

ORDINANCE 25-XXX
CITY OF MARSHALL ORDINANCE ZONING AMENDMENTS

AN ORDINANCE AMENDING CHAPTER 86 RELATED TO CANNABIS BUSINESSES

WHEREAS, the Common Council of the City of Marshall ("City Council") approved construction of a new aquatic center on January 28, 2025; and

WHEREAS, Minnesota Statutes § 342.13 states that "[a] local unit of government may adopt reasonable restrictions on the time, place, and manner of the operation of a cannabis business provided that such restrictions do not prohibit the establishment or operation of cannabis businesses. A local unit of government may prohibit the operation of a cannabis business within 1,000 feet of a school, or 500 feet of a day care, residential treatment facility, or an attraction within a public park that is regularly used by minors, including a playground or athletic field"; and

WHEREAS, the City Council adopted buffer restrictions from schools but did not adopt any other buffer restrictions in amending its zoning ordinances on June 25, 2024 when addressing locations of retail cannabis businesses; and

WHEREAS, since those amendments, the City Council approved construction of the new aquatic center; and

WHEREAS, the aquatic center represents an attraction regularly used by minors and which also offers additional infrastructure, such as slides and diving boards, as well opportunities for swimming that City Council and staff believe increases consistent use by minors of all ages, often unaccompanied, as compared to other city owned attractions; and

WHEREAS, the nature of activities at the aquatic center requires certain certified supervision from lifeguards, as well as other employees, and involves heightened risks from swimming and using the pools which provide a reasonable basis to create buffers from access to intoxicating cannabinoid products, including cannabis products; and

WHEREAS, certain business districts sit in close proximity to the aquatic center and adopting a buffer from the aquatic center furthers health and welfare of minors by limiting minors' exposure to cannabis products and marketing.

NOW THEREFORE, the Common Council of the City of Marshall do ordain:

SECTION 1: **AMENDMENT** "Section 86-103 B-2 Central Business District"
of the Marshall Municipal Code is hereby *amended* as follows:

AMENDMENT

Section 86-103 B-2 Central Business District

- (a) *Intent; scope.* This section applies to the B-2 central business district. This B-2 district is intended to preserve and enhance the city's central business district as the prime center for office and government employment, shopping and cultural activities. This B-2 district shall be restricted to the downtown district.
- (b) *Permitted uses.* The following uses shall be permitted in the B-2 business district:
- (1) Animal pet shops.
 - (2) Antique, gift or florist shop.
 - (3) Appliance sales and service stores.
 - (4) Armories, convention or exhibition halls.
 - (5) Art, office, school, camera and photography supply stores.
 - (6) Audio recording sales or rental.
 - (7) Auto parts stores.
 - (8) Automobile parking lots and the parking of trucks and buses.
 - (9) Banks and savings institutions.
 - (10) Barbershops or beauty shops.
 - (11) Bars, taverns, cocktail lounges, nightclubs, dancehalls and theaters.
 - (12) Bicycle sales or repair shops.
 - (13) Billiard or pool halls.
 - (14) Book or stationery stores.
 - (15) Bowling alleys.
 - (16) Bus stations or taxistands.
 - (17) Business, commercial or dance schools.
 - (18) Business or professional offices.
 - (19) Cannabis related businesses as follows: lower potency hemp edible retailers, cannabis retailers, cannabis delivery services, and cannabis event organizers, as defined in state law and licensed by the Minnesota Office of Cannabis Management; businesses allowing off-sale retail sales must be located at least:
 - a. 500 feet, when measured in a straight line from the center of the primary building of a school, as defined in Minnesota Statutes, section 120A.22, subd. 4, excluding a home school, to the property line of the property in which the registered establishment is located. The primary building of each school is established in a map that will be published by the City.
 - b. 200 feet, when measured in a straight line from any point on the property line of the municipal aquatic center to the property line of a property in which the registered establishment is located.
 - (20) Cabinet or carpenter shops.
 - (21) Cabinet stores.
 - (22) Candy, ice cream, soft drinks or confectionery stores.
 - (23) Carpet, rug and flooring stores.
 - (24) Churches.

