

**CITY OF MARSHALL  
ORDINANCE 24-012**

**AN ORDINANCE ESTABLISHING REGISTRATION REQUIREMENTS FOR THE  
SALE OF INTOXICATING CANNABINOID PRODUCTS AND AMENDING THE  
CITY’S ZONING CODE TO ESTABLISH DISTANCE REQUIREMENTS FROM  
CERTAIN BUSINESSES AND PROHIBIT CERTAIN HOME OCCUPATIONS**

The Common Council of the City of Marshall do ordain as follows:

**SECTION 1:**            **ADOPTION** “ARTICLE 22-VIII REGISTRATION  
REQUIREMENTS FOR THE SALE OF INTOXICATING CANNABINOID  
PRODUCTS” of the Marshall Municipal Code is hereby *added* as follows:

ADOPTION

ARTICLE 22-VIII REGISTRATION REQUIREMENTS FOR THE SALE OF  
INTOXICATING CANNABINOID PRODUCTS(*Added*)

**SECTION 2:**            **ADOPTION** “Section 22-220 Definitions” of the Marshall  
Municipal Code is hereby *added* as follows:

ADOPTION

Section 22-220 Definitions(*Added*)

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

**CBD** means a compound of the cannabis plant known as cannabidiol.

**Intoxicating Hemp Product** means any product that is intended to be eaten or consumed as a beverage by humans, contains a cannabinoid other than CBD in combination with food ingredients, and is not a drug, and meet the requirements to be sold under Minnesota Statutes, §151.72. This does not include any product intended to be consumed by combustion or vaporization of the product, by inhalation of smoke, aerosol, or vapor from the product or through injection or application to a mucus membrane or nonintact skin. A product intended to only contain CBD but which may contain less than trace amounts of tetrahydrocannabinol (THC) as an unintended result of the manufacturing process is not considered an Intoxicating Hemp Product.

**Intoxicating Hemp Product Business** means a business that sells Intoxicating Hemp Products at retail for off-site consumption.

**Premises** means the area from which an Intoxicating Hemp Product Business sells Intoxicating Hemp Products and for an On-Site Intoxicating Hemp Product Business and Liquor Store shall mean the licensed premises pursuant to its license issued under Minnesota Statutes, Chapter 340A.

**Liquor Store** means a business licensed pursuant to Minnesota Statutes, Chapter 340A to sell alcoholic beverages in original packages for consumption off the licensed premises only.

**Moveable place of business** means any form of business operated out of a truck, van, automobile, or other type of vehicle or transportable shelter and not a fixed address store front or other permanent type of structure authorized for sales transactions. Movable Place of Business does not include On-Site Intoxicating Hemp Product Businesses selling Intoxicating Hemp Products at a location pursuant to a caterer's permit.

**On-Site Intoxicating Hemp Product Business** means a business with an on-sale liquor license pursuant to Minnesota Statutes, Chapter 340A and which sells Intoxicating Hemp Products that are intended to be consumed as a beverage, for on-site consumption.

**Sale** means any transfer of goods for money, trade, barter or other consideration.

**THC** means the chemical compound of the cannabis plant tetrahydrocannabinol.

**SECTION 3:           ADOPTION** “Section 22-221 Purpose” of the Marshall Municipal Code is hereby *added* as follows:

#### ADOPTION

Section 22-221 Purpose(*Added*)

The city recognizes that the sale of certain products containing the psychoactive cannabis compound THC is legal when those sales are to individuals 21 years of age or older, and that the increase of these types of products in the community increases the likelihood that youth will have access to and use products containing THC. The use of those products by individuals under the age of 21 places a burden on all levels of government, resulting in financial and other public resources being needed to address both violations of laws and regulations regarding such use, including the impacts on health . The purpose of this chapter is to regulate the sale of products containing THC for the purpose of enforcing and further existing laws and regulations.

**SECTION 4:**            **ADOPTION** “Section 22-222 Registration Required” of the Marshall Municipal Code is hereby *added* as follows:

ADOPTION

Section 22-222 Registration Required(*Added*)

Businesses may only sell Intoxicating Hemp Products to customers, for on-site or off-site consumption, if one of the following three conditions apply:

- (a) For on-site consumption, an On-Site Intoxicating Hemp Product Business must be registered with the city before making sales to customers and must have an active on-sale liquor license pursuant to Minnesota Statutes Chapter 340A.
- (b) For off-site consumption, an Intoxicating Hemp Products Business must be registered with the city before making sales to customers.
- (c) No city-issued registration is required for a business selling medical cannabis as part of the Minnesota’s Medical Cannabis Program described in Minnesota Statutes, §§ 152.22 to 152.37 or for a Liquor Store.

