

C Commercial District Section	Existing Text to Remain as is	Proposed Text (redlined)	Issue/Discussion
§ 152.120		<p>PURPOSE. The C District is intended to provide areas for retail sales and services located and regulated so as to minimize adverse effects on neighboring residential districts and congestion of public streets. <u>The uses and standards in the “C”, Commercial District shall serve as the basis for commercial standards in “PUD”, Planned Unit Development District areas where commercial uses are designated by the District or the Comprehensive Plan.</u></p>	<p>Clarifying that the C District also sets the baseline form regulation in those areas where commercial activity is zoned PUD.</p>
§ 152.121	<p>PERMITTED USES. Within a C District, only the following uses are permitted:</p> <p>(See List (to be deleted as written))</p>		<p>The list of permitted uses would be deleted, and replaced with categories of uses. Many current listings are archaic, the list is overly detailed and is incomplete as new businesses have been created – or there are those not contemplated when the list was created.</p>
		<p><u>(1) Retail stores in which a least 51% of the floor area is devoted to stocking and displaying goods for sale to the general public end users, and where customers may see, purchase, and receive items for such sales. Retail stores may incorporate electronic ordering or other means of providing goods to the end users. Storage of goods or other accessory uses are limited to 49% or less of the facility.</u></p>	<p>Retail stores must be dominated by retail floor area – so a storage/warehouse with a small front of retail space is not permitted (that type of use would more likely to be located in an industrial area).</p>
		<p><u>(2) Retail service facilities in which customers receive personal services on site, such as salons, spas, personal fitness and exercise, or similar facilities.</u></p>	
		<p><u>(3) Trade services and retail sales, rental, or repair facilities, such as plumbers, electricians, auto parts, home improvement, hardware, and similar facilities, in which no more than 10% of the floor area is devoted to repair, fabrication, or other accessory activity.</u></p>	<p>This is a small exception to the general retail definition, and allows a small amount of what would otherwise be industrial production space. Greater levels of “industrial” production or fabrication have been inserted into the CUP provisions of the C District below.</p>
		<p><u>(4) Professional offices and services, in which customers receive professional advice and/or documents and conduct professional transactions, whether on-site or via other correspondence media, such as legal, tax, financial institutions, real estate, insurance, and</u></p>	

		<u>similar services, and which facility may be dominated by office space.</u>	
		<u>(5) Commercial offices providing space for primarily administrative business functions and related activities.</u>	This use is also allowed in the industrial district, but is commonly found in commercial districts as well.
		<u>(6) Hospitality uses, including eating and drinking establishments, hotels/motels, entertainment venues, indoor commercial recreation, and similar uses. Such uses that are on parcels where any portion is less than 250 feet from property zoned R-1 or R-2, and/or which include any drive-through ordering and pick-up lane, shall require a Conditional Use Permit in accordance with the requirements in this Chapter. Permitted restaurant uses may include drive-up pick-up parking space locations for pre-ordered goods.</u>	This is a compilation of all entertainment-related uses, some of which would move from the conditional use section, but which are often covered by other licensing provisions of city, county, or state regulations. Updated to separate and clarify the distance and drive-through conditions.
		<u>(7) Medical, dental, veterinary, and related clinics, in which customers receive such services in person, and which consist of offices, exam rooms, laboratory and similar services, and related activities.</u>	
		<u>(8) Government administrative services, including postal facilities, municipal services, community centers, and similar uses dominated by offices, direct citizen activities or services, and retail transactions.</u>	The exceptions to this list would be uses such as a sheriff's impound lot, a jail, or similar uses.
§ 152.122		PERMITTED CONDITIONAL USES. The following uses are permitted <u>allowed</u> in the C District only by conditional use permit issued by the City Council.	Delete "Permitted" to avoid confusion with the prior category of use.
	(A) Sexually-oriented businesses which comply with the requirements of Chapter 110;		
	(B) A use permitted under § 152.121 except for the fact that it has a drive-through facility;		
		<u>(C) Assembly, club or lodge, in which such facilities provide space for specific purposes, and which is characterized by groups of common interest attending scheduled common activities.</u>	Added language to distinguish these uses from unscheduled entertainment venues such as bars and restaurants.
		<u>(D) Auto or other motor vehicle sales and repair which includes no storage of autos vehicles for parts, subject to and including, but not limited to, the following additional conditions:</u>	Creating a set of expectations and limitations for vehicle repair. For sale vehicles must be in the rear yard of the

