

**SPRING LAKE PARK
ORDINANCE 504**

**AN ORDINANCE AMENDING THE SPRING LAKE PARK ZONING CODE TO
ADD THE SPORTS PERFORMANCE TRAINING CENTER USE**

NOW THEREFORE, be it ordained by the Council of the Spring Lake Park, in the State of Minnesota, as follows:

SECTION 1: **AMENDMENT** “16.04.070 Definitions - Zoning” of the Spring Lake Park Municipal Code is hereby *amended* as follows:

A M E N D M E N T

16.04.070 Definitions - Zoning

For the purpose of this title, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

ALLEY. A narrow thoroughfare upon which the rear of premises generally abuts or upon which service entrances of buildings abut, and which is not generally used as a thoroughfare by both pedestrians and vehicles, or which is not used for general traffic circulation, or which is not in excess of 30 feet in width at its intersection with a street.

AUTOMOBILE SERVICE STATION. Any building or premises used for the dispensing or sale of automobile fuels, lubricating oil or grease, tires, batteries, or minor automobile accessories. Services offered may include the installation of tires, batteries, and minor accessories, minor automobile repairs, and greasing or washing of individual automobiles. When sales, services, and repairs as detailed here are offered as incidental to the conduct of an **AUTOMOBILE SERVICE STATION**, premises shall be classified by the primary usage. **AUTOMOBILE SERVICE STATIONS** shall not include the sale or storage of junked motor vehicles, shall not include premises offering major automobile repairs, automobile wrecking, or automobile sales. In connection with **AUTOMOBILE SERVICE STATIONS**, fuels offered for sale shall be stored only in underground tanks located wholly within the lot line.

AUTOMOBILE WASH. A building, or portion thereof, containing facilities for washing more than two automobiles, using production line methods with a steam cleaning device or other mechanical devices.

BASEMENT. A story having more than one-half its height below the average level of the adjoining finished grade. A **BASEMENT** is counted as a story for the purposes of height regulations, if subdivided and used for business or dwelling purposes.

BERTH. A loading space.

BLOCK. A tract of land bounded by streets, or a combination of streets and public parks, cemeteries, railroad rights-of-way, shorelines, waterways, or boundary lines of the corporate limits of the city.

BOARDING HOUSE. A building other than a hotel, where for compensation and by prearrangement for definite periods, meals or lodging and meals are provided for three or more persons, but not exceeding ten persons.

BOARDING SCHOOL. A school at which the pupils receive board and lodging during the school term.

BREWER TAP ROOM. A brewer taproom is a facility on or adjacent to premises owned by a brewer licensed under M.S. § 340A.301, Subd. 6(c), (i) or (j) and produces less than 250,000 barrels of malt liquor annually, and where the on-sale and consumption of malt liquor produced by the brewer is permitted pursuant to M.S. § 340A.301, Subd. 6(b).

BUILDABLE AREA. The space remaining on a lot after the minimum setback and open space requirements of this title have been met.

BUILDING. Any structure used or intended for supporting or sheltering any use or occupancy. The term includes structures of every kind, regardless of similarity to buildings.

BUILDING, ACCESSORY. A subordinate building or structure on the same lot.

BUILDING, DETACHED. A building surrounded by open space, that open space being on the same zoning lot as the building.

BUILDING, HEIGHT OF. The vertical distance measured from the average elevations of the finished grade along the front of the building to the highest point of the roof surface in a flat roof, to the deck line of mansard roofs, and to the mean height level between eaves and the ridge of gable, hip, and gambrel roofs.

BUILDING INSPECTOR. The building inspector of the city.

BUILDING LINE. An imaginary line separating buildable area and required yards.

BUILDING LINE SETBACK. The distance between the building line and the property line.

BUILDING, NON-CONFORMING. See **NON-CONFORMING BUILDING.**

BUILDING, PRINCIPAL. A non-accessory building in which a principal use of the zoning district in which it is located is conducted.

BULK. The term used to indicate the size and setbacks of buildings or structures and location of same with respect to one another, and includes the following:

- A. The size and height of buildings;
- B. The location of exterior walls at all levels in relation to lot lines, streets, or to other buildings;
- C. The gross floor area of buildings in relation to lot area (floor area ratio);
- D. All open spaces allocated to buildings; and
- E. The amount of lot area per dwelling unit.

BULK MATERIALS. Uncontained solid matter, such as powder, grain, stone, and sulphur, and the like, that has a tendency to become airborne.

BULK DEICER STORAGE. Storage of any material used for deicing and/or traction during winter conditions that is more than five tons in solid form or 1,000 gallons in liquid form.

CITY ADMINISTRATOR, CLERK/TREASURER. The Administrator, Clerk/Treasurer of the city.

CITY COUNCIL. The City Council of the city.

CLUSTER DEVELOPMENT. A planned unit development consisting only of residential units.

COCKTAIL ROOM. A cocktail room is a facility on or adjacent to premises owned by a micro distillery licensed under M.S. § 340A.301 Subd. 6(c) which produces premium, distilled spirits in total quantity not to exceed 40,000-proof gallons in a calendar year, and where the on-sale and consumption of distilled spirits produced by the microdistillery is permitted pursuant to M.S. § 340A.301, Subd. 6(c).

COMPREHENSIVE PLAN. A compilation of reports and maps for guiding the physical, social, and economic development, both private and public, of the city.