**SECTION 5:**            **ADOPTION** “Section 22-223 Registration Application And General Information” of the Marshall Municipal Code is hereby *added* as follows:

ADOPTION

Section 22-223 Registration Application And General Information(*Added*)

- (a) **General Application Information** – Both On-Site Intoxicating Hemp Product Businesses and Intoxicating Hemp Product Businesses must submit the following to the City:
  - (1) Complete registration form, including confirmation that the business is registered with the Minnesota Department of Health.
  - (2) A registration fee, which shall be established pursuant to City Council resolution or City Council Fee Schedule.
- (b) **Additional On-Site Intoxicating Hemp Product Business Application Information** – In addition to the application information contained in §22-223 (a), On-Site Intoxicating Hemp Product Businesses must also submit confirmation that the premises has an on-sale liquor license issued pursuant to Minnesota Statutes, Chapter 340A.
- (c) **No Moveable Place of Business** – No Intoxicating Hemp Moveable Place of Business is allowed and, as a result, no registration will be issued for a Moveable Place of Business.

- (d) Term – Registrations are valid for a term of one year from the date they are issued by the City. Businesses renewing their registration must submit a renewal fee at the time of renewal.
- (e) Registration Conditions – Registrants are subject to the performance standards and penalties in §§ 22-224 - 22-234. Violation of any of the applicable provisions of this chapter is considered a violation of City Code and may result in criminal penalties, administrative fines or the City revoking a registration.

**SECTION 6:**            **ADOPTION** “Section 22-224 Zoning Requirements” of the Marshall Municipal Code is hereby *added* as follows:

ADOPTION

Section 22-224 Zoning Requirements(*Added*)

No registration issued under this Chapter shall be granted until all applicable zoning requirements are met or until all conditions for approval of the use have been satisfied.

**SECTION 7:**            **ADOPTION** “Section 22-225 Limit On Registrations” of the Marshall Municipal Code is hereby *added* as follows:

ADOPTION

Section 22-225 Limit On Registrations(*Added*)

- (a) Intoxicating Hemp Product Business. The City has not established a limit on the number of Intoxicating Hemp Product Business registrations.
- (b) On-Site Intoxication Hemp Product Businesses. The City has not established a limit on the number of On-Site Intoxicating Hemp Product Business registrations other than requiring these businesses to have up-to-date on-sale liquor license.

**SECTION 8:**            **ADOPTION** “Section 22-226 Responsibility” of the Marshall Municipal Code is hereby *added* as follows:

ADOPTION

Section 22-226 Responsibility(*Added*)

All registrants under this article shall be responsible for the actions of their employees in regard to the sale of Intoxicating Hemp Products, and the sale of such an item by an employee shall be considered a sale by the registrant. Nothing in this article shall be construed as prohibiting the city from also subjecting the registrant to whatever penalties are appropriate under this article, state or federal law, or other applicable law or regulation.

**SECTION 9:**            **ADOPTION** “Section 22-227 Compliance Checks and Inspections” of the Marshall Municipal Code is hereby *added* as follows:

ADOPTION

Section 22-227 Compliance Checks and Inspections(*Added*)

All On-Site Intoxicating Hemp Businesses and Intoxicating Hemp Product Businesses premises shall be open to inspection by the city police or other authorized city official during regular business hours. From time to time, but at least once per year, the city shall conduct compliance checks by engaging individuals over the age of 17 years old but less than 21 years old, to enter the premises to attempt to purchase Intoxicating Hemp Products. Prior written parental or guardian consent is required for any person under the age of 18 who participates in a compliance check. Individuals used for the purpose of compliance checks shall be supervised by city designated law enforcement officers or other designated city personnel. Individuals used for compliance checks shall not be guilty of unlawful possession of Intoxicating Hemp Products when such items are obtained as a part of the compliance check. No individual used in compliance checks shall attempt to use a false identification misrepresenting the individual's age, and all individuals lawfully engaged in a compliance check shall answer all questions about the individual's age asked by the registrant or their employee, and shall produce any identification, if any exists, for which they are asked. Nothing in this article shall prohibit compliance checks authorized by state or federal laws for educational, research or training purposes, or required for the enforcement of a particular state or federal law.