		<p><u>1. Outdoor storage of vehicles awaiting sales, repair or customer pick-up shall constitute no more than 30% of the property in question.</u></p> <p><u>2. Outdoor storage or display of vehicles is located no closer to the street than the rear line of the principal building.</u></p> <p><u>3. Outdoor storage of vehicles awaiting repair is fully screened by a completely opaque fence of 8 feet in height, with landscaping outside the screening fence.</u></p> <p><u>4. No outside storage of other parts, tires, or materials.</u></p> <p><u>5. Refuse and recycling containers shall be stored indoors, or within the screened enclosure with the vehicles being serviced.</u></p> <p><u>6. No such use shall be allowed on property abutting and parcel(s) zoned R, Residential, or PUD when used for residential uses.</u></p>	<p>property (not along the street front).</p> <p>Repair vehicles must be in the rear yard, and completely screened by fence and landscaping.</p> <p>Updated and modified to remove auto sales from this particular use – a separate category for sales is included below.</p>
		<p>(E) Motor Vehicle Sales, separate (or as a component of) repair and parts sales, provided that:</p> <p>1. The facility has a separate indoor space devoted to sales office.</p> <p>2. The vehicles for sale are fully operational, and not in need of repair for such operation, and licensed, or capable of being immediately licensed, for their intended use.</p> <p>3. Vehicles for sale may be displayed in the front yard of the property in a location meeting all other requirements of the City’s commercial parking lot dimensions, pavement and curb materials, and setback requirements.</p> <p>4. Vehicles for sale may not occupy parking spaces required for compliance with the parking standards for employees or customers of the business(es) on the property.</p>	<p>A new section added for Vehicle Sales, which may be a stand-alone allowance, or a component of a vehicle repair/parts sales business.</p> <p>The standards are intended to distinguish the allowance for sales/display from storage of vehicles for repair as regulated in the prior section.</p>
	(F) Bus stations of the Metropolitan Transit Operations;		
		<p>(F) (G) Car washes; <u>subject to and including, but not limited to, the following conditions:</u></p> <p><u>1. Any such facility is designed to adhere to all noise-related requirements of the City and State.</u></p> <p><u>2. Headlight glare is fully screened from view of adjoining residential property.</u></p> <p><u>3. The facility is designed to be fully closed whenever any mechanical activity is in operation, including both entry and exit doors.</u></p> <p><u>4. Vacuum mechanical equipment is housed within the primary structure, or if in individual equipment outside, is designed so as to avoid</u></p>	<p>Managing the requirements to address previously raised issues.</p>

		<u>noise detection at the boundary of any adjoining residential property.</u>	
		(G) Gasoline <u>Motor fuel</u> station as a principal use of property; <u>Electric Vehicle (EV) Charging stations and/or other alternative fuel dispensary</u> may be a component of a principal use Motor Fuel station under this section. <u>Accessory EV charging stations (but not other alternative fuels) consisting of no more than 2 such EV stations shall be exempt from the requirement for CUP, and shall be allowed as a permitted accessory uses.</u>	Not all motor fuel is gasoline any longer. Updated to specify alternative fuels – EV stations of no more than 2 chargers allowed as a permitted accessory use. Alternative fuels (e.g. hydrogen, natural gas, etc. will still require the CUP, and are not exempt under the EV rule.
		(H) Liquor stores and lounges;	Shifted liquor sales to fall into the Retail uses and lounges into the Hospitality uses (both permitted), but regulated through the City’s liquor licensing authority.
		(I) Motels;	Included in the Hospitality category as a permitted use.
		(J) Video tape sales and rentals;	To the extent that such uses exist, they would be included in the Retail Sales and/or Retail Services categories as a permitted use.
		(K) Body tanning salons;	This use would be included in the Retail Services category as a personal service (permitted).
		(L) Establishments primarily for the sale of beverages for consumption on the premises;	Shifted liquor sales to fall into the Retail uses and lounges into the Hospitality uses (both permitted), but regulated through the City’s liquor licensing authority.
		(M) Bowling alleys;	Included in Hospitality uses (permitted) as an indoor commercial recreation use. (Restaurant, bar, and other entertainment uses would be subject to separate licensing requirements of the city and/or state.)
		(N) Health clubs;	Shifted into permitted uses under Retail Services.
	(O) (J) Pool or billiard halls;		
		(P) (K) Restaurants, cafeterias, and delicatessens located less than 250 feet from a residential structure or district; Hospitality uses, including eating and drinking establishments, hotels/motels, entertainment venues, indoor commercial recreation, and	Changed to track the listing used in the Permitted Use section.

