

### **30-564 Uses With Restrictions**

The following restrictions apply in this article as indicated:

1. Accessory apartments (within the CBD zone): Shall be required to have one off-street parking stall per unit.
2. Administrative and support services (within the LB, SLB zone): Maximum size of structure 5,000 square feet GFA.
3. Automotive/RV repair (within CBD, GB, SGB, BP, SBP zone) provided:
  1. No repair work shall take place outside of the principal structure; and
  2. Any damaged or disassembled (partially or wholly) vehicle stored overnight shall be kept in an enclosure screening the vehicle and/or other materials from public view in such manner as described in section 30-594(h).
4. Bank, savings and loan, or loan agency (within the LB, SLB zone): Maximum size of structure 2,000 square feet GFA.
5. Bed and breakfast facilities (within R-2, SR-2 zones) provided:
  1. One off-street parking space is provided for each guestroom in addition to the minimum number required for residential and any other permitted uses.
  2. The facility shall be limited to providing service to four persons, excluding children under 12 accompanied by a parent; provided that service to up to ten persons may be allowed in an R-2 zone by conditional use permit.
  3. The facility shall not have more than two guestrooms; provided that up to five guestrooms may be allowed in an R-2 zone by conditional use permit.
  4. Signs identifying bed and breakfast facilities shall not exceed three square feet in area. This provision shall take precedence over any less restrictive sign regulations in this article.
6. Bed and breakfast facilities (within R-3, SR-3, R-4, SR-4 zone): Same restrictions as the R-2 zone, except that the facility may serve up to ten persons, but shall not have more than five guestrooms.
7. Brewery/distillery/winery use (within CBD, GB zone): Provided as follows:
  1. Ten thousand square feet or less gross floor area.
  2. Must be co-located with taproom/tasting room use.
8. Brewery/distillery/winery use (within BP zone). Provided as follows:
  1. Greater than 10,000 sq. ft. gross floor area.
9. Car, truck and equipment cleaning establishments (within GB, SGB zone): Subject to the special restrictions established for gasoline and fuel sales and service establishments. See subsection (25). In addition, the vehicle entrance door shall be no more than ten feet high.
10. Churches and similar places of worship provided as follows (within RR, SRR, R-1, SR-1, R-1a, SR-1a, R-2, SR-2, R-3, SR-3, R-4, SR-4, LB, SLB, GB, SGB, CBD zone):
  1. No principal building shall be located within 30 feet of any lot line of an abutting lot in an R district;
  2. The site shall be at least one-acre in size; and
  3. The use shall be subject to the site development standards defined in division 7, and for bufferyard purposes shall be treated as an R-3 property.
11. Clinic (within the PU, SPU zones): Must be accessory to a permitted principal use.
12. Clubs, lodges and membership organizations (within RR, LB, GB, SGB, CBD, MU, SMU, and AG zone):
  1. Within GB, SGB, CBD, MU and SMU, may not be located closer than 600 feet to any school.
  2. Within RR, LB and AG districts, no commercial (retail or service) uses shall be conducted as part of the organization's operations from the site.
13. Contractor's yard, material storage (within the GB, SGB, I-1, SI-1, I-2 and SI-2 zone): All outdoor storage of equipment, except automobiles and trucks up to two-ton, and materials/supplies shall be screened from public view as per the requirements of section 30-594(h).