**SECTION 10:**            **ADOPTION** “Section 22-228 Prohibited Sales” of the Marshall Municipal Code is hereby *added* as follows:

ADOPTION

Section 22-228 Prohibited Sales(*Added*)

It shall be a violation of this article for any person to sell or offer to sell any Intoxicating Hemp Product:

- (a) Not meeting the requirement or by the means authorized in Minnesota Statutes, section 151.72 including, but not limited to:
  - (1) Age Verification - Minn. Stat. §151.72, subd. 5c.
  - (2) Packaging, Labeling, and THC Limits - Minn.Stat. §151.72, subd. 5a.
  - (3) Secure Storage and Sales - Minn. Stat. §151.72, subd. 5a (h).
  - (4) Testing Requirements - Minn. Stat. §151.72, subd. 4.
  - (5) Labeling Requirements - Minn. Stat. §151.72, subd. 5.
- (b) To any person under the age of 21 years.
- (c) By any person under the age of 21 years.
- (d) For a nominal amount or by means of sampling.
- (e) By internet sales or delivery, unless the business utilizes an independent third-party age verification system.
- (f) By an other means, to any other person, or in any other manner or form prohibited by federal, state, or other local law, ordinance provision, or other regulation

**SECTION 11:**            **ADOPTION** “Section 22-229 On-Site Intoxicating Hemp Business Manufacturing” of the Marshall Municipal Code is hereby *added* as follows:

A D O P T I O N

Section 22-229 On-Site Intoxicating Hemp Business Manufacturing(*Added*)

- (a) On-Site Intoxicating Hemp Product Businesses may manufacture Intoxicating Hemp Products intended to be consumed as a beverage as an accessory use only at breweries and distilleries licensed as such under Minnesota Statutes, Chapter 340A, as long as the manufacturing process for the beverages does not involve the cannabis plant. For purposes of this Section, accessory use is defined to mean not accounting for more than 50% of the production of total product produced at the brewery or distillery. The transporting or distribution of such Intoxicating Hemp Products manufactured as an accessory use at a brewery or distillery to locations outside of the City also is allowed as part of the accessory use.
- (b) Intoxicating Hemp Products manufactured as described in 22-229 (a) may not be sold at retail for off-sale consumption by an On-Site Intoxicating Hemp Product Business.

**SECTION 12:**            **ADOPTION** “Section 22-230 On-Site Intoxicating Hemp Business Registration Condition” of the Marshall Municipal Code is hereby *added* as follows:

ADOPTION

Section 22-230 On-Site Intoxicating Hemp Business Registration Condition(*Added*)

An On-Site Intoxicating Hemp Business registration will terminate, with no further action of the City, if the registrant's on-sale liquor license expires, terminates, or is otherwise not effective.

**SECTION 13:**        **ADOPTION** “Section 22-231 Exceptions and Defenses” of the Marshall Municipal Code is hereby *added* as follows:

ADOPTION

Section 22-231 Exceptions and Defenses(*Added*)

Nothing in this article shall prevent the providing of Intoxicating Hemp Products to an individual under the age of 21 as part of a lawfully recognized religious, spiritual or cultural ceremony. It shall be an affirmative defense to the violation of this article for a person to have reasonably relied on proof of age as described by state law.

**SECTION 14:**        **ADOPTION** “Section 22-232 Offenses Involving Individual Under the Age of 21” of the Marshall Municipal Code is hereby *added* as follows:

ADOPTION

Section 22-232 Offenses Involving Individual Under the Age of 21(*Added*)

- (a) **Illegal sales.** It shall be a violation of this article for any person to sell or otherwise provide any Intoxicating Hemp Product to any individual under the age of 21.
- (b) **Illegal possession.** It shall be a violation of this article for any individual under the age of 21 to have in their possession any Intoxicating Hemp Product. This subsection shall not apply to individual under the age of 21 lawfully involved in a compliance check.
- (c) **Illegal use.** It shall be a violation of this article for any individual under the age of 21 to use any Intoxicating Hemp Product.
- (d) **Illegal procurement.** It shall be a violation of this article for any individual under the age of 21 to purchase or attempt to purchase or otherwise obtain any Intoxicating Hemp Product, and it shall be a violation of this article for any person to purchase or otherwise obtain such items on behalf of an individual under the age of 21. It shall further be a violation for any person to coerce or attempt to coerce an individual under the age of 21 to illegally purchase or otherwise obtain or use any Intoxicating Hemp Product. This subsection shall not apply to individual under the age of 21 lawfully

involved in a compliance check.

- (e) **Use of false identification.** It shall be a violation of this article for any individual under the age of 21 to attempt to disguise their true age by the use of a false form of identification, whether the identification is that of another person or one on which the age of the person has been modified or tampered with to represent an age older than the actual age of the person.