		<u>similar uses, where any portion of the subject property is located less than 250 feet from property zoned R-1 or R-2.</u>	
		(Q) Theaters;	This use would be incorporated into (C) Assembly uses and subject to that definition.
	(R) (L) Establishments having more than 3 amusement devices as defined in § 111.025;		
	(T) (M) Hardware and building material supply store with outdoor lumber yard, where the lumber yard is screened in a manner approved by the City Council, and the hardware and building material supply store building contains at least 30,000 square feet of space;		
	(U) (N) Laboratories for medical research and testing (except research and testing which uses animals) that provide services to health care providers;		(This use would most often be located in a Business or Industrial Park as it does not deal directly with the end-user or customer/patient – the City may want to delete it from this District.)
		(V) Computer research and program development;	This use would typically be interpreted to be included in Commercial Offices as a permitted use.
	(W) (O) Pawnbroker businesses which comply with the requirements of §§ 111.285 through 111.302;		[check code references]
	(X) (P) Secondhand dealers that comply with the requirements of §§		[check code references]

	111.250 through 111.273;		
	(Y) (Q) Adult day-care centers, licensed under M.S. Chapter 245A, as it may be amended from time to time, and Minn. Rules, sections 9555.9600 through 9555.9730.		[check MN Rules references] Some Day Care (in limited numbers) is allowed by Statute in residential areas.
		(Z) Solar energy systems, subject to the provisions of §152.187	This is not technically a use – it is a site improvement subject to its own set of performance standards.
		(R) Brewery/Taprooms and Micro-distillery/cocktail rooms, subject to the requirements applicable to other Hospitality uses in this Section; and subject to findings that show the use will avoid conflicts between the industrial production and distribution activities and other commercial uses in the district through appropriate access, hours of operation, and other relevant factors. Any such use shall at all times be subject to maintenance of the appropriate liquor licensing and size limitations under state and local requirements.	Adding Brewery/Spirits production/serving, with restrictions applicable to other hospitality uses, and review of the industrial aspects of such businesses.
		<u>(S) Trade services and retail sales, rental, or repair facilities, such as plumbers, electricians, auto parts, home improvement, hardware, crafts, arts, and similar facilities, in which more than 10% (up to a maximum of 70%) of the floor area is devoted to repair, fabrication, storage, or other accessory activity.</u>	This clause is intended to accommodate trade uses that have a storefront or limited retail exposure, and otherwise use the space for fabrication and storage of parts and supplies. This would accommodate most “maker” spaces, and other tradespersons who desire and need a retail exposure, but the bulk of their space needs are for the fabrication or production uses. The CUP requirement gives the City the ability to weigh the relative character of the district and the proposed use.
§ 152.123	ACCESSORY USES.		
	Subject to the provisions of §§ 152.175 through 152.186, the following accessory		[check code references]

	uses are permitted in the C District:		
		(A) Incidental repair, limited processing or storage necessary to conduct a permitted principal use if conducted within the principal structure, <u>where such uses constitute no more than a total of 49% of the floor area of the structure, and for repair and/or processing, no more than 10% of the floor area of the structure.</u>	Synching this with the requirements of the Principal use section.
		(B) Private garages, off-street loading and unloading docks and facilities, <u>parking lots, and related facilities for service and customer use directly related to the principal use.</u>	
		(C) Private swimming pools or other recreational facilities;	Deleting this as more appropriate for residential uses.
	(D) (C) Temporary mobile structures for construction purposes only.		
		(E) (D) Accessory buildings not exceeding 1 story in height, <u>and which are constructed to be consistent with the architecture and exterior building materials of the principal building.</u>	Limiting such buildings to clarify architectural requirements.
§ 152.124	DIMENSIONAL REGULATIONS.		No changes to this section proposed (see attached existing code language).
§ 152.125	GENERAL REGULATIONS. Property in the C District is also subject to the provisions of §§ 152.175 through 152.186.		[check code references]