14. Construction material suppliers (within LB, SLB zone): Maximum size of structure shall be limited to 3,000 square feet gross floor area, and no more than 1,000 square feet GFA of retail sales space.
15. Customary home occupations are subject to all of the following conditions:
  1. Home occupations shall be conducted solely by persons residing in the residence.
  2. All business activity and storage shall take place within the interior of the residence and shall not take place in an accessory building or buildings.
  3. There shall be no alteration to the exterior of the residential dwelling, accessory building or yard that in any way alters the residential character of the premises.
  4. No sign, display, or device identifying the occupation shall be used.
  5. The occupation shall not be visible or audible from any property line.
  6. Such occupation shall not involve the retail sale or rental of products on the premises.
  7. No vehicle used in the conduct of the occupation shall be parked, stored or otherwise present at the premises other than such as is customarily used for domestic or household purposes such as a van or three-quarter-ton truck.
  8. Only on-site off-street parking facilities normal for a residential use shall be used.
  9. The use of substances that may be hazardous to the health, safety or welfare of neighbors and neighboring property shall not be used in the conduct of a home occupation.
16. Day care centers (within MU, SMU, M, SM, I-1, SI-1, I-2, SI-2 zone): Must be accessory to a permitted use and available only for employees of that permitted use.
17. Day care centers for 15 or more persons (within the RR, SRR, R-1, SR-1, R-1a, SR-1a, R-2, SR-2, R-3, SR-3, R-4, SR-4 zone): Licensed by the state within elementary, junior high and senior high schools and religious institutions.
18. Educational services institution (within the LB, SLB zone): Maximum size of structure 5,000 square feet GFA.
19. Emergency housing facility (within R-1, R-2, R-3, SR-3, R-4, SR-4, LB, SLB, GB, PU, SGB, CBD, MU, SMU, AG zone): Provided as follows:
  1. Facility shall provide detailed program information including goals, policies, site plan, building plan, staffing pattern, target capacity, security measures, and emergency management plan.
  2. The facility shall not be located in a two-family or multifamily dwelling unless it occupies the entire structure.
  3. The facility shall be limited to no more than 16 residents in residential zoning districts or 32 residents in nonresidential districts without a conditional use permit.
  4. Existing residential structures used for an emergency housing facility shall not be externally altered so that the original residential character of the structure is compromised unless approved by the city council.
  5. No on-street parking shall be allowed. Adequate off-street parking shall be required by the city based on the staff and resident needs of the specific facility. Private driveways shall be of adequate width to accommodate effective vehicle circulation. Emergency vehicle access shall be available at all times.
  6. Landscaping and buffering shall be provided consistent with the requirements contained in section 30-594.
  7. Signage of the emergency housing facility shall be limited to the provisions of division 10 based on the zoning district in which it is located.
  8. Emergency housing within the R-1 and R-2 districts shall be as accessory uses to the principle use.
20. Equipment and/or tool rental (within the GB, SGB zone): All outdoor storage of equipment, except automobiles and trucks up to two ton, and materials/supplies shall be screened from public view as per the requirements of section 30-594(h).
21. Essential services (within all zones): Provided as follows:

1. Prior to the installation, the owner files with the city engineer/zoning administrator all maps, sketches or diagrams and other pertinent information as deemed necessary by the city engineer/zoning administrator for review of the proposed project.
2. Radio transmitters and receivers accessory to an essential service may be located on existing utility poles or light standards within the public right-of-way provided the radio transmitters and receivers comply with the following standards:
  1. Radio transmitters and receiver devices located on a utility pole/tower or light standard shall be at least 15 feet above grade.
  2. Radio transmitters and receiver devices shall not exceed 18 inches in length or width or extend more than 18 inches from the pole.
  3. Antennas may not extend more than 24 inches from the equipment.
  4. A map shall be submitted showing the location of all proposed radio transmitters and receivers. The map shall be accompanied by a list of all sites referenced by the closest street address or property identification number. The list of sites must also describe the type of pole to be used.
  5. The applicant shall notify the city of any changes to the approved list prior to erecting or placing any additional equipment in the right-of-way.
  6. The applicant shall notify the city at the time of permit application of any obstruction that would cause traffic to be rerouted or stopped.
  7. The applicant shall enter into an encroachment agreement with the city if required.
22. Essential service structures (LB/SLB, GB/SGB, M/SM, RC/SRC, BP/SBP, I-1/SI-1, I-2/SI-2, CD, PU/SPU, AG, AP): Provided they shall not be located within 30 feet of any lot line of an abutting residential district.
23. Farm animals (within AG, RR, SRR zone) provided:
  1. All farm and permitted non-domestic animals must be so contained to prevent the animals from escaping onto neighboring properties or injuring the public.
  2. Enclosed pens, corrals, feed lots, pasture areas and structures used to house farm and permitted non-domestic animals shall be setback a minimum of 25 feet from the nearest lot line, 150 feet from the Ordinary High Water Level of a lake or river or the applicable accessory structure setback, whichever is greater.
  3. Farm animals permitted in RR and SRR zoning districts shall be limited to horses and chickens.
  4. Permitted Farm Animal Density is defined as the number of Animal Units per Habitable Acre.
  5. Habitable Acre is defined as an area that is fenced in accordance with this Section to restrain the animals and is accessible to the animal(s) at all times of the year,
  6. Roosters shall only be permitted on parcels within AG zoning that have greater than 9 Habitable Acres
  7. Density:
    1. On RR and SRR zoned parcels, which have less than 4 Habitable Acres, the keeping of farm animals is not permitted, with the exception of what is permitted under Sections 10-71 through 10-77.
    2. On AG, RR and SRR zoned parcels, where the keeping of farm animals is permitted, the following Farm Animal Density requirements, in total Animal Units per Habitable Acre, apply.
      1. 0.5 Animal Units per Habitable Acre.
      2. The Animal Units for this calculation shall be as follows:

Animal Units (A.U.)	
Dairy Cow	1.4
Horse, Steer, Heifer	1.0
Swine	0.4

Sheep and Goats	0.2
Poultry, Fowl and Rabbits	0.05
For other Farm Animals not listed, the A.U is the average weight of the type of animal divided by 1,000 lbs.	