**SECTION 15:**            **ADOPTION** “Section 22-233 Violations” of the Marshall Municipal Code is hereby *added* as follows:

ADOPTION

Section 22-233 Violations(*Added*)

- (a) **Notice.** Upon discovery of a suspected violation, the alleged violator shall be issued, either personally or by mail, a citation that sets forth the alleged violation and which shall inform the alleged violator of their right to be heard on the accusation.
- (b) **Hearings.** If a person accused of violating this article so requests, a hearing shall be scheduled, the time and place of which shall be published and provided to the accused violator.
- (c) **Hearing officer.** The hearing officer for any violations of this article shall be the city administrator or a person duly designated by the city administrator.
- (d) **Decision.** If the hearing officer determines that a violation of this article did occur, that decision, along with the hearing officer's reasons for finding a violation, and the penalty to be imposed for a violation of this article, shall be recorded in writing, a copy of which shall be provided to the accused violator. Likewise, if the hearing officer finds that no violation occurred or finds grounds for not imposing any penalty, such findings shall be recorded and a copy provided to the acquitted accused violator.
- (e) **Appeals.** Appeals of any decision made by the hearing officer shall be filed in the district court for the city.
- (f) **Misdemeanor prosecution.** Nothing in this article shall prohibit the city from seeking prosecution as a misdemeanor for any alleged violation of this article. If the city elects to seek misdemeanor prosecution, no administrative penalty shall be imposed.
- (g) **Continued violation.** Each violation and every day in which a violation occurs or continues shall constitute a separate offense.

**SECTION 16:**            **ADOPTION** “Section 22-234 Penalties For Violation Of Article” of the Marshall Municipal Code is hereby *added* as follows:

ADOPTION

Section 22-234 Penalties For Violation Of Article(*Added*)

- (a) **Registrants and employees.** Any registrant, and any employee of a registrant, found to have violated this article shall be charged an administrative fine of \$75.00 for a first violation of this article; \$200.00 for a second offense at the same premises within a 24-month period; and \$250.00 for a third or subsequent offense at the same location within a 24-month period. In addition, after the third offense, the shall be suspended for a period to be determined by council resolution. In addition to these administrative fines, the may be suspended or the registration rescinded. Any expenses incurred by the city in appointing and conducting the hearing shall also be added to the administrative fine above stated.
- (b) **Other individuals.** Other individuals, other than minors regulated by this article, found to be in violation of this article by providing or selling to minors shall be charged an administrative fee of \$75.00.
- (c) **Possession Under 21.** Any individual under the age of 21 found in unlawful possession of, or who unlawfully purchases or attempts to purchase Intoxicating Hemp Product, shall be prosecuted as a misdemeanor.
- (d) **Misdemeanor.** Nothing in this article shall prohibit the city from seeking prosecution as a misdemeanor for any violation of this article.

**SECTION 17:****AMENDMENT** “Section 86-50 Home Occupations And Businesses” of the Marshall Municipal Code is hereby *amended* as follows:

AMENDMENT

Section 86-50 Home Occupations And Businesses

- (a) An interim use permit shall be required for all home occupations in agricultural and all residential districts unless any of the following three conditions exist:
  - (1) Such home occupation is supplementary to a business that has its principal place of business legally located elsewhere.
  - (2) Such home occupation is entirely computer and/or internet based.
  - (3) Such home occupation is conducted entirely outside the premises except bookkeeping and regular mail delivery.

In addition to any of the above conditions, the home occupation must be such that the traffic entering such dwelling does not exceed that which is normal and customary for a residence, no business related vehicles or vehicles with business advertisement are parked or stored outside, no vehicular traffic or street parking is generated in greater volume than would normally be expected in a residential neighborhood, no direct sale of goods to the consumer occurs on premises, and it meets all relevant provisions of

subsection (b). As an exception, for businesses compliant with conditions (1) or one business related car, van or light truck with business advertisement may be parked outside at nights and on weekends.

- (b) Home occupations shall at a minimum meet the following conditions:
- (1) The use of the dwelling unit for the home occupation shall be clearly incidental and subordinate to its residential use by the applicant.
  - (2) The home occupation related space may not exceed one-third of the living space of the dwelling, excluding garages and accessory buildings.
  - (3) The conduct of the home occupation shall not result in any change in the outside appearance of the building or land.
  - (4) No exterior display or signs related to the home occupation shall be installed.
  - (5) No direct sale of goods that are not produced, customized, or modified on site shall take place, except during occasional home sale parties not scheduled on a regular basis.
  - (6) No equipment shall be used which creates offensive noise, vibration, sound, smoke, dust, odors, heat, glare or electrical disturbance to radio or television reception and no hazard beyond the one customary for dwellings is created.
  - (7) Only persons that are members of the family and residing in the premises shall be employed on the premises.
  - (8) There shall be no exterior storage of materials, business equipment or vehicles except one business related car, van or light truck with business advertisement may be parked outside at nights and on weekends.
  - (9) Not more than one-half of the accessory buildings shall be used for the storage of merchandise, business equipment, materials or machinery.
  - (10) No separate entrance for customers may be provided or used.
  - (11) No sewer, water or electric usage beyond what is typical for a dwelling shall occur.
  - (12) No regular business hours shall be advertised, including on social media, and all services shall be rendered by appointment only with no general public walk-ins or retail services.
  - (13) If at any time more than two customers may be present, off-street parking shall be provided in addition to parking required for a dwelling. Such parking shall be provided in a location customarily associated with single family dwellings.
  - (14) No customers shall be present between 9:00 p.m. and 6:00 a.m.
  - (15) Additional home occupation related vehicular traffic, including delivery, shall not exceed four vehicles per day.
- (c) All home occupation interim use permits are issued for initial one-year term and may be renewed for future terms, under the same interim use procedure, provided no violations of established conditions were observed. The first renewal shall be for five years, and the second renewal shall be until the property is sold or transferred to another owner. If any of the interim use permit conditions are found to be violated, the permit may be revoked, or future renewal terms may be limited.
- (d) The home occupation interim use permit is granted to an applicant for a specific property and is not transferable to another person or property, thus expiring at the sales or any other type of property transfer.

