

10-22-14 P.

**Property line:** A boundary line of any lot held in single or separate ownership except that where any portion of the lot extends into the abutting street or alley, the lot line shall be deemed to be the street or alley right-of-way.

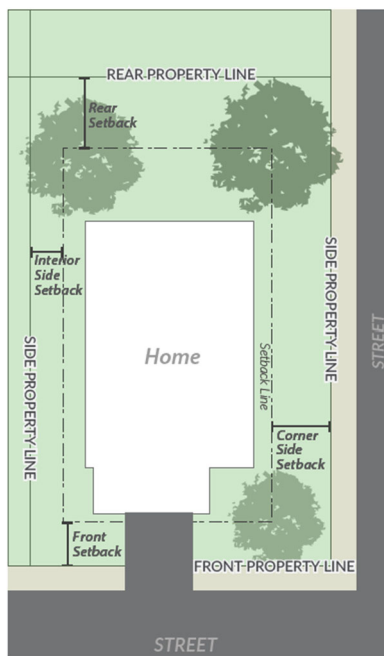
**Property line, front:** The property line which is along an existing or dedicated street. In the case of a corner lot, the front lot line shall be the shortest dimension along a public street or as designated by the Zoning Administrator based on the practical front yard of the property as determined by such factors as the existing or proposed building configuration of the property and taking into consideration the characteristics of surrounding properties. separating a lot from the street right-of-way along the lot frontage.

**Property line, rear:** The property line opposite and most distant from the front property line. lot frontage which connects the side property lines. If the rear property line is less than 10 feet in length or if the lot forms a point at the rear, the rear property line shall be deemed to be a line 10 feet in length within the lot, parallel to and at the maximum distance from the front property line.

**Property line, side:** Any boundary of a lot which is not a front or rear property line. Property lines extending away from the lot frontage, which connects the front and rear property lines.

10-22-16 S.

**Setback:** The required minimum horizontal distance between a structure and property lot line, ordinary high-water mark, top of bluff, street, or right-of-way easement. Distances are to be measured from the most outwardly extended portion of the structure at ground level, except as provided hereinafter.



**Setback, bluff:** The minimum horizontal distance between a structure and the top of bluff line.

~~**Setback, front:** The minimum horizontal distance between a structure and the front property line.~~

~~**Setback, ordinary high water level (OHW):** The minimum horizontal distance between a structure and the Ordinary High Water mark.~~

**Setback, perimeter:** The minimum horizontal distance between structure(s) and the most exterior property lines of a PUD or similarly planned development regardless of the existence of lot divisions within the development itself.

~~**Setback, rear:** The minimum horizontal distance between a structure and the rear property line.~~

~~**Setback, side:** The minimum horizontal distance between a structure and the side property line.~~

## 10-22-21 Y.

**Yard:** An open space at grade between a building and the adjoining lot lines, unoccupied and unobstructed by any portion of a structure from the ground upward, except as otherwise provided herein. In measuring a yard for the purpose of determining the width of a side yard, the depth of a front yard, or the depth of the rear yard, the minimum horizontal distance between the lot line and the main building shall be used.

**Yard, front:** The area extending along the full ~~width~~<sup>length</sup> of the lot lying between the front property line and the nearest line of the principal building. ~~a front lot line between side lot lines and to the depth required in the yard regulations for the district in which it is located. In the case of a corner lot abutting one or more streets, both yards shall be considered front yards.~~

**Yard, rear:** A yard extending across the full width of the lot lying between the rear ~~property~~<sup>lot</sup> line of the lot and the nearest line of the principal building.

**Yard, required:** That distance specified in the yard requirements pertaining to setbacks. Setbacks and required yards are used interchangeably.

**Yard, side:** A yard between the side ~~property~~<sup>lot</sup> line ~~of the lot~~ and the nearest line of the principal building and extending from the front yard to the rear yard.

## 10-23-11 L.

**Lower potency hemp edible wholesale:** A business licensed to purchase and sell lower-potency hemp edible products to and from other licensed cannabis and hemp businesses. These businesses may also import and export lower-potency hemp edibles.