CONDITIONAL USE. A use classified as conditional generally may be appropriate or desirable in a specific zone, but requires approval because if not carefully located or designed, it may create special problems such as excessive height or bulk or traffic congestion.

CONDITIONAL USE PERMIT. A permit to allow a conditional use duly authorized by the appropriate authority as described in SLPC 16.56.020. A conditional use permit may be subject to periodic review upon determination by the city.

CURB LEVEL. The level of the established curb in front of the building measured at the center of that front. Where a building faces on more than one street, the **CURB LEVEL** shall be the average of the levels of the curbs at the center of the front of each street. Where no curb elevation has been established, the City Engineer shall establish the **CURB LEVELS**.

DECIBEL. A unit of measurement of the intensity of sound level.

DEICER. Any substance used to melt snow and ice or used for its anti-icing effects.

DISPLACEMENT. The amount of motion involved in a vibration.

DISTRICT. A ZONING DISTRICT as defined herein.

DORMITORY. A building used as group living quarters for a student body, religious order or other group as an associated use to a college, university, boarding school, orphanage, convent, monetary or other similar use. Dormitories do not include kitchen facilities, except a group kitchen facility to serve all residents.

DWELLING, ATTACHED. A dwelling unit which is joined to another dwelling or building on one or more sides by a party wall or walls.

DWELLING, DETACHED. A dwelling unit which is entirely surrounded by open space on a single parcel with no common party walls.

DWELLING, MEDIUM DENSITY. A residential building designed for or occupied by three or more families, either wholly attached or partially a part of a large detached structure with separate laundry, storage, housekeeping, and cooking for each dwelling unit. This type of dwelling units shall include townhouses, patio homes, condominiums, cooperatives, or similar units which are intended to be owner occupied.

DWELLING, MULTIPLE-FAMILY. A residential building containing three or more dwelling units with more than one unit connecting to a common corridor or entranceway and which may have some common housekeeping facilities and are available for rent.

DWELLING, SINGLE-FAMILY. A detached dwelling unit containing accommodations for and occupied by one family only.

DWELLING, TWO-FAMILY. A building designed for occupancy by two families living independently of each other.

DWELLING UNIT. A residential building or portion thereof intended for occupancy by a single family for living purposes and having its own permanently installed cooking and sanitary facilities, but not including hotels, motels, boarding or rooming houses, tourist homes, or mobile homes.

FAMILY. An individual or two or more persons related by blood, marriage, or adoption, and bona fide domestic servants, plus up to two unrelated persons, or a group of not more than three unrelated persons living together as a single housekeeping unit in a dwelling unit.

FAMILY members may enter into rental agreement(s) within the **FAMILY** unit. The definition of **FAMILY** for single-family residential purposes may be expanded to include up to four unrelated adults and up to six unrelated persons living together as a single housekeeping unit in a dwelling unit, provided that the applicant(s) be a qualified non-profit organization or a recognized governmental agency, and further provided that the applicant(s) obtain a conditional use permit in the manner provided in this code.

FLOOR AREA. The floor area of a building is the sum of the gross horizontal areas of the

several floors of the building, measured from the exterior faces of the exterior walls.

FOOT CANDLE. A unit of illumination intensity.

FRONTAGE. All the property fronting on one side of a street between the nearest intersecting streets, or between a street and a right-of-way, waterway, or other similar barrier.

GARAGE, PRIVATE. An accessory building designed and used for the storage of not more than three motor-driven vehicles and owned and used by the occupants of the building to which it is accessory.

GARAGE, PUBLIC. A building, other than a private garage, used for the care, repair, or equipment of automobiles, or where these vehicles are parked or stored for remuneration, hire, or sale within the structure.

GRADE, STREET. The elevation of the established street in front of the building measured at the center of that front. Where no **STREET GRADE** has been established, the City Engineer shall establish the **STREET GRADE** or its equivalent for the purpose of this title.

HOME OCCUPATION. Any business, occupation, profession, or commercial activity that is conducted or petitioned to be conducted from property that is zoned for residential use. General farming and gardening activities are not considered home occupations and are not regulated by this title.

HOTEL. A building occupied as the more-or-less temporary abiding place of individuals who are lodged with or without meals, in which there are more than ten sleeping rooms usually occupied singly, and no provision made for cooking in any individual room or apartment.

HOUSE TRAILER. Any trailer or semi-trailer which is not more than eight feet in width and not more than 35 feet in length, and which is designed, constructed, and equipped for use as a human dwelling place, living abode, or living quarters.

LOADING SPACE. The portion of a lot or plot designed to serve the purposes of loading and unloading all types of vehicles.

LODGING HOUSE. A building where lodging is provided for compensation to three or more persons, in contradistinction to hotels open to transients.

LOT. Land occupied or to be occupied by a building and its accessory buildings together with such open spaces as are required under this title, and having its principal frontage upon a street. The term includes the words **PLOT, PIECE, PARCEL**, and **TRACT**.

LOT, CORNER. A lot located at the intersection of two streets; or a lot bounded on two sides by a curving street, two chords of which form an angle of 120 degrees or less measured on the lot side.

LOT COVERAGE. The area of a zoning lot occupied by the principal building or buildings

and accessory buildings.

LOT DEPTH. The mean horizontal distance between the front and rear lot lines.

LOT, DOUBLE FRONTAGE. A lot having frontage on two non-intersecting streets, as distinguished from a corner lot.

LOT, INTERIOR. A lot other than a corner lot.