- (e) The applicant, upon making application, grants to the City upon issuing any home occupation interim use permit the right to inspect the premises in which the occupation is being conducted at any time to ensure compliance with the provisions of this section and any conditions additionally imposed.
- (f) All home occupations involving the following activities, even if formally compliant with subsection (b), are prohibited:
  - (1) Any automotive related activity including, but not limited to, auto repair and detailing.
  - (2) Any children related activity except those licensed by the State and individual lessons.
  - (3) Any animal related activity including, but not limited to, kenneling and breeding, except household pet grooming.
  - (4) Any funeral related activity including, but not limited to, mortuaries and embalming services.
  - (5) Any activity involving commercial cooking, including, but not limited to, restaurants and cafes, except dessert making for private individual customers.
  - (6) Any activity involving multiple garage sales.
  - (7) Any illegal activity.
  - (8) Any activity involving multiple guest assemblies except occasional home sale parties not scheduled on a regular basis.
  - (9) Any activity involving tobacco or alcohol production or sale.
  - (10) Any business licensed under Minnesota Statutes, Chapter 342 or for which a registration is required by City Code, §22-222.

(Ord. No. 747 2nd series, § 1, 12-10-2019)

**Editor's note(s)**—Ord. No. 747 2nd series, § 1, adopted Dec. 10, 2019, amended § 86-50 to read as set out herein. Previously § 86-50 was titled offices of persons and home occupations and derived from Code 1976, § 11.21(6); and Ord. No. 680 2nd series, § adopted Sep. 24, 2013.

**SECTION 18:            AMENDMENT** “Section 86-102 B-1 Limited Business District” of the Marshall Municipal Code is hereby *amended* as follows:

A M E N D M E N T

Section 86-102 B-1 Limited Business District

- (a) *Intent; scope.* This section applies to the B-1 limited business district. This B-1 district is intended to permit selected businesses in areas adjacent to residential neighborhoods where analysis of the population demonstrates that such establishment are required and desirable.
- (b) *Permitted uses.* The following uses shall be permitted in the B-1 district:

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

(19) Retail bake or pastry shops.

(20) Retail medical supply stores.

(21) Tailor shops.

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

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

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

(3) Private garage.

(4) Private swimming pool when completely enclosed within a chainlink or similar fence five feet high.

(5) Solar energy collectors and systems.

(6) Storage garages where the lot is occupied by a multiple-family dwelling or an institutional dwelling.

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

(1) Boardinghouses and lodging houses.

(2) Gas station or car wash.

(3) Grocery stores, fruit and vegetable markets.

(4) Liquor stores (for consumption off the premises).

(5) Meat shops and cold storage lockers (excluding slaughtering).

(6) Medical, dental and optical labs.

(7) Mortuaries or funeral homes.

(8) Motels.

- (9) Multiple-family dwellings, apartment buildings or townhouses containing not more than eight dwelling units.
- (10) Offices of persons and home occupations in existing structures when they meet the specific conditions of section 86-50.
- (11) Other business uses of the same general character as listed in subsection (b).
- (12) Parks and recreational areas.
- (13) Public, parochial or other private elementary, middle, junior high or senior high schools offering a curriculum equivalent to the public school system, and not operated for profit.
- (14) Public utility stations and structures.
- (15) Residential facility serving six or fewer individuals.
- (16) Restaurants, cafes, delicatessens or tearooms.
- (17) Shoe stores and shoe repair stores.
- (18) Single-family detached dwellings.
- (19) Two-family dwellings under single ownership, joint ownership or tenants in common.
- (20) Two-family dwellings under split ownership under the following conditions:
  - a. The dwellings have separate utility service lines to each unit.
  - b. The owner execute a common maintenance agreement containing covenants as to uniformity of exterior appearance of the dwellings for the life of the building.
  - c. Proper separation of units exist as provided by the city building code.
  - d. Such dwellings comply with all yard regulations for single-family dwellings, except side yard regulations between the dwelling units.
  - e. The dwelling location on the lot be compatible with the neighborhood.
  - f. Landscaping, fencing, grading, exterior lighting, construction and driveway conform to the surrounding neighborhood.
  - g. Any accessory building is compatible with the dwellings and the surrounding neighborhood.
  - h. The dwellings shall be a maximum height of two stories.
  - i. Not more than 50 percent of the lot area shall be occupied by buildings.