## 10-44-02 Uses

A. Table 10-44-1 Principal Use Table – Business and Industrial Districts:

Use Type	Zoning District				
	B-1	B-2	BPK	I-1	I-2
<b>Industrial</b>					
Brewery, winery, or distillery	PS	PS	PS	PS	
Cannabis delivery				P	
Cannabis and hemp manufacturing			P	P	
Cannabis transportation				P	
Cannabis wholesale			P	P	
Construction contractor yard				P	
<a href="#">Lower potency hemp edible wholesale</a>			<u>P</u>	<u>P</u>	
Makespace or studio			PS		
Manufacturing, heavy				PS	
Manufacturing, light			P	P	
Manufacturing, storage, and testing of explosives and component parts of instruments used therewith, along with the installation and use of all equipment and buildings necessary therefore, all subject to state and federal regulations pertaining thereto					P
Mining, sand, and gravel extraction					I
Open or outdoor service, sale, or rental				C	
Open and outdoor storage				C	
Scrap or salvage yard				C	
Self-storage facility				C	
Storage and sale of machinery and equipment			C	P	
Storage, utilization, or manufacture of materials or products which could decompose by demolition; refuse and garbage disposal; crude oil; bulk fuel; gasoline, or other liquid storage				C	
Warehouse facility			P	P	
Wholesale establishment			P	P	

## 10-53-08 Landscape Alterations

A. Landscape Alterations. [The landscape alteration provisions established in Minnesota Rules, Pt. 6105.0150 and in this Section shall apply to the following lands:](#)

1. [Lands in the rural Rum River Management District located within 150 feet of the normal high water mark and ~~lands~~ 30 feet landward of the bluffline ~~shall follow the landscape alterations provisions in Minnesota Rules, Pt. 6105.0150.~~](#)
- ~~1.2.~~ [Lands in the urban Rum River Management District located within the required setbacks for the Urban Overlay District established in Section 10-53-06 Land Use District Provisions.](#)

## 10-63-03 Cannabis Retail

- B. Minimum distance requirements.
  - 1. The City of St. Francis shall prohibit the operation of a cannabis retail business within a door-to-door span of:
    - a. 1,000 feet of a K-12 school
    - b. 500 feet of a ~~day-care~~child care center
    - c. 500 feet of a residential treatment facility
    - d. 500 feet of an attraction within a public park that is regularly used by minors, including a playground or athletic field.
  - 2. Pursuant to Minn. Stat. § 462.367 subd. 14, nothing in provision A.1 above shall prohibit an active cannabis retail business or a cannabis retail business seeking registration from continuing operation at the same site if a school, daycare, residential treatment facility, or attraction within a public park that is regularly used by minors moves within the minimum buffer zone.
- C. Hours of operation. Cannabis businesses are limited to retail sale of cannabis, cannabis flower, cannabis products, lower-potency hemp edibles, or hemp-derived consumer products between the hours of 8:00 a.m. and 10:00 p.m. Monday through Saturday and 10:00 a.m. to 9:00 p.m. on Sunday.

## 10-68-04 Accessory ~~Structure~~Building

- A. Application. Any accessory structure which requires a building permit or which is 30 inches or more in height shall be subject to setback, floor area and other requirements of this Section.
- B. Time of construction. No detached accessory building ~~or structure~~ shall be constructed on any lot prior to the time of construction of the principal building to which it is accessory.
- C. Building permits.
  - 1. Detached accessory buildings not exceeding 200 square feet in floor area shall be allowed without issuance of a building permit, ~~but shall obtain a zoning permit and comply with all other provisions of this Ordinance.~~
  - 2. Detached accessory buildings 200 square feet or greater in floor area shall require a building permit. The Building Official shall review the site plan and construction drawings to determine compliance with the Building Code and other applicable ordinances, laws, and regulations.
  - 3. In conjunction with the issuance of a building permit for a detached accessory ~~structure~~building in the Rural Service Area, the property owner shall execute a home occupation awareness form. Said form shall certify that the detached accessory ~~structure~~building and the premises on which it is located, will not be used for the purposes of a Home Occupation without first obtaining the required approvals.
- D. Schools in any district shall follow the standards listed in this Section for accessory ~~structures~~buildings, except for the following:
  - 1. Exterior building standards in provision E below; and
  - 2. Area, number, and height limitations listed in provision F.1 and 2 below.
- E. Exterior building standards. Architectural details of accessory buildings are to be the same or similar to the principal building based upon (but not limited to) the following criteria:
  - 1. Scale and detailing.