LOT LINE, FRONT. The boundary of a lot abutting a street. On a corner lot, the shortest street lot line shall be the **FRONT LOT LINE**.

LOT LINE, REAR. The lot line or lot lines most nearly parallel to and most remote from the front lot line.

LOT LINE, SIDE. Lot lines other than front or rear lot lines which are generally perpendicular to the front lot line.

LOT OF RECORD. A lot which is a part of a subdivision, the map of which has been recorded in the office of the Registrar of Deeds, or a lot described by metes and bounds, the deed to which has been recorded in the office of the Registrar of Deeds at the time this title is adopted.

LOT WIDTH. The horizontal distance between the side lot lines measured at right angles to the lot depth at the established front building line.

MANUFACTURED HOME. A single-family dwelling transportable in one or more sections for purposes of construction, and built in conformance with the Manufactured Home Building Code as defined in M.S. §§ 327.31 - 327.35, as they may be amended from time to time.

MAY. The act referred to is permissive.

MOBILE HOME. A transportable, single-family dwelling unit, suitable for year-round occupancy and containing the same water supply, waste disposal, and electrical conveniences as immobile housing; and being subject to tax or registration under state law; and having no foundation other than wheels, jacks, or skirtings.

MOTEL. A combination or group of two or more detached, semi-detached, or connected permanent dwellings occupying a building site integrally owned and used as a unit to furnish overnight transient living accommodations.

NON-CONFORMING BUILDING. A structure which does not comply with the district, bulk, yard, setback, or height regulations of the district in which it is located.

NON-CONFORMING LOT. A lot which does not comply with the minimum lot area or frontage requirements of the district in which it is located.

NON-CONFORMING USE OF BUILDING. A use of a building which does not conform to the applicable use regulations of the district in which it is located.

NON-CONFORMING USE OF LAND. Any use of a lot which does not conform to the applicable use regulations of the district in which it is located.

PARKING, OFF-STREET. Parking spaces which are provided on other than the public right-of-way.

PARKING SPACE. A land area of such a shape and dimension and so maintained as to be usable for the parking of a motor vehicle, and so located as to be readily accessible to a public street or alley.

PATIO HOUSE. A single-family residence constructed lot line to lot line and oriented about a central court.

PERFORMANCE STANDARD. A criterion established to control noise, odor, smoke, toxic or noxious matter, vibration, fire and explosive hazard, or glare, heat glare, heat generated by, or inherent in, uses of land or building.

PERSON. Includes a firm, association, organization, partnership, trust, company, or corporation as well as an individual.

PLANNED UNIT DEVELOPMENT. A tract of land developed as a unit rather than as individual development, wherein two or more buildings may be located in relationship to each other rather than to lot lines.

PLANNING COMMISSION. The Planning Commission of the city.

PLOT. A tract other than one unit of a recorded plat or subdivision and occupied and used or intended to be occupied and used as a building site and improved or intended to be improved by the erection thereon of a building or buildings and accessory building or buildings and having a frontage upon a public street or highway and including as a minimum those open spaces as required under this title.

PUBLIC OPEN SPACE. Any publicly owned open area, including but not limited to the following: parks, playgrounds, school sites, parkways, and streets.

PUBLIC ROAD. Any street, alley, highway, or other public thoroughfare.

PUBLIC UTILITY. Any person, firm, corporation, municipal department, or board fully authorized to furnish and furnishing under municipal regulation to the public, such services as electricity, gas, steam, communication services, telegraph services, transportation, or water.

RECREATIONAL EQUIPMENT. House trailers including those which telescope or fold down, chassis-mounted campers, house cars, motor homes, tent trailers, slip-in campers, converted buses, and converted vans.

REST HOME, CONVALESCENT HOME, or NURSING HOME. A public or private home for the care of persons, or a place of rest for those suffering bodily disorders.

SATELLITE RECEIVE-ONLY ANTENNA or SROA. An accessory structure consisting of a device commonly parabolic in shape, mounted at a fixed point and capable of receiving, for the benefit of the principal use, television signals from a transmitter or a transmitter relay located in geostationary orbit and serving the same or similar function as the common television antenna.

SETBACK. The mean horizontal distance between the property line and the line of a building or the allowable building line.

SHALL. The act referred to is mandatory and not discretionary.

SHOPPING CENTER.

- A. **COMMUNITY SHOPPING CENTER.** A retail center designed for the purpose of retailing and providing a wide range of goods and services of both the convenience and the shopper's or durable nature such as apparel, furniture, and banking and financial services for a trade area comprised of several residential areas.
- B. **NEIGHBORHOOD SHOPPING CENTER.** A retail center designed for the purpose of retailing convenience goods such as foods and drugs and providing personal services such as barber shops and laundry stations for the accommodation of the basic day-to-day shopping or service needs of persons living or working within the nearby area.

SIGN. A name, identification, description, display, illustration, or device which is affixed to or represented directly or indirectly upon a building, structure, or land in view of the general public and which directs attention to a product, place, activity, person, institution, or business.

SPORTS PERFORMANCE TRAINING CENTER. A private establishment offering individual or group athletic training programs for specific sports and athletic activities often associated with athletic organizations, sport associations, and schools, supervised by specialized coaches present for all training sessions and where tournaments and competitions may be held. The use may also include therapy by trained medical personnel to treat sports-related conditions.

STORY. The portion of a building included between the surface of any floor and the surface of the floor next above it, or, if no floor above, the space between a floor and the ceiling next above it.