- j. No unit shall be eligible under this use unless the division of the dwelling occurs along the lot lines.
- (21) Water supply buildings, reservoirs, wells, elevated tanks, and other similar essential public utility structures, municipal or other government service buildings.
- (e) *Height, yard and lot coverage regulations.* Height, yard and lot coverage regulations for the B-2 district are as follows:
  - (1) *Height regulations.* No building shall hereafter be erected or structurally altered to exceed three stories or 35 feet in height.
  - (2) *Front yard regulations.*
    - a. There shall be a front yard having a depth of not less than 25 feet on a lot or plot that abuts a minor street or a marginal access service street.
    - b. There shall be a front yard having a depth of 35 feet on a lot or plot that abuts a thoroughfare as shown on the adopted city thoroughfares plan, except that an 80-foot setback shall be required when the council determines that a service road is necessary.
    - c. There shall be a front yard on each street side of each corner lot. No accessory buildings shall project into the front yard line on either street.
    - d. No front yard shall be required in the downtown district.
  - (3) *Side yard regulations.*
    - a. There shall be a side yard on each side of a building, having a width of not less than ten feet.
    - b. No building shall be located within 20 feet of any side lot line abutting a lot in any of the classes of residence districts.
    - c. No side yard shall be required in the downtown district.
  - (4) *Rear yard regulations.*
    - a. There shall be a rear yard having a depth of not less than 25 percent of the lot depth or a maximum required rear yard of 25 feet.
    - b. No building shall be located within 20 feet of any rear lot line abutting a lot in any of the classes of residence districts.
    - c. No rear yard shall be required in the downtown district.
- (f) *Lot coverage regulations.* Not more than 50 percent of a lot shall be occupied by buildings. No lot coverage restrictions apply in the downtown district.
- (g) *General regulations.* Additional regulations in the B-1 business district are set forth in article VI of this chapter, except that no outside storage or displays of property for sale shall be permitted on any premises in such district.

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

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

**SECTION 19:            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) Businesses requiring a registration under City Code, § 22-222. Businesses, except On-Site Intoxicating Hemp Product Businesses, must be located at least:

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

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

(3) Solar energy collectors and systems.

(4) Storage garages where the lot is occupied by a multiple-family dwelling, hospital or an institutional dwelling.

(d) *Conditional uses.* All conditional use permits for the B-2 district may only be issued if the proposed use meets the specific requirements of this section and also meets the

general regulations as outlined in article VI and meets the eligibility for conditional use permits as specified in article II, division 2. The following uses may be allowed in the B-2 central business district by conditional use permit:

- (1) Automobile garages and repair shops, with no outside storage or sales of vehicles, equipment or accessories.
- (2) Automobile laundry or car wash.
- (3) Automobile service stations, for sale of gasoline, oil and accessories.
- (4) Boardinghouses and lodginghouses; convalescent, nursing and rest home.
- (5) Drive-in retail or service stores.
- (6) Garden supply stores.
- (7) Hospitals (excluding nonhuman).
- (8) Multiple-family dwellings, apartment buildings or townhouses.
- (9) Other business uses of the same general character as listed in subsection (b).
- (10) Parks and recreational areas owned or operated by governmental agencies.
- (11) Public, parochial or other private elementary, middle, junior high or senior high schools offering a curriculum equivalent to the public school system, and not operated for profit.
- (12) Repair and rental shops of domestic type equipment and items.
- (13) Residential facility or day care facility.
- (14) Self-storage warehouse on floors other than main level.
- (15) Sports arenas or stadiums, indoor skating rinks.
- (16) Tire, battery and automobile accessories shops.
- (17) Trade schools.
- (18) Upholstery and furniture repair shops.
- (19) Utility stations and structures.

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

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

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

(2) *Front yard regulations.* No front yard shall be required.

(3) *Side yard regulations.* No side yard shall be required.

(4) *Rear yard regulations.* No rear yard shall be required.