24. Garage/yard sales (within RR, SRR, R-1, SR-1, SR-1a, R-2, SR-2, R-3, SR-3, R-4, SR-4, LB, SLB, AG)—Temporary: Provided as follows:
  1. The sale is not more than four successive days in duration.
  2. Not more than three such sales are conducted on the premises in a calendar year.
  3. There shall be at least one month between sales on the same premises.
25. Gasoline and fuel sales and service establishments including accessory car washes (within GB, SGB zone): Subject to all of the following:
  1. Minimum front yard of 30 feet.
  2. All operations shall be conducted within the principal building except for vacuuming and gas pumps.
  3. A curb six inches above grade shall be provided at any edge of a parking lot abutting a property line which adjoins a public street.
  4. The site shall be planned so as not to permit water from a car wash to run into a public street or accesses thereto. A drainage system shall be installed subject to the approval of the city engineer.
  5. Pump islands, canopies, and tank vents shall conform to yard requirements or a minimum of 20 feet from a street right-of-way whichever is greater.
26. Gasoline station (within CBD zone): No more than one carwash bay and/or two service bays shall be permitted as accessory uses.
27. Golf and country clubs (within residential zones and PU, SPU zone): Other than golf driving ranges and miniature golf courses but including clubhouses provided the site shall be 40 or more acres in size and shall have a direct access to a major street as defined by the city comprehensive plan. Swimming pools, tennis courts, structures and parking shall be located a minimum of 50 feet from all residential property lines.
28. Group homes, foster homes or licensed residential facilities for six or fewer persons (within residential zones, LB, SLB and AG zone): Must be licensed by the state for six or fewer persons.
29. Grower stand (within AG, RR, and SRR zone) are subject to all of the following conditions: a. A grower stand is allowed only if it is accessory to an on-site agricultural operation where farm products and value-added farm products are produced. b. The total sales area of a grower stand shall not exceed 1,500 square feet. c. A grower stand shall comply with the height and setback requirements that apply in the zone in which the property is located. d. No more than 15% of the grower stands sales shall come from off-site agricultural products or value-added farm products. e. Adequate on-site parking for consumers and employees shall be provided. If a grower stand consists of a structure, one off-street parking space shall be provided for each 300 square feet of structural floor area, with a minimum of two parking spaces. f. One sign shall be permitted during the operation of the growers stand, with a maximum size of 16 square feet (four feet by four feet). Such sign may contain up to two sides, and shall not encroach on the public right-of-way.
30. Health and fitness club (within LB, SLB zone): Maximum size of structure 3,000 square feet GFA.
31. Individual manufactured homes with a minimum dimension of less than 24 feet (within AG zone): Provided:
  1. They are occupied by members of the family or an employee.
  2. Not more than two such units are permitted on each farm.
32. Manufactured housing as defined by Minn. Stat. § 327.31 and further subject to the following:
  1. Manufactured homes will conform to Minn. Stat. §§ 327.31—327.35 (the Manufactured Home Building Code, July 1972 to present) and shall bear the state inspectors seal.