- (25) Clothing stores.
- (26) Commercial radio or television broadcasting station.
- (27) Communication center (within building).
- (28) Department stores.
- (29) Fallout shelter.
- (30) Furniture stores.
- (31) Grocery stores, fruit and vegetable markets.
- (32) Hardware, hobby, sporting goods or toy stores.
- (33) Jewelry stores.
- (34) Job printing, newspaper, lithographing or publishing plants.
- (35) Laundromats and dry cleaning laundry pickup store.
- (36) Leather goods and luggage shops.
- (37) Liquor stores (for consumption off the premises).
- (38) Loan and finance company offices.
- (39) Lodge rooms or clubhouses for fraternal organizations.
- (40) Meat shops and cold storage lockers (excluding slaughtering).
- (41) Medical clinics.
- (42) Medical, dental and optical laboratories.
- (43) Mortuaries or funeral homes.
- (44) Motels or motor hotels.
- (45) Motion picture theatre.
- (46) Municipal or other government administration buildings, police or fire stations, community center buildings, museums or art galleries, and post office stations.
- (47) Music studios or musical instrument stores.
- (48) Newsstands.
- (49) Paint or wallpaper stores and interior decorating studios.
- (50) Pet supply store.
- (51) Pharmacies or drugstores; including gifts, stationery and similar items.
- (52) Photography studios.
- (53) Physical culture or health clubs and gymnasiums.
- (54) Pipe or tobacco shops.
- (55) Plumbing shops, television or radio repair shops; when operated as accessory uses to retail sales establishments.
- (56) Public libraries.
- (57) Restaurants, cafes, delicatessens or tearooms.
- (58) Retail bakeries or pastry shops.
- (59) Retail ice delivery stations (excluding manufacturing).
- (60) Retail medical supply stores.
- (61) Sewing machine sales and service stores.
- (62) Shoe stores and shoe repair shops.
- (63) Tailor shops.
- (64) Variety stores.
- (65) Veterinary clinic and hospital for small animals with associated indoor kennels where there are no animals allowed outside of a building at any time, where the entire business is conducted wholly within an enclosed sound proofed, heated and air

conditioned building such that no noise or odors are perceptible beyond the property line.

(66) Video recording and equipment sales and repair stores.

(67) Watch or clock repair, locksmith or pawn shops.

(68) Water conditioning sales and services.

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

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

(2) Living quarters of persons employed on the premises.

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

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

(5) Storage and parking garages.

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

(1) Automobile garages and repair shops, with no outside storage or sales of vehicles, equipment or accessories.

(2) Automobile laundry or car wash.

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

(4) Boardinghouses and lodginghouses; convalescent, nursing and rest home.

(5) Drive-in retail or service stores.

(6) Garden supply stores.

(7) Hospitals (excluding nonhuman).

(8) Multiple-family dwellings, apartment buildings or townhouses.

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

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

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

(12) Repair and rental shops of domestic type equipment and items.

(13) Residential facility or day care facility.

(14) Self-storage warehouse on floors other than main level.

(15) Sports arenas or stadiums, indoor skating rinks.

(16) Tire, battery and automobile accessories shops.

(17) Trade schools.

(18) Upholstery and furniture repair shops.

(19) Utility stations and structures.

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

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

- (1) *Height regulations.* No building shall hereafter be erected or structurally altered to exceed 45 feet in height.
- (2) *Front yard regulations.* No front yard shall be required.
- (3) *Side yard regulations.* No side yard shall be required.
- (4) *Rear yard regulations.* No rear yard shall be required.
- (f) *Lot coverage regulations.* There are no lot coverage regulations.
- (g) *General regulations.* Additional regulations in the B-2 central business district are set forth in article VI of this chapter.