LI Industrial District Section	Existing Text to Remain	Proposed Text (redlined)	Issue/Discussion
§ 152.140		<p>PURPOSE. The purpose of the LI District is to designate areas for, and regulate the development of, light industry. Areas are designated as light industrial due to the proximity of high capacity roadways or rail facilities, <u>as well as both private and public utilities</u> and existing development, and regulated to enhance the compatibility of light industrial uses and uses within the commercial and residential districts.</p> <p><u>The objective of the Light Industrial District is to provide appropriate locations for facilities that provide jobs and services to the community, and to the region, and help provide a stable property tax base to the City.</u></p>	Added a clause to indicate that the purpose of the district includes jobs and stable tax base.
§ 152.141	PERMITTED USES.	The following uses are permitted within an LI District:	
		(A) <u>Light Industrial uses which include: manufacturing, research, testing, processing, assembly, fabrication, and treatment of materials, the products of which are distributed to other facilities for further storage, processing, or eventual distribution to the end users. Light Industrial uses do not include uses dominated by storage or warehousing, freight transfer, or delivery of goods to the end user on site.</u>	The primary principal use category is expanded to generalize the potential uses of industrial buildings. Additional entries (whether permitted, conditional, or accessory) will include specific provisions related to the particular use.
		(A) Automotive Motor Vehicle service and repair provided no junked, <u>unlicensed, or inoperable vehicles</u> autos are kept on the property;	Expand the list to “motor vehicles”, and limit the language to ensure that vehicles are in working order and not merely stored for long-term parts or re-sale.
		(B) Cleaning, laundering and dry cleaning <u>processing</u> facilities, <u>without direct retail transactions with the end users;</u>	A retail storefront would be located in a C District.
		(C) <u>Construction</u> Contractors offices, if equipment or materials are screened according to § 152.183. <u>Any outdoor storage of equipment or materials for Construction Contractors shall constitute no more than 25% of the ground floor size of the principal building, and shall be no more than 8 feet in height;</u>	[check code reference] Add limitations on outdoor storage areas for such contractor yards.
		(D) Engraving and printing;	Deleted and added to the general descriptive category.
		(E) Laboratories for research and testing;	Included in the General list of uses.

		(F) Manufacturing of artists supplies, boats, building materials, confectionery goods, canvas, canvas products, cork products, dry goods, electric motors, generators, transformers, controls and components, electronics products and service, food stuffs (except meatpacking or slaughtering), furniture, glass, clay and ceramics products (not involving a blast furnace), leather products (not involving the tanning or processing of hides), machinery, machine tools, optical goods, photographic products and film processing (except film manufacture), secondary plastics products, including molding and injection processes, rubber products except primary rubber manufacturing, signs, and sporting goods;	Deleted and included in the General list.
		(G) Millworks;	Deleted and included in the General list.
		(H) <u>Commercial</u> Offices for administrative purposes <u>as a principal use or as a function of an industrial enterprise and non-retail businesses</u> ; and	Generalize the office category.
		(I) Warehouses, wholesalers or distributors for products permitted under division (F) above or for alcoholic beverages, chemicals, soaps, detergents, drugs, cosmetics, pharmaceuticals and toiletries, dry goods, meat and meat products, paper, paper products, steel goods, metal products which are rolled, drawn, stamped, extruded or cast, tile, brick, terra cotta, tires, automotive products, and wood products.	Delete this category as a principal use, and add warehousing as an accessory use with limitations.
§ 152.142		PERMITTED CONDITIONAL USES. The following uses are permitted <u>allowed</u> in an LI District only by a conditional use permit issued by the City Council:	Delete “Permitted” to avoid confusion with the prior category of use.
	(A) Drug, cosmetic, pharmaceutical, and toiletries manufacture;		
		(B) Canning or bottling other than malt products;	Does the City still wish to prohibit bottling of malt products? The limiting language would be deleted in this update if so.
		(C) Enameling, painting, varnishing, lacquering, and japanning; Finish coat applications utilizing chemical or mechanical processes which have the potential for emissions or sanitary wastewater treatment impacts.	Change the labelling to generalize the activity.
		(D) Freight terminals;	Deleted as these uses are truck traffic (and trailer storage)