STORY, HALF. A space under a sloping roof which has the line of intersection of roof decking and wall face not more than three feet above the top floor level, and in which space not more than two-thirds of the floor area is finished off for use. **A HALF STORY** containing independent apartment or living quarters shall be counted as a full story.

STREET. A thoroughfare which affords a principal means of access to abutting property and which has been accepted by the city as a public street.

STRUCTURAL ALTERATIONS. Any change in the supporting members of a building such as bearing walls, columns, beams, or girders, or any substantial changes in the roof and exterior walls.

STRUCTURE. Anything constructed or erected, the use of which requires more or less permanent location on the ground or attachment to something having a permanent location on the ground. When a **STRUCTURE** is divided into separate parts by an unpierced wall, each part shall be deemed a separate **STRUCTURE**.

SUBDIVISION REGULATIONS or **SLPC 14.** SLPC 14; the subdivision regulations of the city.

TOWNHOUSE. A single structure consisting of three or more dwelling units having the first story at or near the ground level, with one dwelling unit connected to the other dwelling unit by a single party wall with no openings.

USE. The purpose for which land or premises or a building thereon is designated, arranged, or intended, or for which it is or may be occupied or maintained.

USE, ACCESSORY. A use subordinate to the main use of a lot and used for purposes customarily incidental to those of the main use.

USED FOR. Includes the phrases **ARRANGED FOR, DESIGNATED FOR, INTENDED FOR, MAINTAINED FOR,** and **OCCUPIED FOR.**

USE, PERMITTED. A use which may lawfully be established in a particular district or districts, provided it conforms with all requirements, regulations, and performance standards of those districts.

VARIANCE. A modification or variation of the provisions of this title, as applied to a specific piece of property, except that modification in the allowable uses within a district shall not be considered a **VARIANCE**.

YARD. An open space on the same zoning lot with a building or structure, which **YARD** is unoccupied and unobstructed from its lowest level to the sky, except as otherwise permitted in this title.

YARD, FRONT. A yard extending across the front of the lot between the side yard lines and lying between the front street line of the lot and the nearest line of the building.

YARD, REAR. An open space unoccupied except for accessory buildings as regulated herein, on the same lot with a building, between the rear lines of the building and the rear line of the lot, for the full width of the lot.

YARD, SIDE. An open, unoccupied space on the same lot with a building, between the building and the side line of the lot and extending from the front lot line to the rear yard.

ZONING ADMINISTRATOR. The appointed Administrator, Clerk/Treasurer, or his/her designee.

ZONING DISTRICT. Area of the city (as defined on the **ZONING MAP**) set aside for specific uses with specific requirements for use of development.

ZONING MAP. The map or maps incorporated into this title as a part thereof, designating the various zoning districts; the City Zoning Map.

SECTION 2: AMENDMENT “16.64.040 Appendix D: Schedule Of Permitted Uses By District” of the Spring Lake Park Municipal Code is hereby *amended* as follows:

AMENDMENT

16.64.040 Appendix D: Schedule Of Permitted Uses By District

A. *Residential districts.* The following uses are allowed in the various residential districts either as permitted, accessory, conditional, or interim uses.

<i>Use</i>	<i>Details</i>	<i>District</i>		
		<i>R-1</i>	<i>R-2</i>	<i>R-3</i>
Boarding or rental of rooms	Note: family members, as defined in this title, may enter into rental agreements	C	C	C
Dwellings	Cluster developments	-	-	C
Dwellings	Medium density dwellings	-	P	P
Dwellings	Mobile homes	-	-	C
Dwellings	Multi-family dwellings over six units per building	-	-	C
Dwellings	Single-family detached dwellings	P	P	P
Dwellings	Two-family dwellings	C	P	P
Essential public service and utility structures or uses		P	P	P
Fallout shelter		A	A	A

Family daycare	Within the residence of the daycare provider	P	P	P
Home occupations	As regulated by SLPC 16.36.010	P	P	P
Living quarters of persons employed on the premises		-	-	A
Off-street parking lots or garages		-	-	A
Parks and recreation	Private owned or operated areas	C	C	C
Parks and recreation	Private recreation facilities for the enjoyment of residents and guests only	A	A	A
Parks and recreation	Public owned or operated areas	P	P	P
Places of worship	Under 30,000 square feet; includes sacred communities as regulated by SLPC 16.36.010	C	C	C
Private garage		C	C	C
Schools	Day schools or nurseries	C	C	C
Schools	Public or private	C	C	C
Small wireless facility in right-of-way, as regulated in SLPC 12.48		C	P	P
Swimming pool		A	A	A
Tool house, shed, and similar storage		A	A	A
Uses customarily incident to the permitted, conditional or interim uses allowed in the district		A	A	A
Other public or semi- public facilities		C	C	C
Key: A = accessory uses; P = permitted uses; C = conditional uses; I = interim uses				