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

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

SECTION 2: **AMENDMENT** “Section 86-104 B-3 General Business District” of the Marshall Municipal Code is hereby *amended* as follows:

AMENDMENT

Section 86-104 B-3 General Business District

- (a) *Intent; scope.* This section applies to the B-3 general business district. This B-3 district provides a location for uses that are appropriate to thoroughfare locations, are largely dependent upon thoroughfare traffic, and are not suitable within other business districts.
- (b) *Permitted uses.* The following uses shall be permitted in the B-3 business district:
 - (1) Ambulance, taxi, bus, and rail stations or terminals.
 - (2) Antique, gift or florist shop.
 - (3) Apparel shops.
 - (4) Appliance sales and service stores.
 - (5) Art, office, school, camera and photography supply stores.
 - (6) Audio recording sales or rental.
 - (7) Auto parts and accessories.
 - (8) Automobile and truck sales or used car lots.
 - (9) Automobile garages and repair shops, with no outside storage of vehicles or equipment.
 - (10) Automobile laundries and car washes.
 - (11) Automobile parking lots and garages.
 - (12) Automobile service stations, for sale of gasoline, oil and accessories.
 - (13) Banks and savings institutions.
 - (14) Barbershops or beauty shops.
 - (15) Bars, taverns, cocktail lounges, nightclubs, dancehalls and theatres.
 - (16) Bicycle or motorcycle sales or repair shops.
 - (17) Billiard or pool halls.
 - (18) Book or stationery stores.

- (19) Bowling alleys.
- (20) Business, commercial or dance schools.
- (21) Business or professional offices.
- (22) Cannabis related businesses as follows: lower potency hemp edible retailers, cannabis retailers, cannabis delivery services, lower potency hemp edible wholesaler, cannabis wholesaler, and cannabis event organizers, as defined by state law and licensed by the Minnesota Office of Cannabis Management; cannabis lounges and businesses allowing off-sale retail sales must be located at least:
 - a. 500 feet, when measured in a straight line from the center of the primary building of a school, as defined in Minnesota Statutes, section 120A.22, subd. 4, excluding a home school, to the property line of the property in which the registered establishment is located. The primary building of each school is established in a map that will be published by the City.
 - b. 200 feet, when measured in a straight line from any point on the property line of the municipal aquatic center to the property line of a property in which the registered establishment is located.
- (23) Cabinet stores.
- (24) Candy, ice cream, soft drinks, or confectionery stores.
- (25) Carpenter, plumbing and heating, paint and wallpaper, and janitorial service shops.
- (26) Carpet and flooring stores.
- (27) Churches.
- (28) Day care facility serving any number of individuals.
- (29) Department stores.
- (30) Drive-in restaurants and other establishments that provide goods and services to patrons in automobiles.
- (31) Drive-in retail or service stores.
- (32) Drive-in theatres.
- (33) Drive-up bank and other offices.
- (34) Electric motors service shops.
- (35) Fallout shelter.
- (36) Furniture stores.
- (37) Garden and lawn supply stores.
- (38) Gas stations.
- (39) Glass sales and service stores.
- (40) Grocery stores or supermarkets.
- (41) Hardware, hobby, sporting goods or toy stores.
- (42) Health clubs.
- (43) Ice sales.
- (44) Jewelry stores and leather goods or luggage.
- (45) Laundromats and dry cleaning or laundry pickup stores.
- (46) Leather goods stores.
- (47) Liquor stores.
- (48) Loan and finance company offices.
- (49) Lodge rooms or clubhouses for fraternal organizations.
- (50) Marine or boat sales and repair shops.