2. Roof pitch orientation and slope.
  3. Overhang depth and details.
  4. Window and exterior door proportion and types.
  5. Building material. Detached accessory structures in the Rural Service Area may, however, be finished with baked enamel siding.
  6. Exterior color.
- F. Area, number and height limitations. Accessory ~~structures~~ buildings shall comply with the following area, number and height limitations:
1. Rural Service Area.

- a. Attached accessory ~~structures~~ buildings shall not exceed 840 square feet in size, except that the maximum square footage can be increased, provided that the accessory structure size does not exceed 80 percent of the above-ground square footage of the principal ~~structure~~ building.
- b. All new and relocated residential homes shall be constructed with an accessory building ~~structure~~ or garage meeting the minimum standards required in Section 10-72-09 Parking Supply Requirements. Said accessory ~~structure~~ building shall have a minimum floor area of at least 440 square feet.
- c. Detached accessory ~~structures~~ buildings shall be limited as follows:

Lot Size	Accessory <u>Building</u> <del>Structure</del> Limits	
Less than 1 acre	Total detached square footage	600 SF
	Maximum number of detached buildings	1
	NO POLE BUILDINGS ALLOWED	
	Maximum sidewall height	10 feet
1 acre but less than 2.5 acres	Total detached square footage	1,200 SF
	Maximum number of detached buildings	1
	POLE BUILDINGS ALLOWED	
	Maximum sidewall height	12 feet
2.5 acres but less than 5 acres	Total detached square footage	2,500 SF
	Maximum number of detached buildings	2
	POLE BUILDINGS ALLOWED	
	Maximum sidewall height	14 feet
5 acres but less than 10 acres	Total detached square footage	4,000 SF
	Maximum number of detached buildings	2
	POLE BUILDINGS ALLOWED	
	Maximum sidewall height	16 feet
10 acres and larger	Total detached square footage	5,000 SF
	Maximum number of detached buildings	2
	POLE BUILDINGS ALLOWED	
	Maximum sidewall height	18 feet

2. Urban Service Area.

- a. Attached and detached private residential garages shall not exceed 840 square feet in size, except that the minimum square footage can be increased to 1,200 square feet, provided that the accessory ~~garage~~~~structure~~ does not exceed 80 percent of the above-ground square footage of the principal ~~structure~~~~building~~.
- b. All new and relocated residential homes shall be constructed with an accessory ~~structure~~~~building~~ or garage meeting the minimum standards required in Section 10-72-09 Parking Supply Requirements. For one- and two-unit dwelling units, said accessory ~~structure~~~~building~~ shall have a minimum floor area of at least 440 square feet.
- c. Residential properties within the Urban Service Area may have one (1) detached accessory ~~building~~~~structure~~ in addition to a private residential garage. The ~~building~~~~structure~~ shall not ~~to~~-exceed 250 square feet in size. On properties that have ~~no less than at least~~ one half (½) acre of buildable land, the detached accessory ~~building~~~~structure~~, may be up to 500 square feet in size ~~and 16 feet in height. This second detached accessory building shall not exceed 16 feet in height.~~
- d. Residential properties with detached accessory ~~structures~~~~buildings~~ that subsequently construct an attached accessory ~~structure~~~~building~~, shall deduct the square footage of the detached ~~structure~~~~building~~ from the allowable square footage.
- e. No accessory buildings shall be allowed on non-residential property in the urban service area.
- f. Unless otherwise permitted, all detached accessory buildings shall not exceed 20 feet in height or the height of the principal structure, whichever is less.

3. General Standards and Conditions, All Districts.

- a. PUD Districts in rural areas: Total accessory ~~building~~~~structure~~ square footage shall not exceed 1,200 square feet per lot or as otherwise identified in the Development Agreement.
- b. Temporary, hoop, carport, tarpaulin or similar types of non-permanent ~~building~~~~structures~~ are not permitted.
- c. Semi-trailers, truck boxes, rail boxes, box cars, and similar are prohibited.
- d. Moving storage containers, Portable on demand storage (PODS) units or similar type units may be allowed with city approval for up to 30 days within an 18-month period.
- e. No ~~buildings~~~~structures~~ shall be located within a drainage, utility or any other publicly owned easement.