2. Manufactured home foundation installations shall comply with the state building codes.
33. Manufacturing, light (within LB, SLB zone): Subject to the following:
  1. Not to exceed a gross floor area of 1,000 square feet with at least one-third of such space to be used for retail sales and display purposes.
  2. No outdoor storage permitted.
  3. No hazardous materials used in the fabrication of materials.
34. Manufacturing, light (within GB, SGB, CBD zone): Subject to the following:
  1. Not to exceed a gross floor area of 6,000 square feet with at least one-third of such space to be used for retail sales and display purposes.
  2. No hazardous materials used in the fabrication of materials.
35. Multifamily residential (within CBD zone): Shall provide one off-street parking space per unit.
36. Office—Business (within LB, SLB zone): Maximum size of structure 5,000 square feet GFA.
37. Outdoor storage (within RR, R-1, SR-1, R-1a, SR-1a, R-2, SR-2 zone): Is accessory to the existing principal use of the property.
38. Outdoor storage (within R-3 SR-3, R-4, SR-4, LB, SLB zone): Subject to the following:
  1. All outdoor storage is accessory to the existing principal use of the property, and shall be accommodated within a central storage area.
  2. Such outdoor storage area shall not be within a required yard.
  3. The storage area shall be screened from view from all public streets and R districts by a wall, fence and/or plant materials providing 90 percent capacity during all seasons of the year to a height above the ground of six feet, in such a manner as described in section 30-594(h).
39. Outdoor storage—Merchandise/material (within GB, SGB, CBD, BP, SBP, I-1, SI-1, I-2, SI-2 zone) is accessory to the existing principal use of the property: Of those items not normally considered to be retail display items, shall be subject to the requirements of section 30-594(h). Such items may include, but shall not be limited to, construction materials, tires, packaged inventory, salvaged/discarded materials, damaged or disassembled vehicles. This would not include such items as cars, trucks, recreational vehicles, lawn equipment, ornaments, etc., to the extent that the display items conform to the setback requirements for parking lots in the district.
40. Outdoor storage of land/sea containers (within all nonresidential zones, including MU and SMU): Shall be allowed on a temporary basis as an accessory use subject to the following:
  1. A permit shall be obtained prior to the arrival and placement of one or more containers on the site. The permit shall be issued for a maximum of 24 consecutive months in industrial zones and 12 consecutive months in all other nonresidential zones. In unique situations when the lapse of permit and abrupt discontinuance of the land/sea container use will not have a harmful effect upon the principal use of the property, the planning commission may consider approval of a one-time permit term extension, the length of which will be determined by the planning commission, with a maximum extension of no greater than one-year in non-industrial permitted areas. The permit shall identify the number of containers to be placed on the site within the set time period. No permit shall be reissued until at least 18 months has elapsed in industrial zones and six months has elapsed in other nonresidential zones since the expiration of the previous container permit.
  2. Containers shall not be stacked and shall be placed on a level, stable surface allowing for adequate drainage at all times.
  3. Containers shall not be stored in the front yard of the property or in the required side or rear yard setback areas.
  4. All non-industrial properties obtaining more than two permits in three years shall screen any containers from the motoring public or residential neighborhoods immediately adjacent to the property where it is located through fencing, walls or landscaping.
  5. Containers shall not be placed on parking spaces required to meet the site's parking demand.



6. Containers shall be placed to provide sufficient access to the container and any buildings on the site for fire fighting purposes.
7. The recipient of the permit shall be the only party allowed to use the container.
8. The containers shall be limited to a maximum square footage of container storage area not to exceed two percent of the gross area of the site on which the container is located. In no cases shall the footprint of all of the containers on a site exceed 3,200 square feet.
41. Pharmacy (within the LB, SLB, MU, SMU zone): Must be accessory to a permitted principal use.
42. Pharmacy (within the M and SM zones): May be accessory to a permitted principal use, or as a stand alone principal use, provided the following:
  1. The lot, upon which a pharmacy, as a principal use, is to be located, shall not be adjacent to residentially zoned property.
  2. Type "C" bufferyard requirements shall be adhered to.
  3. No greater than five percent of the gross floor area of the structure shall be utilized for the display and sale of merchandise which is not either medication or medical/health care supplies.
43. Private noncommercial recreation (within residential zones and LB, SLB zone): Including tennis courts, hot tubs and swimming pools provided they are located no nearer the front lot line than the principal structure and are not less than ten feet from a property line. Swimming pools shall be completely enclosed with a six-foot high protective fence and a latching gate.
44. Professional, scientific, and technical services (within the LB, SLB zone): Maximum size of structure 5,000 square feet GFA.
45. Recycling center (within GB, SGB zone): All outdoor storage of equipment, except automobiles and trucks up to two-ton, and materials/supplies shall be screened from public view as per the requirements of section 30-594(h).
46. Restaurant (within the M, SM zone): Must be accessory to a permitted principal use; no sale of alcoholic beverages.
47. Restaurant (within the RC, SRC zone): Must be accessory to a permitted principal use.
48. Retail—General sales and service (within the LB, SLB zone): Maximum size of structure shall be limited to 3,000 square feet gross floor area, and no more than 1,000 square feet GFA of retail sales space.
49. Retail—General sales and service (within the AP zone): Shall be permitted to occupy up to 25 percent of the gross floor area in the main terminal building, and shall not have signs visible from the public street right-of-way.
50. Salon/barbershop (within the LB, SLB zone): Maximum size of structure shall be limited to 3,000 square feet gross floor area.
51. Salon/barbershop (within the R-3, SR-3, R-4, SR-4 zone): Must be accessory to a permitted principal use.
52. Satellite dishes and solar energy systems/collectors (within all zones): Provided they comply with the yard and height requirements for principal buildings. Where a rear yard abuts a lake or stream, satellite dishes and solar collectors shall not be permitted between the water body and the principal building.
53. Schools—Elementary through secondary (within RR, SRR, R-1, SR-1, R-1a, SR-1a, R-2, SR-2, R-3, SR-3, R-4, SR-4 zone): Subject to the following:
  1. Small schools within existing buildings: Schools for 25 or fewer students shall be permitted within the existing principal church or religious building provided that:
    1. Alterations: There shall be no external alteration of the building(s) or grounds to reflect school usage.
    2. Parking: There shall be sufficient parking within the existing parking lot to accommodate off-street parking as required by section 30-628.
  2. Primary, middle or secondary schools:
    1. Minimum site area: One-acre.