- (51) Meat shops and cold storage lockers, excluding slaughtering.
- (52) Medical clinics.
- (53) Medical, dental and optical laboratories.
- (54) Miniature golf courses, archery and golf driving ranges; swimming pools serving more than one-family, skating rinks, tennis clubs, but excluding auto, motorcycle or go-cart race tracks.
- (55) Monument sales centers.
- (56) Mortuaries or funeral homes.
- (57) Motels or hotels.
- (58) Motion picture theatre.
- (59) Municipal or other government administration buildings, police or fire stations, community center buildings, museums or art galleries, and post office stations.
- (60) Music studios or musical instrument stores.
- (61) Newspaper printing.
- (62) Outdoor nurseries and greenhouses.
- (63) Paint or wallpaper stores.
- (64) Pet shops.
- (65) Pet supply store.
- (66) Pharmacies or drugstores.
- (67) Photography studios.
- (68) Pipe or tobacco shops.
- (69) Post office stations.
- (70) Printing.
- (71) Public libraries.
- (72) Radio or television broadcasting stations.
- (73) Repair and rental of domestic type equipment and items. Restaurants, cafes, delicatessens or tea rooms.
- (74) Retail bakeries or pastry shops.
- (75) Retail ice delivery stations.
- (76) Retail medical supply stores.
- (77) Sales and service centers for farm implements.
- (78) Sales and service centers of travel and camping trailers, and motor homes which do not require a special permit to be transported on a public highway.
- (79) Self-storage warehouse with inside access to individual units.
- (80) Sewing machine sales and service.
- (81) Shoe stores and repair.
- (82) Tailor shops.
- (83) Television or radio repair shops.
- (84) Tire, battery and automobile accessories shops.
- (85) Upholstery and furniture repair shops.
- (86) Veterinary clinic and hospital for small animals with associated indoor kennels where there are no animals allowed outside of a building at any time, where the entire business is conducted wholly within an enclosed sound proofed, heated and air conditioned building such that no noise or odors are perceptible beyond the property line.

- (87) Video sales or rental.
- (88) Water conditioning sales and service.
- (89) Water supply buildings, reservoirs, wells, elevated tanks and similar essential public utility structures.
- (90) Wholesale business and office with no outside storage.
- (c) *Permitted accessory uses*. The following uses shall be permitted accessory uses in the B-3 business district:
 - (1) Accessory uses generally associated with the uses permitted in subsections (a) and (b) of this section.
 - (2) Off-street parking and loading as regulated by article VI of this chapter.
 - (3) Solar energy collectors and systems serving the individual property.
 - (4) Storage and parking garages.
- (d) *Conditional uses*. All conditional use permits for the B-3 district may only be issued if the proposed use meets the specific requirements of this section and also meets the general regulations as outlined in article VI and meets the eligibility for conditional use permits as specified in article II, division 2. The following use may be permitted in the B-3 business district by conditional use permit:
 - (1) Amusement parks.
 - (2) Armories, convention or exhibition halls.
 - (3) Billboards or advertising signs complying with the following conditions:
 - a. The size may not exceed 750 square feet and the height shall not exceed 45 feet anywhere along a divided highway and 400 square feet in size and 30 feet in height elsewhere.
 - b. There shall be no more than two sign panels per side, and the sign length shall not exceed 55 feet anywhere along a divided highway and 30 feet elsewhere.
 - c. Such signs shall not be located closer than 800 feet to each other (300 feet if located on the opposite side of the street), closer than 300 feet to any residential district, public park, or K-12 school building, and closer than 30 feet to any building
 - d. Sign support locations shall meet standard zoning district setback requirements
 - e. The digital sign owner shall make the sign available to the city, for free, for public safety messages in addition to emergency messages.
 - (4) Brewpubs.
 - (5) Cannabis related businesses as follows: cannabis testing facilities, as defined in state law and licensed by the Minnesota Office of Cannabis Management.
 - (6) College, university, post high school education or training institution, or seminary; public or private; with the nearest building line to property line distance of 150 feet to any single family dwelling property.
 - (7) Convalescent, nursing and rest homes.
 - (8) Farm feed and seed, or lawn and gardening supply store.
 - (9) Golf courses, including clubhouses.
 - (10) Heliport.
 - (11) Hospitals and medical centers.
 - (12) Kennels.