G. Setbacks.

1. Attached Buildings/Garages. An attached garage or accessory ~~structure~~~~building~~ shall be considered an integral part of the principal building and shall conform to district setback requirements.
2. Detached Buildings:

- a. Any detached accessory building shall be set back at least 10 feet from any principal structure or other detached accessory buildings on the same parcel.
- b. Rural Service Area:
  - i. Lots Less Than One (1) Acre. Twenty-five (25) feet from the side and rear property lines.
  - ii. Lots One (1) Acre and Larger. Twenty-five (25) feet from the side and rear property lines.
  - iii. All detached accessory buildingsstructures in the Rural Service Area shall be placed no closer to the front property line than the principal buildingstructure, except when the principal buildingstructure has a front yard setback of at least 150 feet. In that case, the detached accessory buildingstructure may be located closer to the front property line than the principal buildingstructure, but shall maintain at least a 75 foot front yard setback off a City street and a 100 foot front yard setback off of a County or State road.
- c. Urban Service Area:
  - iv. All Lots. No accessory building shall be located in front of the principal structurebuilding. Accessory buildings must maintain setbacks of five (5) feet from the side property line and 10 feet from the rear property line.
  - v. Street Side Yard. Detached accessory buildingsstructures shall be located no closer than 20 feet from a street side yard on corner lots, provided the buildingstructure does not have access to the public right-of-way on the side yard.

## 10-72-02 Application of Off-Street Parking Regulations

The regulations and requirements set forth in this Ordinance shall apply to the required and non-required off-street parking facilities in all use districts.

- A. Truck Parking. It is unlawful to park a truck (other than a truck of 12,000 gross vehicle rated weight or less), a truck tractor, semi-trailer, bus, construction equipment, construction trailers, or manufactured home within residential districts (RR, R1, R2, and R3) of the City that are zoned and/or used for residential purposes, except for the purpose of loading or unloading the same, and then only during such time as is reasonably necessary for such activity.
- B. Parking in Residential Districts. It is unlawful to park a vehicle in the yard of any property in the RR, R1, R2, and R3 Districts except on parking surface adjacent to a driveway. In the RR district, an approved parking surface is required. In the R1, R2, or R3 districts, the parking surface shall be constructed of bituminous, concrete, or pavers. Such parking pads shall be considered an expansion of a driveway and require the issuance of a driveway permit pursuant to Section 10-72-11. Properties in the RR district may receive a waiver from the surfacing requirements as stated in Section 10-72-11.

