

**CITY OF MARSHALL
ORDINANCE BILLBOARDS**

**AN ORDINANCE AMENDING CHAPTER 86, ARTICLE IV, SECTIONS 96, 104,
106, AND 107**

The Common Council of the City of Marshall do ordain:

SECTION 1: **AMENDMENT** “Section 86-96 A Agricultural District” of the Marshall Municipal Code is hereby *amended* as follows:

A M E N D M E N T

Section 86-96 A Agricultural District

- (a) *Intent; scope.* This section applies to the A agricultural district. This A district preserves land for agricultural or undeveloped uses until development pressures require that such land be released and rezoned for purposes of controlled and orderly growth according to the comprehensive plan pending proper timing and allowance for the economical provision of urban services.
- (b) *Permitted uses.* The following uses shall be permitted in the A agricultural district:
 - (1) Cultivation, maintenance, or harvest of plants for the sale or other commercial use.
 - (2) Cannabis related businesses as follows: cannabis cultivator, as defined by state law and licensed by the Minnesota Office of Cannabis Management.
 - (3) Farming and truck gardening, nurseries and greenhouses.
 - (4) Golf courses and country clubs.
 - (5) Hobby farms including keeping up to six horses, mules, sheep, goats, llamas, or ponies.
 - (6) Parks and recreational areas owned or operated by governmental agencies.
- (c) *Permitted accessory uses.* The following uses shall be permitted accessory uses in the A agricultural district:
 - (1) Accessory uses customarily incident to the uses permitted in subsections (a) and (b) of this section.
 - (2) Fallout shelters.
 - (3) Keeping boarders and/or roomers by a resident family.
 - (4) Offices of persons and home occupations meeting the specific conditions of Section 86-50.
 - (5) Private garages and storage sheds.
 - (6) Private amateur radio towers and antennas complying with division 6.
 - (7) Private swimming pool when completely enclosed within a non-climbable fence five feet high with openings no greater than four inches in any dimension and self-closing and self-locking gate. Swimming pools exempt

from the building permit requirements as defined in the state building code and hot tubs with latchable covers do not need to be enclosed.

- (8) Single-family farm residences if used by the farm owner or operator, member of the immediate family, or an employee working on the premises.
- (9) Private accessory equipment complying with Section 86-164, including, but not limited to, solar energy collectors and systems, playgrounds, and sports courts.
- (d) *Conditional uses.* All conditional use permits for the A 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 A agricultural district by conditional use permit:
 - (1) Archery range
 - (2) Automobile, motorcycle, go-cart or snowmobile race and driving tracks.
 - (3) Billboards or advertising signs complying with the following conditions:
 - a. The size may not exceed ~~1,000~~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 ~~200~~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 or to any residential district.
 - d. Sign support locations shall meet standard zoning district setback requirements.
 - e. The digital sign owner shall provide to the city, for free, up to five (5) hours of advertising per month in addition to emergency messages.
 - (4) Cemeteries, memorial gardens, and crematoriums.
 - (5) Commercial solar energy collectors and systems.
 - (6) Kennels.
 - (7) Other uses of the same general character as listed in subsection (b).
 - (8) Outdoor and indoor gun ranges.
 - (9) Recreational vehicle parks and camp sites.
 - (10) Riding stables with up to six horses.
 - (11) Shrimp and fish growing operations.
 - (12) Water supply buildings, reservoirs, wells, elevated tanks and similar essential public utility structures.
- (e) *Height, yard, area and lot width and depth regulations.* Height, yard, area and lot width and depth regulations for the A district are as follows:
 - (1) Height regulations. No building hereafter erected or altered shall exceed 2 1/2 stories or 30 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 of not less than 35 feet on a lot or plot that abuts a thoroughfare as shown on the adopted city thoroughfares plan.
- (3) *Side yard regulations.* There shall be a side yard, on each side of a building, each having a width of not less than five feet.
- (4) *Rear yard regulations.* There shall be a rear yard having a depth of not less than 25 percent of the lot depth.
- (5) *Lot area regulations.* Every lot shall contain an area of not less than 22,000 square feet.
- (6) *Lot width and depth regulations.* Every lot or plot of land on which a single-family dwelling is erected shall have a minimum width of not less than 110 feet at the building setback line, and a minimum depth of not less than 200 feet.
- (f) General regulations. Additional regulations in the A agricultural district are set forth in article VI of this chapter.
- (g) Future annexation. Any land annexed to the city in the future shall be placed in the A agricultural district until placed in another district by action of the council after recommendation of the planning commission, unless the land being annexed is located within orderly annexation area and is not zoned A agricultural at the time of annexation.

(Code 1976, § 11.06; Ord. No. 404 2nd series, § 1, 11-16-1998; Ord. No. 407 2nd series, § 1, 12-21-1998; Ord. No. 590 2nd series, § 1, 2-19-2008; Ord. No. 720 2nd series, § 1, 5-9-2017; Ord. No. 734 2nd Series, 2-12-2019; Ord. No. 741 2nd series, § 1, 9-24-2019)

Cross reference(s)—Animals, ch. 14.

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, 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.
- (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) 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 ~~1,000~~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 ~~200~~800 feet to each other or to any residential district (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 provide to the city, for free, up to five (5)
hours of advertising per month in addition to emergency message.

- (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.

~~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.

~~e. 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.

~~e. 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 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, 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 manufacture.
 - (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 ~~1,000~~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 ~~200~~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 ~~or to any residential district.~~
 - d. Sign support locations shall meet standard zoning district setback requirements.
 - e. The digital sign owner shall provide to the city, for free, up to five (5) hours of advertising per month 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.
 - ~~c. No front yard shall be required in the downtown district.~~
 - (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.
 - ~~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 rear yard shall be required in the downtown district.~~

(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:

AMENDMENT

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: 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 manufacture.
 - (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 ~~1,000~~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 ~~200~~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~~or to any residential district.~~
- d. Sign support locations shall meet standard zoning district setback requirements.
- e. The digital sign owner shall provide to the city, for free, up to five (5) hours of advertising per month 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.

~~e. No front yard shall be required in the downtown district.~~
 - (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.

~~e. 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 rear yard shall be required in the downtown district.~~
 - (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 full force and 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