2. Minimum yards: 30 feet from all R district lot lines or the minimum for the district, whichever is greater.
  3. All other requirements of the zoning district are met.
  4. The use shall be subject to the site development standards in division 7, and for bufferyard purposes shall be treated as an R-3 property.
54. Shooting ranges (within RC zone): Subject to the following:
  1. All shooting ranges shall be subject to the standards set forth in Minn. Stat. ch. 87A, as may be amended.
  2. Shooting activities and discharge of firearms shall be limited to 7:00 a.m. to 10:00 p.m. daily.
  3. All shooting ranges shall comply with the minimum standards for range design, location, management, operation, noise abatement and safety listed in the National Rifle Association's Range Sourcebook, 1999; or successor sourcebook.
  4. No part of any shooting range may be located within 500 feet of any residential dwelling, commercial or industrial building or other structure used for human occupancy.
  5. There shall be no discharge of lead shot into any wetland.
55. Senior housing with services (within RR, R-1 and R-2 zone): Subject to the following:
  1. For six or fewer persons, said use shall be licensed by the State of Minnesota for six or fewer persons.
  2. For seven to eight persons, in situations when the area of the lot upon which the proposed use is to be located is equal to or less than two acres, the use will be considered as a conditional use, and, as such will require the issuance of a conditional use permit by the city.
  3. For nine to 16 persons, the maximum density of the proposed use shall not exceed four persons per acre.
56. Temporary buildings (within all zones): Incidental to construction work on the premises. Such buildings shall be removed upon completion or abandonment of such work or within the period of one-year from the establishment of the building whichever is the lesser.
57. Temporary outdoor sales (within GB, SGB, CBD, MU, SMU, PU, SPU zone): Subject to all of the following:
  1. The sale is conducted by the owner or lessee of the premises, or with his written permission.
  2. The sale is no longer than four months in duration.
  3. The setbacks for a parking lot in that district shall be met for the storage and display of all merchandise and equipment used for the sale.
  4. One sign shall be permitted per vendor, with a maximum size of 16 square feet (four feet by four feet). Such sign may contain up to two sides. Off-premises signs shall not be permitted.
  5. Parking demand shall be sufficiently met. If the use of parking spaces by the temporary outdoor sales results in insufficient parking for the area, the temporary outdoor sales area must be reduced to ensure sufficient parking supply.
58. Vending machines (within LB, SLB, GB, SGB, CBD, MU, SMU, M, SM, SRC, I-1, SI-1, I-2, SI-2, PU, SPU, AP zone): Subject to the following:
  1. Must be accessory to a permitted principal use.
  2. Must conform to setback requirements of principal structure.
  3. Must be located adjacent to principal structure.
59. Veterinary services (within CBD zone): Limited to domestic animals only.
60. Veterinary services (within BP, SBP zone): All animals shall be housed indoors.
61. Video arcades (within GB, SGB, and CBD zone): Subject to the following:
  1. Any arcade with 15 or more machines shall have an adult supervisor on the premises during all hours of operation.
  2. No arcade shall be operated within 500 feet of a school, church or residence.

62. Warehouse—General (within PU, SPU zone): Limited to the indoor storage of private recreational vehicles. Warehouse space shall not be leased, rented or sold for commercial purposes or uses.
63. Woodpiles: Are maintained in a neat, safe and orderly fashion and further provided that they are not stored in the front yard or nearer the front lot line than the principal building, or less than five feet from any other lot line.

(Code 1978, § 23.5(H); Ord. No. 06-03-02, 3-27-2006; Ord. No. 07-03-06, § 2(Exh. A), 3-27-2007; Ord. No. 12-06-07, Exh. E, 6-11-2012; Ord. No. 12-12-11, Exh. C, 12-17-2012; Ord. No. 13-10-12, 10-28-2013; Ord. No. 16-05-05, Exhs. B, D, 5-23-2016; Ord. No. 17-04-02, 4-24-2017)

#### HISTORY

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