## 10-72-11 Residential Driveway Performance Standards

- A. All lots or parcels shall have direct adequate physical access for emergency vehicles along the frontage of the lot or parcel from either an existing dedicated public roadway, or an existing private roadway approved by the City.
- B. Permit Required. All proposed driveway and private drive connections to a City street shall require a permit.
- ~~B.C.~~ Driveways that access roads that have a paved surface shall be surfaced with bituminous, concrete pavement, concrete pavers, or other similar material as approved by the Zoning Administrator and shall extend from the existing paved surface to the principal structure in the urban service area, or a minimum of fifty (50) feet in the rural service district, unless a longer length is needed to control erosion.
- ~~C.D.~~ Controlling Erosion. All driveways shall be constructed in a manner which controls erosion. Driveways with moderate slopes (greater than 4%) which drain towards a paved street shall extend the bituminous, concrete pavement, concrete pavers or other similar hard surface to the crest of the hill. Drainage swales shall be utilized adjacent to the driving surface to control stormwater runoff.
- ~~D.E.~~ Driveways that access roads that have a gravel surface shall meet the rural driveway standard set forth herein. Driveways shall be constructed to minimize erosion by utilizing drainage swales adjacent to the driving surface to control stormwater runoff.
- ~~E.F.~~ No residential driveway shall be less than ten (10) feet in width or exceed twenty-four (24) feet in width at the point where it adjoins the street. The driveway shall not exceed a width of twenty-four (24) feet for a distance of at least five (5) feet behind the street, at which point the driveway may exceed twenty-four (24) feet in width.
- ~~F.G.~~ Number allowed. Residential lots within the urban service district shall be limited to one driveway access to a public street. Residential lots within the rural service area may have two driveway accesses, provided that the driveways have at least one hundred (100) foot separation and the secondary driveway is intended to serve an accessory structure.
- ~~G.H.~~ Secondary driveways which access paved roads shall be surfaced with bituminous, concrete, or pavers from the edge of the constructed public roadway to the property line, at minimum. All other rural driveway standards shall be met.
- ~~H.I.~~ Driveways of any type surface shall maintain at least a three-foot side yard adjacent property lines in residential districts.
- ~~I.J.~~ Two single family residences may share a driveway provided both parcels have adequate frontage, easements are recorded, both property owners agree to maintenance and dissolution agreements, and the driveway meets the minimum fire and safety standards. No more than two single family residences may share a driveway. For the purposes of setbacks, the two parcels shall be counted as one, while the agreement is in effect.
- ~~J.K.~~ No residential driveway access shall be allowed onto a designated collector or arterial street, unless the Planning and Zoning Commission finds that no other practical alternative exists and the Council approves said access.
- ~~K.L.~~ No driveway shall obstruct drainage utility access, or impair public safety. When necessary, the lot owner shall install a culvert of adequate size and type, as determined by the City Engineer.
- ~~L.M.~~ Driveways shall not have a slope of greater than ten (10) percent.



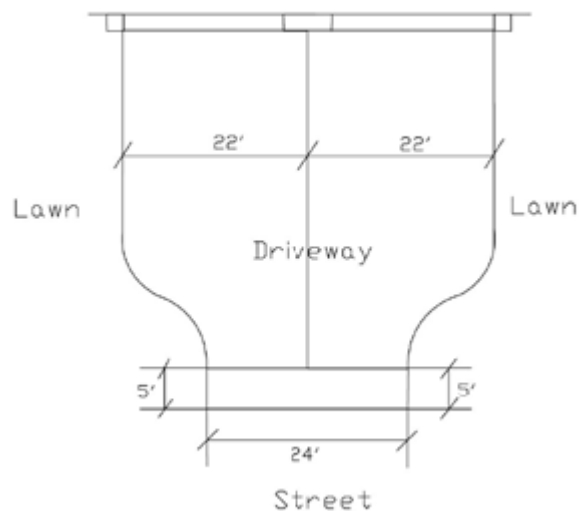
M.N. Rural Driveway Standard. Driveways shall be of a design that will provide reasonable access for emergency service vehicles and meet all fire and public safety standards. At a minimum, the driveway shall have at least a 10 foot wide driving surface with a driveway base that is suitable to support the City's largest piece of firefighting apparatus. Gravel driveways in the rural service district shall have a minimum class 5 aggregate thickness of eight (8) inches compacted. Obstructions adjacent to and directly over the driveway, including, but not limited to; tree branches, shrubs, landscaping materials, etc. shall be removed to provide a fourteen (14) feet clear height.

N.O. The property owner shall be responsible for the maintenance in safe condition of all driveways leading to his or her property, including the portions of sidewalks used as part of said driveways.

O.P. In lieu of two separate townhome driveways, one shared driveway may be utilized subject to the following conditions:

1. The shared driveway shall not exceed twenty-four (24) feet in width at the point it adjoins the street.
2. Townhome driveways shall be required and maintained by a property owner association.

Figure 10-72-2 Driveway Standards



P.Q. Town homes and multi-family dwellings under the ownership and/or control of a property owner association shall be maintained, repaired, and replaced under the cost of property owner association. Said association shall maintain a capital improvement program for the driveways under its ownership.

Q.R. Financial Surety. Driveways that will exceed 600 feet in length and are not combined with another permit (i.e., principal structure) will require a financial surety in the amount 150% of the estimated construction cost in the form of a cash escrow or Irrevocable Letter of Credit in a form as approved by the City Attorney.