- (13) Lumberyards.
 - (14) Meat and butcher shops and cold storage lockers, with limited slaughtering.
 - (15) Multiple-family dwellings, apartment buildings or townhouses.
 - (16) Municipal or other governmental service buildings.
 - (17) Other business uses of the same general character as listed in subsection (b).
 - (18) Parks and recreational areas owned or operated by governmental agencies.
 - (19) Public, parochial or other private elementary, middle, junior high or senior high schools offering a curriculum equivalent to the public school system, and not operated for profit.
 - (20) Residential facilities serving six or fewer individuals.
 - (21) Self-storage warehouse with outside access to individual units.
 - (22) Sports arenas or stadiums, indoor skating rinks and physical culture or health clubs and gymnasiums.
 - (23) Trophy and award assembly.
 - (24) Utility stations and structures.
- (e) *Height and yard regulations.* Height and yard regulations for the B-3 district are as follows:
- (1) *Height regulations.* No building shall hereafter be erected or structurally altered to exceed 45 feet in height.
 - (2) *Front yard regulations.*
 - a. There shall be a front yard having a depth of not less than 25 feet on a lot or plot that abuts a minor street or a marginal access service street.
 - b. There shall be a front yard having a depth of 35 feet on a thoroughfare as shown on the adopted city thoroughfares plan, except that an 80-foot setback shall be required when the council determines that a service road is necessary.
 - c. There shall be a front yard on each street side of a corner lot. No accessory buildings shall project beyond the front yard line on either street.
 - (3) *Side yard regulations.*
 - a. There shall be a side yard on each side of a building, having a width of not less than ten feet.
 - b. No building shall be located within 20 feet of any side lot line abutting a lot in any of the classes of residence districts.
 - (4) *Rear yard regulations.*
 - a. There shall be a rear yard having a depth of not less than 25 percent of the lot depth or a maximum required rear yard of 25 feet.
 - b. No building shall be located within 20 feet of any rear lot line abutting a lot in any of the classes of residence districts.
- (f) *Lot coverage regulations.* Not more than 50 percent of a lot shall be occupied by buildings in the B-3 district. No lot coverage restrictions apply in the downtown district.
- (g) *General regulations.* Additional regulations in the B-3 general business district are set forth in article VI of this chapter.

(Code 1976, § 11.14; Ord. No. 410 2nd series, § 2, 2-16-1999; Ord. No. 443, § 3, 11-6-2000; Ord. No. 463, § 1, 7-2-2001; Ord. No. 590 2nd series, § 1, 2-19-2008; Ord. No. 613 2nd

series, § 1, 8-25-2009; Ord. No. 655 2nd series, § 1, 5-22-2012; Ord. No. 719 2nd series, § 1, 5-9-2017; Ord. No. 753 2nd series, § 1, 7-28-2020)

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

SECTION 3: **AMENDMENT** “Section 86-106 I-1 Limited Industrial District”
of the Marshall Municipal Code is hereby *amended* as follows:

AMENDMENT

Section 86-106 I-1 Limited Industrial District

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

- (15) Construction related trades when completely enclosed within a building.
 - (16) Electrical and electronic products manufacture.
 - (17) Electrical service shops.
 - (18) Fallout shelter.
 - (19) Farm equipment sales and service.
 - (20) Farm, feed and seed supply stores.
 - (21) Garage and storage of motor vehicles.
 - (22) Governmental service buildings.
 - (23) Household goods repair and service shops.
 - (24) Ice plant.
 - (25) Industrial truck and equipment sales and service shops.
 - (26) Jewelry manufacturer.
 - (27) Kennels.
 - (28) Leather goods.
 - (29) Medical, dental and optical equipment manufacture.
 - (30) Mobile home and camping trailer sales.
 - (31) Musical instruments manufacture.
 - (32) Railroad rights-of-way.
 - (33) Rentals of industrial type equipment.
 - (34) Research, experimental or testing stations.
 - (35) Self-storage warehouse.
 - (36) Soft drink and bottling establishments (enclosed).
 - (37) Storage or warehousing, when completely enclosed within a building.
 - (38) Telephone exchange.
 - (39) Trade schools.
 - (40) Transformer and booster stations, transmitters and other utility stations.
 - (41) Trophy and award manufacturing or assembling.
 - (42) Water supply buildings, reservoirs, wells, elevated tanks and similar essential public utility structures.
 - (43) Wholesale business and office establishments.
- (c) *Permitted accessory uses.* The following uses shall be permitted accessory uses in the I-1 industry district:
- (1) All uses customarily secondary to the uses permitted in subsections (a) and (b) of this section.
 - (2) Off-street parking and loading as regulated by article VI of this chapter.
 - (3) Solar energy collectors and systems serving the individual property.
- (d) *Conditional uses.* All conditional use permits for the I-1 district may only be issued if the proposed use meets the specific requirements of this section and also meets the general regulations as outlined in article VI and meets the eligibility for conditional use permits as specified in article II, division 2. The following uses may be allowed in the I-1 industrial district by conditional use permit:
- (1) Automobile and truck sales or used car lots.
 - (2) Billboards or advertising signs complying with the following conditions:
 - a. The size may not exceed 750 square feet and the height shall not exceed 45 feet anywhere along a divided highway and 30 feet elsewhere

- anywhere along a divided highway and 400 square feet in size and 30 feet in height elsewhere.
 - b. There shall be no more than two sign panels per side, and the sign length shall not exceed 55 feet.
 - c. Such signs shall not be located closer than 800 feet to each other (300 feet if located on the opposite side of the street), closer than 300 feet to any residential district, public park or K-12 school building, and closer than 30 feet to any building.
 - d. Sign support locations shall meet standard zoning district setback requirements.
 - e. The digital sign owner shall make the sign available to the city, for free, for public safety messages in addition to emergency messages.
- (3) Brewpubs and microbreweries.
- (4) Cannabis related businesses as follows: cannabis cultivators (indoor only), cannabis event organizers, cannabis manufactures, cannabis lounges, cannabis microbusinesses, cannabis mezzobusinesses, and medical cannabis combination businesses, as defined by state law and licensed by the Minnesota Office of Cannabis Management.
- a. Cannabis lounges and businesses allowing off-sale retail sales must be located at least 500 feet, when measured in a straight line from the center of the primary building of a school, as defined in Minnesota Statutes, section 120A.22, subd. 4, excluding a home school, to the property line of the property in which the registered establishment is located. The primary building of each school is established in a map that will be published by the City.
 - b. Cultivating and manufacturing areas in the above listed cannabis related businesses shall not exceed 5,000 SF.
 - c. Assembly areas in the above listed cannabis related businesses shall not exceed 1,000 SF.
- (5) Day care facility serving any number of individuals.
- (6) Heliport.
- (7) Meat and butcher shops and cold storage lockers, with limited slaughtering.
- (8) Municipal or other governmental administration buildings, police and fire stations, community centers, public libraries, museums, art galleries and post office stations.
- (9) Other industrial uses of the same general character as listed in subsection (b).
- (10) Overnight campgrounds.
- (11) Parks and recreational areas owned or operated by governmental agencies.
- (12) Public, parochial or other private elementary, middle, junior high or senior high schools offering a curriculum equivalent to the public school system, and not operated for profit.
- (13) Recyclable materials processing when completely enclosed within a building.
- (14) Utility stations and structures.
- (e) *Height, yard, area, lot width and lot coverage regulations.* Height, yard, area, lot width and lot coverage regulations for the I-1 district are as follows:
- (1) *Height regulations.* No building shall hereafter be erected to exceed 75 feet in

height.

(2) *Front yard regulations.*

- a. There shall be a front yard having a depth of not less than 25 feet except as otherwise provided in this section.
- b. There shall be a front yard having a depth of 35 feet on a lot or plot that abuts a thoroughfare as shown on the adopted city thoroughfares plan, except that an 80-foot setback shall be required when the council determines that a service road is necessary.