B. *Commercial districts.*

<i>Use</i>	<i>District</i>		
	<i>C-1</i>	<i>C-2</i>	<i>C-3</i>
Accessory uses customarily incident to the permitted, conditional or interim uses allowed in the district	A	A	A
Adult daycare facilities	C	C	C
Auto and marine; sales, leasing and rental (See SLPC 11.20.040 Paragraph F,4 re: licensing and SLPC 16.36.010 Paragraph A)	-	I	-
Auto and marine; service, parts, and repair, excluding wash	C	C	-
Boarding school	C	-	-
Brewer taprooms, brew pubs and cocktail rooms	P	P	-
Cannabis; retail, compliant with SLPC 11.48.030-11.48.040	P	P	-
Commercial recreation, indoor	C	C	-
Commercial recreation, outdoor	C	C	-
Construction and/or trades sales and service shops; with storage of equipment, supplies or materials inside a building	P	P	C
Child daycare facilities (see SLPC 16.36.010 Paragraph D)	C	C	C
Dry cleaning and laundry establishments with no more than four employees for cleaning or pressing	P	P	-
Dry cleaning and laundry collection stations, and self-service	P	P	-
Electric vehicle charging station	A	A	A
Equipment rental, no outside display	P	P	C
Equipment rental, outside display	-	C	-
Essential service structures, including, but not limited to, buildings such as telephone stations, booster or pressure stations, elevated tanks, lift stations, and electric power substations	A	A	A
Event centers, night clubs, taverns	C	C	-
Farmer's market	I	I	I
Financial institutions, with no drive-up window	P	P	C
Financial institutions, with drive-up window	C	C	C

Garden centers and nurseries	-	C	-
Greenhouses, seasonal	I	I	-
Health care services; including medical, dental, optometrist, chiropractic and counseling clinics, for the diagnosis, treatment and care of patients	P	P	P
Hospitals	-	C	-
Lower potency hemp edible retailers, compliant with SLPC 11.48.030	P	P	-
Mortuaries, funeral homes, monument sales	C	P	-
Motels, hotels, or apartment hotels	C	C	-
Motor fuel stations	C	C	-
Municipal and government buildings and structures, including police, fire, library, public works garages	C	C	C
Nursing homes, memory care or retirement homes	-	-	C
Non-alcoholic beverage bottling establishment not larger than 3,000 square feet accompanied by a retail shop or store not less than 50% of the size of the bottling establishment, where bottled product is sold	P	P	C
Off-sale liquor stores	P	P	-
Off-street parking and loading as regulated in SLPC 16.40.010	A	A	A
Offices (administrative, executive, professional, governmental, medical, research); without merchandising services	P	P	P
Offices; with merchandising services	C	P	C
Outdoor seating or dining	C	C	-
Pawnshops, secondhand goods stores (excluding motor vehicles) as regulated SLPC 16.36.010 Paragraph G (see. SLPC 11.16, Pawnshops or SLPC 11.20, Secondhand Goods Dealers, for licensing	C	C	-
Personal services; barber shops, beauty/hair salons, massage therapy, shoe repair, tailoring and alterations, alterations and the like	P	P	P
Pet related care; including dog daycare, boarding, veterinary clinics and grooming, with outdoor use	C	C	-
Pet related care including dog daycare, boarding, veterinary			

clinics and grooming, with no outdoor use	P	P	-
Places of worship; religious uses	C	C	-
Plumbing and heating showrooms and shops	-	P	-
Printing, publishing, and related distribution agencies	C	C	-
Private clubs and lodges	C	C	-
Public, parochial and private schools, trade and business schools, colleges and universities	C	C	-
Research and development; including laboratories (medical, software, communications, scientific, etc)	P	P	P
Restaurants, excluding a drive-up window	P	P	-
Restaurants, including a drive-up window	C	C	-
Restaurants; with or without on-sale liquor	P	P	-
Retail uses (excluding autos, boats, and the like) such as apparel, appliances, beverage, book, carpet, drugs, floral, furniture, grocer, hardware, jewelry, paint, tobacco, sporting goods	P	P	C
Sacred communities, as regulated by SLPC 16.36.010	C	C	-
Sexually oriented businesses as defined in SLPC 11.48 and regulated in SLPC 16.36.010 Paragraph H	C	-	-
Signs as regulated by SLPC 16	A	A	A
Small wireless facility in right-of-way, as regulated in SLPC 12.48	P	P	P
Studios; artistic, music, photo, decorating, dancing, health, and the like	C	C	-
Tattoo and body piercing	P	P	-
Theaters (indoor only)	P	P	-
Key: A= accessory uses; P = permitted uses; C = conditional uses; I = interim uses			

- C. *Light industrial district.* Conditional uses in this paragraph shall be governed by the criteria enumerated in SLPC 16.56, relating to conditional uses. Interim uses in this paragraph shall be governed by criteria enumerated in SLPC 16.58, relating to interim uses.

<i>Uses in I-1</i>	<i>Category</i>
Automobile sales; indoor (Refer to SLPC 11.20.040 Paragraph	I

F,4 and SLPC 16.36.010 Paragraph A	
Bottling establishments	C
Brewing taprooms and cocktail rooms	P
Building material sales and storage	P
Camera and photographic supplies manufacturing	P
Cannabis; state licensed businesses with no retail	P
Cartage and freight terminals	C
Cartography, technical drawing or drafting and book binding	P
Cleaning and maintenance services; carpet, laundry, furniture, upholstery, appliances, and the like	C
Commercial dog kennel; with or without dwelling for night watchperson	C
Construction trades	P
Data center	P
Dry cleaning and laundry establishments	P
Electrical service shops	P
Engraving, printing, and publishing	P
Governmental and public utility buildings and structures	P
Hemp manufacture	P
Jewelry manufacture	P
Light manufacturing	P
Machine shop	P
Off-street parking and loading as regulated by SLPC 16.40.010	A
Offices, office buildings	P
Packaging/processing food products	C
Parcel delivery services	P
Pharmaceutical/medical device manufacturing	P
Product distribution center	P
Research and development; including laboratories	P
Retail and service establishments essential to the operation of an I-1 district and providing goods and services primarily for the	C