## 10-82-09 Securities

The applicant shall provide security for the performance of the work described and delineated on the approved grading plan involving the Stormwater Pollution Prevention Plan related remedial work as

listed in the City's fee schedule. This security must be available prior to commencing the project. The form of the securities must be;

- A. Currency. The ~~first \$10,000 (in U.S. currency) or 15 percent, whichever is greater, of this financial security must be by cash deposit to the City~~ financial security shall be provided as a letter of credit in a form approved by the City Attorney.
- B. Deposit. Deposit, either with the City, a responsible escrow agent, or trust company, at the option of the City, money, negotiable bonds of the kind approved for securing deposits of public money or other instruments of credit from one or more financial institutions, subject to regulation by the state and federal government wherein said financial institution pledges that the funds are on deposit and guaranteed for payment. The type of security must be of a type acceptable to the City.
- C. Financial Security. The City may request a greater financial security, if the City considers that the development site is especially prone to erosion or the resource to be protected is especially valuable.
- D. Maintaining the Financial Security. If at any time during the course of the work the security falls below 50 percent of the required deposit, the applicant shall make another deposit in the amount necessary to restore the cash deposit to the required amount.
  1. If the applicant does not bring the financial security back up to the required amount within seven (7) days after notification by the City that the amount has fallen below fifty (50) percent of the required amount the City may:
    - a. Withhold the scheduling of inspections and/or the issuance of a Certificate of Occupancy.
    - b. Revoke any permit issued by the City to the applicant for the site in question or any other of the applicant's sites within the City's jurisdiction.
- E. Proportional Reduction of the Financial Security. When more than half of the development's exposed soil area achieves final stabilization, the City may reduce the total required amount of the financial security by half, if recommended by the City Engineer.
- F. Action Against the Financial Security. The City may act against the financial security if any of the conditions listed below exist. The City shall use funds from this security to finance remedial work undertaken by the City, a private contractor hired by the City, or to reimburse the City for all direct costs incurred in the process of remedial work including, but not limited to, staff time, consultant time, and attorney's fees.
  1. The applicant ceases land disturbing activities and/or filling and abandons the work site prior to completion of final stabilization.
  2. The applicant fails to conform to the grading plan and/or the Stormwater Pollution Prevention Plan as approved by the City.
  3. The permanent stormwater control measures required by this Part fail within one (1) year of site final stabilization.
  4. The applicant fails to reimburse the City for corrective action taken under this Part.
- G. Returning the Financial Security. Any unspent amount of the financial security deposited with the City for faithful performance of the Stormwater Pollution Prevention Plan and any Stormwater Pollution Prevention Plan related remedial work may be released one full year after the completion of the installation of all stormwater pollution control measures as shown on the grading and/or Stormwater Pollution Prevention Plan and establishment of final stabilization.

## 10-91-05 District Regulations

### H. B-1 District:

1. All signs not requiring permits as set forth in this Division.
2. One (1) monument sign per development, not to exceed 32 square feet in sign area and six (6) feet in height shall be permitted. The monument sign shall not be placed outside the applicable subdivision or development.
3. One (1) freestanding sign per lot is permitted. The total area of the freestanding sign shall not exceed 64 square feet for lots with a lot width of 100 feet or more and 36 square feet for lots with a lot width of less than 100 feet. The maximum height of a freestanding sign shall be 20 feet.
4. For legally established institutional uses, one (1) freestanding sign per street frontage shall be permitted. The freestanding sign shall not exceed 60 square feet in sign area and 10 feet in height.
5. One (1) wall sign per street frontage shall be permitted according to the following: The total area of all wall signs on any wall of a building shall not exceed 15 percent of the wall area of that wall when said wall area does not exceed 500 square feet. When said surface area exceeds 500 square feet, then the total area of such wall sign shall not exceed 75 square feet plus five (5) percent of the wall area in excess of 500 square feet, provided that the maximum sign area for any wall sign shall be 300 square feet. Wall area shall be computed individually for each tenant in a multi-tenant building based on the exterior wall area of the space that tenant occupies.
6. One (1) sign displaying electronic, scrolling text-based messages provided that the electronic message board component of any sign is no greater than 40 square feet in area.
7. One (1) window sign per window provided each sign does not occupy more than 75 percent of the window area.