(3) *Side yard regulations.*

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

(4) *Rear yard regulations.*

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

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

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

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

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

SECTION 4: **AMENDMENT** “Section 86-107 I-2 General Industrial District” of the Marshall Municipal Code is hereby *amended* as follows:

A M E N D M E N T

Section 86-107 I-2 General Industrial District

- (a) *Intent; scope.* This section applies to the I-2 general industrial district. This I-2 district provides a location for heavier industrial and manufacturing activities, without encroachment by incompatible use areas.
- (b) *Permitted uses.* The following uses shall be permitted in the I-2 industrial district:
 - (1) Animal hospitals.
 - (2) Auto parts and accessories sales.
 - (3) Automobile and truck parking lots and garages.

- (4) Bottling establishments.
- (5) Building materials sales and storage and lumberyard.
- (6) Camera and photographic supplies manufacture.
- (7) Cannabis related businesses as follows: [lower potency hemp edible wholesaler](#), cannabis wholesalers, lower potency hemp edible manufacturers, cannabis transporters, cannabis testing facilities, cannabis manufacturers, and cannabis cultivators (indoor only), as defined by state law and licensed by the Minnesota Office of Cannabis Management.
- (8) Carpenter and cabinet shops, plumbing and heating shops, and janitorial services.
- (9) Cartage and express facilities.
- (10) Cartography, bookbinding, engraving, publishing, job printing, lithographing and copying.
- (11) Cleaning and dyeing.
 - (12) Contractor's offices, shops and yards for plumbing, heating, glazing, painting, paper hanging, roofing, ventilating, air conditioning, masonry, electrical and refrigeration supplies.
- (13) Egg grading, sorting and wholesale business.
- (14) Electric light or power generating station.
- (15) Electrical and electronic products manufacture.
- (16) Electrical service shops.
- (17) Fallout shelters.
- (18) Farm equipment sales and service.
- (19) Farm, feed and seed supply stores.
- (20) Feed and seed processing.
- (21) Freight terminal.
- (22) Fuel and ice sales and storage.
- (23) Garages and storage, repair and servicing of motor vehicles.
- (24) Governmental service buildings.
- (25) Highway maintenance shops and yards.
- (26) Ice plant.
- (27) Industrial training schools.
- (28) Industrial truck and equipment sales and service shops.
- (29) Jewelry manufacturer.
- (30) Kennels.
- (31) Landscaping including outside material storage.
- (32) Leather goods.
- (33) Manufacturing, processing, and associated storage, servicing and testing.
- (34) Medical, dental and optical equipment manufacture.
- (35) Mobile home and camping trailer sales.
- (36) Musical instruments manufacture.
- (37) Printing.
- (38) Public utility structure (industrial).
- (39) Railroad rights-of-way.
- (40) Rentals of industrial type equipment.
- (41) Research, experimental or testing stations.