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

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

(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 20:**            **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) , 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) Businesses requiring a registration under City Code, § 22-222. Businesses, except On-Site Intoxicating Hemp Product Businesses, must be located at least:
  - a. 500 feet, when measured in a straight line from the center of the primary building of a school, as defined in Minnesota Statutes, section 120A.22, subd. 4, excluding a home school, to the property line of the property in which the registered establishment is located. The primary building of each school is established in a map that will be published by the City.
- (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.
  - (74) Restaurants, cafes, delicatessens or tea rooms.
  - (75) Retail bakeries or pastry shops.
  - (76) Retail ice delivery stations.
  - (77) Retail medical supply stores.
  - (78) Sales and service centers for farm implements.
  - (79) Sales and service centers of travel and camping trailers, and motor homes which do not require a special permit to be transported on a public highway.
  - (80) Self-storage warehouse with inside access to individual units.
  - (81) Sewing machine sales and service.
  - (82) Shoe stores and repair.
  - (83) Tailor shops.
  - (84) Television or radio repair shops.
  - (85) Tire, battery and automobile accessories shops.
  - (86) Upholstery and furniture repair shops.
  - (87) Veterinary clinic and hospital for small animals with associated indoor kennels where there are no animals allowed outside of a building at any time, where the entire business is conducted wholly within an enclosed sound proofed, heated and air conditioned building such that no noise or odors are perceptible beyond the property line.
  - (88) Video sales or rental.
  - (89) Water conditioning sales and service.
  - (90) Water supply buildings, reservoirs, wells, elevated tanks and similar essential public utility structures.
  - (91) Wholesale business and office with no outside storage.
- (c) *Permitted accessory uses*. The following uses shall be permitted accessory uses in the B-3 business district:

- (1) Accessory uses generally associated with the uses permitted in subsections (a) and (b) of this section.
  - (2) Off-street parking and loading as regulated by article VI of this chapter.
  - (3) Signs as regulated by article VI of this chapter.
  - (4) Solar energy collectors and systems.
  - (5) Storage garages where the lot is occupied by an institutional building.
- (d) *Conditional uses.* All conditional use permits for the B-3 district may only be issued if the proposed use meets the specific requirements of this section and also meets the general regulations as outlined in article VI and meets the eligibility for conditional use permits as specified in article II, division 2. The following use may be permitted in the B-3 business district by conditional use permit:
- (1) Amusement parks.
  - (2) Armories, convention or exhibition halls.
  - (3) Billboards.
  - (4) Brewpubs.
  - (5) College, university, post high school education or training institution, or seminary; public or private; with the nearest building line to property line distance of 150 feet to any single family dwelling property.
  - (6) Convalescent, nursing and rest homes.
  - (7) Farm feed and seed, or lawn and gardening supply store.
  - (8) Golf courses, including clubhouses.
  - (9) Heliport.
  - (10) Hospitals and medical centers.
  - (11) Kennels.
  - (12) Lumberyards.
  - (13) Meat and butcher shops and cold storage lockers, with limited slaughtering.
  - (14) Multiple-family dwellings, apartment buildings or townhouses.

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

a lot in any of the classes of residence districts.

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

- (f) *Lot coverage regulations.* Not more than 50 percent of a lot shall be occupied by buildings in the B-3 district. No lot coverage restrictions apply in the downtown district.
- (g) *General regulations.* Additional regulations in the B-3 general business district are set forth in article VI of this chapter.

(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 21:**        **AMENDMENT** “Section 86-105 B-4 Shopping Center Business District” of the Marshall Municipal Code is hereby *amended* as follows:

#### AMENDMENT

##### Section 86-105 B-4 Shopping Center Business District

- (a) *Intent; scope.* This section applies to the B-4 shopping center business district. This B-4 district is intended to provide for existing and/or proposed shopping centers.
- (b) *Permitted uses.* The following uses shall be permitted in the B-4 business district:
  - (1) Animal pet shops.
  - (2) Antique, gift or florist shop.
  - (3) Apparel shops.
  - (4) Appliance stores.
  - (5) Art, office, school, or camera and photography supply stores.
  - (6) Audio recording sales and rental.
  - (7) Auto parts and accessories.
  - (8) Automobile and truck parking lots.
  - (9) Banks and savings institutions.

- (10) Barbershops or beauty shops.
- (11) Bars, cocktail lounges, nightclubs and theatres.
- (12) Bicycle sales shops.
- (13) Bookstores.
- (14) Bowling alleys.
- (15) Bus stations or taxistands.
- (16) Business, commercial and dance schools.
- (17) Business or professional offices.
- (18) Businesses requiring a registration under City Code, § 22-222. Businesses, except On-Site Intoxicating Hemp Product Businesses, must be located at least:
  - a. 500 feet, when measured in a straight line from the center of the primary building of a school, as defined in Minnesota Statutes, section 120A.22, subd. 4, excluding a home school, to the property line of the property in which the registered establishment is located. The primary building of each school is established in a map that will be published by the City.
- (19) Butcher shops, excluding slaughtering.
- (20) Cabinet stores.
- (21) Candy, ice cream, soft drinks or confectionery stores.
- (22) Carpet and flooring stores.
- (23) Clock repair.
- (24) Communications broadcasting station.
- (25) Department store.
- (26) Drive-up bank.
- (27) Dry cleaning stores or laundry pickup stores.
- (28) Fallout shelter.