use of persons employed in the district	
Signs as regulated by SLPC Ch.16	A
Small wireless facility in right-of-way, as regulated in SLPC 12.48	P
<u>Sports performance training center, as regulated by SLPC 16.36.010, Paragraph N</u>	<u>C</u>
Storage, enclosed rental	C
Vehicle repair and maintenance, including vehicle wrapping, detailing and window treatment	C
Warehousing, wholesaling or distribution business	P
Woodworking shop	P
Any manufacturing, production, processing, cleaning, storage, servicing, repair, and testing of materials, goods, or products similar to the permitted uses (P) listed above which conform with the performance standards	C
All uses customarily incident to the permitted (P), conditional (C) or interim (I) uses above	A
Key: A= accessory uses; P = permitted uses; C = conditional uses; I = interim uses	

SECTION 3: AMENDMENT “16.36.010 Specific Development Standards”
of the Spring Lake Park Municipal Code is hereby *amended* as follows:

A M E N D M E N T

16.36.010 Specific Development Standards

The purpose of this section is to establish specific development standards to provide supplemental regulations to address the unique characteristics of specific uses.

A. Auto and marine; sales, leasing and rental.

1. The use shall be served by a major collector or higher classification of roadway.
2. An open-ai red used auto and marine sales or rental lot as a stand-alone business is prohibited.
3. Used automobiles may be sold or rented as a stand-alone business if the used vehicles and associated business are contained within a building.
4. Used automobiles may not be sold accessory to businesses other than new car

dealerships. Outdoor vehicle display for used vehicles shall be limited to 30% of the total outdoor display area for a new car dealership. The display area shall be defined as the total number of parking spaces devoted to the sale of new vehicles only, not including the required off-street parking spaces needed for the public and employees.

5. Outdoor vehicle display areas within the public right-of-way are prohibited.
6. All areas on which motor vehicles are stored or displayed must be paved with concrete or a bituminous surface. No display, sale or storage of automobiles or other vehicles are permitted on landscaped areas.
7. Outdoor vehicle display shall be in an orderly fashion, with access aisles provided as needed. Outdoor vehicle display shall not reduce the amount of off-street parking provided on-site, below the level required for the principal use. The outdoor storage of inoperable, junk vehicles and vehicles with expired tabs is prohibited.
8. Music or amplified sounds shall not be audible from adjacent residential properties.
9. An appropriate transition area between the use and adjacent property shall be provided by landscaping, screening or other site improvements consistent with the character of the neighborhood.
10. Fuel pumps for the purpose of retail sale and dispensing of fuel to the general public shall be prohibited. If the use included dispensing of fuel for automobiles maintained on-site, the use shall employ best management practices regarding the venting of odors, gas and fumes. Such vents shall be directed away from residential uses. All storage tanks shall be equipped with vapor-tight fittings to eliminate the escape of gas vapors.

B. Auto and marine; service and repair.

1. All vehicles waiting for repair or pick-up shall be stored within an enclosed building or in designated off-street parking spaces.
2. All work shall be performed within a completely enclosed building.
3. All vehicles parked or stored on site shall display a current license plate with a current license tab. Outside storage of automobile parts or storage of inoperable or salvage vehicles shall be prohibited.
4. The sale of vehicles shall be prohibited, unless permitted by this title or allowed by conditional use.
5. The use shall employ best management practices regarding the venting of odors, gas and fumes. Such vents shall be located a minimum of ten feet above grade and shall be directed away from residential uses. All storage tanks shall be equipped with vapor tight fittings to eliminate the escape of gas vapors.
6. Any automobile service station activities shall be subject to the applicable standards for automobile convenience facilities.

C. Car wash.

1. Water from the car wash shall not drain across any sidewalk or into any public right-of-way.
2. Vacuum facilities shall be located in an enclosed structure or located at least 50

feet from any residential property line to avoid noise impacts.

3. The premises, all adjacent streets, sidewalks and alleys and all sidewalks and alleys within 100 feet of the use shall be inspected regularly for the purposes of removing litter found thereon.

D. Child daycare center.

1. The building and any exterior fenced areas shall meet the setback requirements for a principal structure in the zoning district in which the use is located.
2. The play area shall be located away from the main entrance to the daycare facility and shall be contained with a fence at least five feet in height.
3. At least 50 square feet of outside play area shall be provided for each child under care. .
4. The use shall provide a designated area for the short-term parking of vehicles engaged in loading and unloading of children under care. The designated area shall be located as close as practical to the principal entrance of the building and shall be connected to the building by a sidewalk.
5. The facility shall meet all applicable building and fire codes and be licensed as required by the State of Minnesota.

E. Drive-in restaurants.

1. The site shall accommodate vehicle stacking in accordance with the provisions of this title.
2. Any speaker system shall not be audible from any residentially zoned property or any residential use.

F. Home occupations.

1. No home occupation shall require internal or external alterations or involve construction features not customarily found in dwellings except where required to comply with local and state fire and police recommendations.
2. Conduct of the home occupation does not generate more noise, vibration, glare, fumes, odors, or electrical interference than normally associated with residential occupancy in the neighborhood.
3. The home occupation is not of a scale requiring the use of a commercial vehicle for the delivery of materials to or from the premises.
4. The home occupation may increase vehicular traffic flow and parking by no more than one additional vehicle at a time and any need for parking generated by the conduct of a home occupation shall be met off the street, other than in a required front yard.
5. No outdoor display of goods or outside storage of equipment or materials shall be permitted.
6. Home occupations shall not include employment of persons not residing on the premises.
7. The area used for the home occupation may not exceed 25% of the total floor area of the dwelling.
8. Home occupations may have one wall sign per dwelling not exceeding one square foot in area.