- (42) Soft drink and bottling establishments (enclosed).
 - (43) Storage or warehousing, when completely enclosed within a building.
 - (44) Telephone exchange.
 - (45) Trophy and award manufacturing or assembling.
 - (46) Warehouses.
 - (47) Water supply buildings, reservoirs, wells, elevated tanks and similar essential public utility structures.
 - (48) Wholesale business and office establishments.
- (c) *Permitted accessory uses.* The following uses shall be permitted accessory uses in the I-2 industry district:
- (1) All uses customarily secondary to the uses permitted in subsections (a) and (b) of this section.
 - (2) Off-street parking and loading as regulated by article VI of this chapter.
 - (3) Solar energy collectors and systems.
- (d) *Conditional uses.* All conditional use permits for the I-2 district may only be issued if the proposed use meets the requirements of this section and also serving the individual property meets the general regulations as outlined in article VI and meets the eligibility for conditional use permits as specified in article II, division 2. The following uses may be allowed in the I-2 industrial district by conditional use permit:
- (1) Adult uses complying with the following regulations:
 - a. The use must be contained within a building.
 - b. No sign or exterior graphics permitted except for those written in letters of the English language.
 - c. The use is not permitted within 2,000 feet of another adult use, establishment selling beer or alcoholic beverages, school, church, any residential use, library, park, daycare facility, or residential facility, as measured from property line to property line.
 - d. This use must not be greater than 2,000 square feet in total building floor area and contained in one building on a lot, plot, or property.
 - (2) Automobile and truck sales or used car lots.
 - (3) Billboards or advertising signs complying with the following conditions:
 - a. The size may not exceed 750 square feet and the height shall not exceed 45 feet anywhere along a divided highway and 30 feet elsewhere anywhere along a divided highway and 400 square feet in size and 30 feet in height elsewhere.
 - b. There shall be no more than two sign panels per side, and the sign length shall not exceed 55 feet.
 - c. Such signs shall not be located closer than 800 feet to each other (300 feet if located on the opposite side of the street), closer than 300 feet to any residential district, public park, or K-12 school building, and closer than 30 feet to any building.
 - d. Sign support locations shall meet standard zoning district setback requirements.
 - e. The digital sign owner shall make the sign available to the city, for free, for public safety messages in addition to emergency messages.
 - (4) Brewpubs, microbreweries, and breweries.

- (5) Cannabis related businesses as follows: medical cannabis combination businesses, cannabis microbusinesses, and cannabis mezzobusinesses, as defined by state law and licensed by the Minnesota Office of Cannabis Management.
 - a. Cannabis lounges and businesses allowing off-sale retail sales must be located at least 500 feet, when measured in a straight line from the center of the primary building of a school, as defined in Minnesota Statutes, section 120A.22, subd.4, excluding a home school, to the property line of the property in which the registered establishment is located. The primary building of each school is established in a map that will be published by the City.
 - b. Cannabis lounges and retail area parts of the above listed cannabis related businesses shall not exceed 10 percent of the total cannabis related building use area.
- (6) Cultivation, maintenance, and harvest of plants for the sale or other commercial use. Day care facility serving any number of individuals.
- (7) Processing, or storage and stockpiling of sand, gravel, stone or other raw material.
- (8) Greenhouses (commercial).
- (9) Gas stations.
- (10) Hazardous chemicals (processing/storage).
- (11) Heliport.
- (12) Junkyards, wrecking yards or auto salvage yards.
- (13) Meat and butcher shops and cold storage lockers.
- (14) Meat processing plants.
- (15) Municipal or other governmental administration or service buildings, police and fire stations, not including cannabis cultivators, and post office stations.
- (16) Other industrial uses of the same general character as listed in subsection (b).
- (17) Outdoor nurseries and tree farms.
- (18) Public service structures including power substations, gas regulator stations, sewage disposal plant, elevated tanks and water works.
- (19) Recyclable materials processing.
- (20) Restaurants.
- (21) Truck stops.
- (e) *Height, yard, area, lot width and lot coverage regulations.* Height, yard, area, lot width and lot coverage regulations in the I-2 district are as follows:
 - (1) *Height regulations.* No building shall hereafter be erected to exceed 75 feet in height.
 - (2) *Front yard regulations.*
 - a. There shall be a front yard having a depth of not less than 25 feet except as otherwise provided in this section.
 - b. There shall be a front yard having a depth of 35 feet on a lot or plot that abuts a thoroughfare as shown on the adopted city thoroughfares plan, except that an 80-foot setback shall be required when the council determines that a service road is necessary.
 - (3) *Side yard regulations.*

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

(4) *Rear yard regulations.*

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

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

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

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

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

SECTION 5: **EFFECTIVE DATE** This Ordinance shall be in effect after its passage and publication.

PASSED AND ADOPTED BY THE CITY OF MARSHALL COMMON COUNCIL

Presiding Officer

Attest

Robert Byrnes, Mayor, City of
Marshall

Steven Anderson, City Clerk, City of
Marshall