			driven, and problematic for the current design and layout of the City's industrial district.
	(E) Meat packing which does not include the slaughtering of any kind of animal;		Although this is a form of processing, the specific reference to meat packing would remove it from the General Permitted use category.
	(F) Steel or metal goods manufacturing processes, not involving blast furnace processes;		Although this is a form of processing, the specific reference to meat packing would remove it from the General Permitted use category.
		(G) Catering operations and in-house cafeterias not intended for retail or public use;	These uses are often included by CUP to regulate the issuance of alcohol service as a part of the catering activity. The "in-house" reference is removed here and added in as an accessory use.
	(H) Day-care center without drive-through facilities.		
		(I) <u>Brewery/Taprooms and Micro-distillery/cocktail rooms, subject to findings that show the use will avoid conflicts between the commercial hospitality activities and other industrial uses in the district through appropriate access, hours of operation, and other relevant factors. Any such use shall at all times be subject to maintenance of the appropriate liquor licensing and size limitations under state and local requirements.</u>	Adding Brewery and Spirits production/taproom use by CUP, with specific findings.
§ 152.143	ACCESSORY USES.	Subject to the provisions of §§ 152.175 through 152.186, the following uses are permitted accessory uses in the LI District:	[check code references]
		(A) Storage sheds <u>Accessory buildings</u> which do not exceed 1 story in height and which have been approved by the City Council as to size and design <u>are constructed of materials consistent with those of the principal building.</u>	Update language, and reference building materials for accessory buildings.
	(B) Buildings temporarily located on the premises for purposes of construction for a period not to exceed completion of construction.		

		(C) Solar energy systems, subject to the provisions of 152.187	This is not a use, and the Code section referenced regulates their installation details.
		(D) Parking, loading, semi-trailers and other company truck/trailer vehicles are permitted in designated loading areas, provided they are actively loading or unloading.	Specifically lists parking and loading as an allowed accessory use. Updated to expand allowance for non-semi trucks.
		(E) Semi trailer and truck parking, provided such parking occupies no more than 20% of the subject property. Semi trailers shall not be utilized for the storage of goods or materials.	Limits the amount of semi trailer storage on a site, and prohibits utilizing such trailers as <i>de facto</i> storage.
§ 152.144	DIMENSIONAL REGULATIONS.		
		(A) Height. No structure may exceed 35 50 feet in height or contain more than 3 stories.	The 35 foot height limit is out of date with contemporary industrial building standards.
	(B) Lot area and width. The minimum lot area is 15,000 square feet, and the minimum lot width is 100 feet.		
		(C) Front yard. The front yard must have a depth equal to <u>20</u> the greater of 40 feet or a distance equal to the average of the setbacks of structures on the 2 adjoining lots.	The change from 40 feet to 20 feet permits expansion of many of the current industrial buildings which would otherwise be limited by their current property boundaries.
	(D) Side yards. Side yards on interior lots must be at least 15 feet each. Side yards adjoining a street must be at least 40 feet.		No change – fire code and utility issues likely make any reduction infeasible.
	(E) Rear yards. The rear yard must be at least 15 feet in depth.		No change – fire code and utility issues likely make any reduction infeasible
	(F) Floor area ratio. The floor area ratio in the LI District may not exceed 1.5.		
	(G) Setbacks from residential districts. There must be a setback of at least 20 feet from any property in a residential district,		This existing language primarily impacts the parking and loading areas on an industrial parcel.

	within which setback area parking, storage, and/or loading facilities are excluded.		