G. Pawnshop.

1. The use shall be located at least 3,000 feet from all existing pawnshops, currency exchanges, consignment/secondhand stores and precious metal dealerships.
2. The window and door area of any existing first floor facade along a public street or sidewalk shall not be reduced, nor shall changes be made to such windows or doors that block views into and out of the building at eye level.
3. The use of bars, chains or similar security devices that are visible from a public street or sidewalk shall be prohibited.
4. All receipt, sorting and processing of goods shall occur within a completely enclosed building.
5. The premises, all adjacent streets, sidewalks and alleys, and all sidewalks and alleys within 100 feet of the use shall be inspected regularly for the purposes of removing litter found thereon.

H. *Sexually-oriented businesses.*

1. Conditions outlined in SLPC 11.44.040, Conditional Use Permit Required; Conditions, in SLPC 11.44, Sexually Oriented Businesses, as may be amended from time to time, are adopted by reference.
2. The use shall be located at least 1,000 feet from any other adult entertainment use.
3. Activities classified as obscene as defined by M.S. § 617.241, or successor statute, are prohibited.
4. No more than one adult entertainment use shall be located on the property.
5. Sign messages shall be generic in nature and shall only identify the type of business which is being conducted. Signs shall not contain material classified as advertising.

I. *Boarding school.*

1. Dormitory must be supervised by adult staff members whenever students are present.
2. Dormitory must have sufficient personal space for students to sleep in and store their belongings, with suitable furniture of sufficient size for the number of students, as well as appropriate separation between gender and age groups.
3. In addition to sleeping rooms, dormitory must include provision of support spaces (e.g. living room, activity room, study rooms, storage, laundry, kitchen/dining area, bathrooms, etc.).
4. Dormitory must have bathroom and washing facilities that ensure maximum privacy of students, as well as personal hygiene. Bathrooms, showers and toilets must be designed in such a way that staff is able to open them from the outside in case of an emergency.
5. Dormitory must provide a space for health care, such as sick rooms/bays with an appropriate first aid kit.

J. *Liquor establishments; places of worship, schools.*

1. No on-sale or off-sale liquor establishment shall be located within 500 feet of a school or place of worship, consistent with SLPC 11.08.010 Paragraph Q, as amended from time to time.
2. No place of worship or school shall be located within 500 feet of an on-sale or

off-sale liquor establishment licensed by the city. A place of worship or school located within 500 feet of an on-sale or off-sale liquor establishment prior to the effective date of this section shall be considered a legal, non-conforming use.

K. *Bulk deicer storage facilities.*

1. *Applicability.* The following sections apply to all indoor and outdoor bulk deicer storage facilities (temporary and permanent) including salt piles, salt bag storage, sand piles and other storage of deicing materials.
2. *General Requirements.*
 - a. Indoor operations for the storage of deicing materials must be provided wherever possible in order to prevent such materials from being affected by rain, snow and melt water.
 - b. All salt, sand and other deicing materials stored outdoors must be covered at all times.
 - (1) When not using a permanent roof, a waterproof impermeable, flexible cover must be placed over all storage piles. The cover must prevent runoff and leachate from being generated by the outdoor storage piles. The cover must be secured to prevent removal by wind or other storm events. Piles must be formed in a conical shape and covered as necessary to prevent leaching.
 - (2) Any roof leaks, tears or damage should be temporarily repaired during winter to reduce the entrance of precipitation. Permanent repairs must be completed prior to the next winter season.
 - (3) Facility siting.
 - (A) The facility must be in close proximity to the area in which the deicing materials are to be used, if practical.
 - (B) Each facility must be located outside of floodplains and 100 feet from lakes, rivers, streams, ditches, storm drains, manholes, catch basins, wetlands and any other areas likely to absorb runoff. A facility must not be located in close proximity to surface water features, water supplies, wells or drywells.
 - (C) A facility must be located on impermeable surfaces.
 - (D) Salt vulnerable/intolerant natural areas should be avoided as storage facilities to the extent possible. Where they cannot be avoided, specific measures as identified by the City Engineer shall be instituted to protect vulnerable areas.
 - (4) *Transfer of materials.* Practices must be implemented in order to reduce exposure (e.g. sweeping, diversions, and/or containment) when transferring salt or other deicing materials.

- (5) *Snow piles.* Snow piles must be located downslope from salt and deicer storage areas to prevent the snow melt from flowing through storage areas and carrying material to the nearest drainage system or waterway.