- (29) Finance company offices.
- (30) Funeral homes.
- (31) Furniture stores.
- (32) Garden and lawn supply stores.
- (33) Gas stations.
- (34) Glass sales.
- (35) Governmental buildings.
- (36) Grocery stores.
- (37) Hardware, hobby, sporting goods or toy stores.
- (38) Jewelry stores.
- (39) Leather goods and luggage shops.
- (40) Libraries.
- (41) Liquor stores (for consumption off the premises).
- (42) Loan and finance.
- (43) Lodge rooms or clubhouses for fraternal organizations.
- (44) Medical clinics.
- (45) Motels.
- (46) Motion picture theatre.
- (47) Music studios or musical instrument stores.
- (48) Newsstands.
- (49) Office and photo supply (retail).
- (50) Paint, wallpaper or interior decorating stores.

- (51) Pet supply store.
- (52) Pipe or tobacco shops.
- (53) Pharmacies or drugstores.
- (54) Photography studios.
- (55) Physical culture or health clubs and gymnasiums.
- (56) Plumbing and heating sales.
- (57) Pool halls and video arcades.
- (58) Post office stations.
- (59) Printing.
- (60) Restaurants, cafes, delicatessens or tea rooms.
- (61) Retail bakeries or pastry shops.
- (62) Retail medical supply stores.
- (63) Sewing machine sales and service.
- (64) Shoe stores.
- (65) Supermarkets.
- (66) Tailor shops.
- (67) Veterinary clinic and hospital for small animals with associated indoor kennels where there are no animals allowed outside of a building at any time, where the entire business is conducted wholly within an enclosed sound proofed, heated and air conditioned building such that no noise or odors are perceptible beyond the property line.
- (68) Video recording sales and rental.
- (69) Water conditioning sales.

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

- (1) Accessory uses generally associated with the uses permitted in subsections (a)

and (b) of this section.

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

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

(4) Solar energy collectors and systems.

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

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

(1) Automobile car washes.

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

(3) Brewpubs.

(4) Cabinet sales.

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

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

(7) Drive-in retail stores.

(8) Garden and lawn supply stores.

(9) Lodge rooms or clubhouses for fraternal organizations.

(10) Medical, dental and optical lab.

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

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

(13) Municipal or other governmental service buildings.

(14) Parks and recreational areas.

- (15) Plumbing, television or radio repair shops when operated as accessory uses to retail shops.
  - (16) Public libraries.
  - (17) Public, parochial or other private elementary, middle, junior high or senior high schools offering a curriculum equivalent to the public school system, and not operated for profit.
  - (18) Public utility structures.
  - (19) Repair and rental shops of domestic type equipment and items.
  - (20) Sports arenas.
  - (21) Trade schools.
  - (22) Utility stations and structures.
- (e) *Height and yard regulations.* Height and yard regulations in the B-4 district are as follows:
- (1) *Height regulations.* No building shall hereafter be erected or structurally altered to exceed 45 feet in height.
  - (2) *Front yard regulations.*
    - a. There shall be a front yard having a depth of 50 feet on a thoroughfare as shown on the adopted city thoroughfares plan, except that an 80-foot setback shall be required when the council determines that a service road is necessary.
    - b. There shall be a front yard on each street side of a corner lot. No accessory buildings shall project beyond the front yard line on either street.
  - (3) *Side yard regulations.*
    - a. There shall be a side yard on each side of a lot, having a width of not less than 30 feet.
    - b. No building shall be located within 20 feet of any side lot line abutting a lot in any of the classes of residence districts.
  - (4) *Rear yard regulations.*
    - a. There shall be a rear yard having a depth of not less than 25 percent of the lot depth or a maximum required rear yard of 25 feet.
    - b. No building shall be located within 20 feet of any rear lot line abutting a lot in any of the classes of residence districts.
- (f) *Lot coverage regulations.* Not more than 30 percent of the lot may be occupied by buildings in the B-4 district.
- (g) *General regulations.* Additional regulations in the B-4 shopping center business district are set forth in article VI of this chapter.

(Code 1976, § 11.15; Ord. No. 463, § 1, 7-2-2001; Ord. No. 590 2nd series, § 1, 2-19-2008; Ord. No. 613 2nd series, § 1, 8-25-2009; Ord. No. 655 2nd series, § 1, 5-22-2012)

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

**SECTION 22:            EFFECTIVE DATE** This Ordinance shall be in full force and effect following its passage and publication in accordance with state law.

**SECTION 23:            INTERIM ORDINANCE TERMINATION** Upon the Effective Date of this Ordinance, Ordinance 23-015 Interim Cannabis Prohibition shall automatically terminate.

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