - l. All stands, equipment, signs and other structures shall be removed on the last day of the temporary use.
- (9) Pollution abatement structures and equipment.
- a. Pollution abatement structures shall be permitted for a period not to exceed 60 months. If the abatement is not completed within 60 months, the period may be extended provided that a statement is provided which shows the progress of abatement and an estimate of the length of time needed to complete the project.
 - b. Equipment and structures shall not displace required off-street parking.
 - c. Equipment and structures shall not be located within any required yards, except where it is demonstrated that no other areas exist on a designated site.
 - d. Structures shall meet all of the architectural requirements of article VIII, division 7 of this chapter.
 - e. Any landscape materials which are displaced as a result of the structure or equipment shall be replaced when the structure is removed.
 - f. A surety, in a form approved by the city manager, shall be filed before the installation of any building to ensure its removal after pollution abatement is completed and to ensure the replacement of displaced landscape materials.

- g. All equipment and structures shall be removed and landscape materials replaced within six months after the completion of the pollution abatement. Pollution abatement shall be considered to be complete when notice has been received from the state pollution control agency stating the abatement has been completed.
- (10) Garage sales. Garage sales shall be permitted in all N zoned and/or used properties subject to the following conditions.
 - a. Activities relating to the sales, including any outdoor display/storage, shall be limited to no more than two sales events in each calendar year, each for a period not to exceed 72 consecutive hours.
 - b. Garage sale signs are regulated as follows:
 - 1. On single-unit and two-unit dwellings are limited to two square feet in area per street frontage.
 - 2. Garage sale signs on other neighborhood zoned and/or used properties shall be regulated by the temporary sign area allowed under table 36-409(a) for the zoning and size of the property in question except that in no case may a sign exceed 25 square feet per street frontage.
 - 3. All garage sale signs must comply with section 36-407.
 - 4. Garage sale signs are exempt from sign permit requirements provided such signs are posted no more than two days prior to the sale and are removed immediately after the end of the sale.
- (11) Mobile use. Mobile uses are permitted with the following conditions:
 - a. A zoning permit is required to operate a mobile use vehicle. A separate permit shall be required for each location the mobile use operates, and permits shall be valid for one calendar year unless further limited by this section. The applications shall include:
 - 1. A completed application form.
 - 2. A site plan showing where on the property the vehicle shall be located.
 - 3. The dates the vehicle shall be on the property.
 - 4. A copy of a letter from the property owner authorizing the vehicle to locate on the property.
 - 5. A copy of applicable licenses and permits to operate and provide the service.
 - 6. Required fee
 - b. Only mobile use-food and mobile use-medical are permitted.
 - c. The vehicle shall have all permits and licenses required by the State and Hennepin County to operate. A current copy of the permits and licenses shall be kept at the vehicle and immediately made available upon request. The operator shall comply in all respects with all requirements of state and county law.

- d. A building permit is required for a trailer if the customer enters the trailer during the conduct of the business.
- e. The vehicle may be parked in a public right of way if the right of way is closed as authorized by the city.
- f. The vehicle operator shall have written permission from the property owner to operate on their property. The written permission shall be kept with the vehicle and made immediately available to the city upon request.
- g. The vehicle operator shall comply with the following site standards:
 - 1. The vehicle shall be parked on a paved surface, unless it is located on a public park as approved by the city.
 - 2. The vehicle shall be located at least 30 feet away from an entrance to a public road.
 - 3. The vehicle shall not disrupt traffic and parking.
 - 4. There shall be at least six feet of safe pedestrian passage around the vehicle.
- h. Hours of operation shall be limited to the hours between 7:00 a.m. and 10:00 p.m.
- i. Lighting shall be limited to:
 - 1. Vehicular lighting required by law.
 - 2. Lights necessary to illuminate the inside of an enclosed vehicle, service deck of a cart, and the point-of-sale area of the vehicle. The lighting shall not extend above the vehicle, shall be downcast, and shielded in such a way to illuminate the vehicle, and a point-of-sale area only. The lighting shall not directly illuminate an area more than 10 feet away from the vehicle.
- j. Noise generated by the vehicle and the use shall not become a nuisance. The operation of the vehicle shall adhere to the following:
 - 1. No vehicle shall use or maintain any outside sound amplifying equipment, televisions or similar visual entertainment devices, or noisemakers, such as bells, horns, or whistles.
 - 2. Power generators shall not exceed 70 decibels measured 10 feet away from the source.
- k. Signage shall be limited to the following:
 - 1. Text and images permanently applied to the vehicle as a decal or painted image and text.
 - 2. Signs that are attached to the vehicle. The signs shall not extend above the roof of the vehicle or extend more than five inches beyond any side of the vehicle. These signs can be unlit or internally lit.
 - 3. Text and images permanently applied to awnings that are attached to the vehicle, do not extend above the height of the roof of the vehicle, and are at least six feet from the ground to the bottom of the awning.

4. Text and images permanently applied to umbrellas that are attached to a food cart. The umbrella shall be less than nine feet in height and maintain a clearance of at least six feet from the ground to the bottom of the umbrella.
5. One pedestrian sign as defined in section 36-412(b)(4). The pedestrian sign must be located within five feet of the vehicle.
- l. Trash, litter, recycling and refuse shall be handled in the following manner:
 1. All waste liquids, garbage, litter and refuse shall be kept in leak proof, non-absorbent containers which shall be kept covered with tight-fitting lids and properly disposed of at the establishment the vehicle operates from. Public trash cans shall not be used to dispose of waste generated by the operation. Excepted from this is the occasional use by customers.
 2. No waste liquids, garbage, litter or refuse shall be dumped or drained into sidewalks, streets, gutters, drains, or any other place except the licensed food establishment.
 3. The operator shall provide a garbage receptacle with a tight-fitting lid. The receptacle shall be easily accessible for customer use and located within five feet of the vehicle.
 4. The operator shall be responsible for all litter and garbage left by customers.
- m. Overnight parking of the vehicle is not permitted, except that a vehicle under a long-term contract to operate on a premises may be kept overnight on the same premises with the following conditions:
 1. The vehicle is open for business at least six hours and five days per week for every week it is kept on site. The business hours must be posted on the outside of the vehicle at all times.
 2. There is a minimum of six feet of pedestrian walkway between the vehicle and the edge of the sidewalk or marked pedestrian walkway.
 3. Vehicles located on public property are exempt from these requirements pertaining to overnight parking.
- n. Mobile use-food shall also comply with the following conditions:
 1. Only food and non-alcoholic beverages shall be sold.
 2. The vehicle shall not have a drive-thru facility.
 3. Vehicles stored overnight on private property shall be kept within 10 feet of the principal building wall, near the customer entrance of the building.
 4. All transactions, services and preparation must occur inside the vehicle.
 5. Mobile use-food is allowed to operate on any property, except that properties zoned N are limited to six days per calendar year.
- o. Mobile use-medical shall also comply with the following conditions:
 1. The caregivers shall have all permits and licenses required by the State and County to operate. A current copy of the permits and licenses shall

be kept at the vehicle and immediately made available upon request. The operator shall comply in all respects with all requirements of state and county law.

2. The vehicle shall be used to provide a non-surgical medical service only.
3. Hazardous waste shall be contained and disposed of in a manner required by law.
4. Overnight boarding of pets is not permitted.
5. The sale of animals is not permitted.
6. Animals shall be kept inside the vehicle when receiving treatment and when under the supervision of the caregiver.
7. Mobile use-medical is not permitted to operate on a N-zoned property which is used for residential purposes.

Secs. 36-334 to 36-354 reserved.