L. *Sacred communities.*

1. *Definitions.* All definitions under M.S. § 327.30, subd. 1, as amended from time to time, are hereby adopted by reference.
2. *General Requirements.*
 - a. All Sacred Communities must have a Conditional Use Permit prior to commencement of use.
 - b. All Sacred Communities must comply with all requirements of M.S. § 327.30, as amended from time to time, and such requirements are hereby adopted by reference.
 - c. Appropriate insurance coverage for the religious institution and all proposed uses must be obtained and proof provided to the City prior to the commencement of the use.
 - d. Between one-third (1/3) and forty percent (40%) of the micro units must be occupied by volunteers.
 - e. All units must be connected to electric service.
 - f. All units must be less than four hundred (400) square feet and be built on a permanent chassis and anchored to pin foundations with engineered fasteners.
 - g. Prior to commencement of use, all Sacred Communities must provide the City with a written and sufficiently detailed plan, approved by the religious institution's governing board, that outlines the following:
 - (1) disposal of water and sewage from micro units if not plumbed;
 - (2) adequate parking, lighting, and access to units by emergency vehicles;
 - (3) protocols for security and address conduct within the settlement; and
 - (4) safety protocols for severe weather.
 - h. Units must be built in accordance with the American National Standards Institute (ANSI) Code 119.5, as amended from time to time, which includes standards for heating, electrical systems, and fire and life safety.
 - i. Compliance with all setback requirements consistent with manufactured homes per SLPC 16.64.050 and SLPC 15.08 and must be placed in the least conspicuous feasible location as determined by the Zoning Administrator, including not being placed in easements, sight triangles or in parking spaces otherwise required for the site.
 - j. Must be placed on the primary site of the religious institution's worship location or on property directly contiguous to the primary site.
 - k. A Sacred Community must provide an annual certification that

residents of the micro units meet the eligibility requirements as designated volunteers, chronically homeless individuals, or individual with extremely low income and at the occupancy levels required by state law and City Code.

- l. No Sacred Community occupant, unit or site may create a public nuisance of any type as outlined in City Code.
- m. All units must either be connected to City services and provide the following services in-unit; or have twenty four (24) hour access to shared facilities connected to City services: kitchens, laundry, toilet, and bathing facilities. Shared facilities must be within 100 feet door to door of all units. The required number of these facilities shall be regulated by M.R., part 1305.2902, as amended from time to time. No individual unit or shared facility may be connected to a septic system or holding tank.
- n. Placement of Sacred Communities must not cause the site to become noncompliant with any City Code.
- o. All access paths to units, entrances to units and common facilities must be well lit at all times.
- p. All units must be clad in a material which is compliant with the City's residential exterior material codes.
- q. One (1) parking space per volunteer unit shall be provided on site and may not make the remainder of the site non-compliant with parking requirements of this Code.
- r. Applicants and permit holders shall make all units and facilities within a Sacred Community available and accessible to the City at all reasonable times for inspection to ensure compliance with the terms of this Section. A permit may be denied, suspended or revoked by the City Council due to non-compliance with this Section. In the event of non-compliance, the City shall notify the permit holder of the violation and provide reasonable opportunity to cure. If the violation is not promptly addressed, the matter shall be presented to the City Council for potential action on the permit and the permit holder shall be notified. The permit holder shall have an opportunity to present any relevant evidence at a hearing before the City Council, prior to any action being taken on the permit by the City Council. The Building Official shall also have authority to temporarily and immediately suspend a permit to address an emergency situation. In such event, the action of the Building Official on the permit shall be promptly reviewed by the City Council.

M. Cannabis and Hemp Business Activities

1. Cannabis retail establishments can only operate between the hours of 8:00 am and 10:00 pm, Monday through Saturday and 10:00am and 10:00pm, Sunday.
2. Establishments must implement comprehensive security measures, including but not limited to:

- a. Security cameras covering all areas of the premises, both interior and exterior.
 - b. Alarm system monitored 24 hours per day, 7 days per week by a licensed security company.
 - c. Secure storage areas for all cannabis products.
 - d. Documented emergency response measures for incidents such as theft, fire and other emergencies.
3. Adequate ventilation systems must be installed to ensure no odor is detectable from the exterior of the building or from adjacent properties.
 4. Establishments must have a plan for the disposal of cannabis waste that complies with state regulations and prevents access by unauthorized individuals.
 5. The operation of a cannabis business is prohibited within 500 feet of a school, or 500 feet of a day care, residential treatment facility, or an attraction within a public park that is regularly used by minors, including a playground or athletic field.
 6. All signage must comply with SLPC 16.24 and must not depict cannabis leaves, use slang terms for cannabis, or appeal to minors.

N. Sports Performance Training Centers

1. Parking for all activities on site must be accommodated with off-street parking on the building site or via a joint parking agreement.
2. All signage must meet the requirements of this title.
3. If the facility is located in an existing multi-tenant building, off-street parking and loading must be provided for all tenant uses as required by this title.
4. Customer parking and pedestrian access to the building must not interfere with off-street loading or large truck maneuvering on the site.
5. The Building Official shall determine whether the proposed use requires building modifications to comply with health and safety code. All required modifications shall be completed at the expense of the property owner or tenant.

The Administrator, Clerk/Treasurer shall have the ordinance amendments codified into the City Code.

EFFECTIVE DATE. This Ordinance shall be in full force and effect upon adoption and publication.

PASSED AND ADOPTED BY THE SPRING LAKE PARK COUNCIL

_____.

	AYE	NAY	ABSENT	ABSTAIN
Councilmember Wendling	_____	_____	_____	_____
Councilmember Goodboe-Bisschoff	_____	_____	_____	_____
Councilmember Dircks	_____	_____	_____	_____
Councilmember Moran	_____	_____	_____	_____
Mayor Nelson	_____	_____	_____	_____

Presiding Officer

Attest

Robert Nelson, Mayor, Spring Lake
Park

Daniel R. Buchholtz, Administrator,
Clerk/Treasurer, Spring Lake Park