

**CHAPTER 1305. PRINCIPAL USES**

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# Chapter 1305 Principal Uses

## 1305.010 Allowed Uses

### 1305.010 Allowed Uses

**1305.010.1 Principal Use Table.** Principal uses are allowed in accordance with [Table 1305-1](#).

#### 1305.010.2 Interpreting the Use Table

- a) **Use Classification System.** Uses are listed in the first column of [Table 1305-1](#). This zoning code classifies uses into categories and subcategories, as explained in [1305.020](#).
- b) **Permitted Uses.** Uses identified with a “●” are permitted as-of-right in the subject zone, subject to compliance with all other applicable regulations of this zoning code.
- c) **Permitted in Upper Stories Only.** Uses identified with a “●” are permitted as-of-right in the subject zone but only when located above the ground-floor in upper stories of the building.
- d) **Permitted in Limited Portion of Building Footprint.** Uses identified with a “●” are permitted as-of-right in the subject zone but such use may not occupy more than 25% of the building footprint.
- e) **Conditional Uses.** Uses identified with a “○” are allowed only if reviewed and approved in accordance with the conditional use procedures of [1311.070](#).
- f) **Prohibited Uses.** Uses identified with a “—” are expressly prohibited. Uses that are not listed in the use table and that cannot be reasonably interpreted (as stated in [1305.020](#)) to fall within any defined use category or subcategory are also prohibited.
- g) **Use-Specific Regulations.** The final column of [Table 1305-1](#) includes a cross-reference to supplemental (use-specific) regulations that apply to the subject use. The failure to include such cross-reference in [Table 1305-1](#) does not invalidate any supplemental (use-specific) regulations that may exist elsewhere in the zoning code or in any other law.
- h) **Accessory Uses.** Many customary accessory uses and structures are allowed in conjunction with principal uses. See [Chapter 1306](#) for regulations.

### 1305.020 Use Classifications Generally

**1305.020.1 Use Groups.** This zoning code classifies principal land uses into 5 major groupings. These are referred to as “use groups.” The use groups are as follows:

- a) Residential (see [1305.030](#));
- b) Commercial (see [1305.040](#));
- c) Manufacturing & Industry (see [1305.050](#));
- d) Civic & Institutional (see [1305.060](#)); and
- e) Other Uses (see [1305.070](#)).

**1305.020.2 Use Categories.** Each use group is further divided into more specific categories. Use categories classify principal land uses and activities based on common functional, product or physical characteristics, such as the type and amount of activity, how goods or services are sold or delivered, and other relevant building, site, or operational characteristics.

**1305.020.3 Use Subcategories.** Some use categories are further broken down to identify specific subcategories of uses.

#### 1305.020.4 Classification of Uses

- a) The zoning administrator is authorized to classify existing and proposed uses on the basis of the use group, category, and subcategory descriptions of this article. In classifying uses, the zoning administrator must consider:
  - 1) The types of activities that will occur in conjunction with the use;
  - 2) The types of equipment and processes to be used;
  - 3) The existence, number and frequency of residents, customers or employees;
  - 4) Parking demands associated with the use; and
  - 5) Other factors deemed relevant to a use determination.
- b) If a use can reasonably be classified in multiple groups, categories, or subcategories, the zoning administrator is authorized to categorize each use in the category, subcategory that provides the most exact, narrowest and appropriate “fit.”
- c) Appeals of use classification determinations may be taken to the city council (acting as the board of adjustment and appeals) in accordance with the appeal procedures of [1311.130](#).

**Chapter 1305 Principal Uses**  
1305.020 Use Classifications Generally

**Table 1305-1 Principal Use Table**

	Mixed-Use Zones								Residential Zones					Special Zones				Use-Specific Regulations	
	MX-D	MX-C	MX-S	GX-D	GX-C	GX-A	GX-N	RX-C	RX-N	R-1	R-2a-c	R-3	R-4	R-5	BP	IX	I		P1
<b>RESIDENTIAL</b>																			
<b>Household Living</b>																			
1 dwelling unit	●	●	●	●	●	●	○	-	●	●	●	●	●	-	-	-	-	-	-
2 dwelling units	●	●	●	●	●	●	●	●	●	-	-	●	-	●	-	-	-	-	-
3–6 dwelling units	●	●	●	●	●	●	●	●	●	-	-	-	-	●	-	-	-	-	-
7+ dwelling units	●	●	●	●	●	●	-	●	-	-	-	-	-	-	-	-	-	-	-
Manufactured Home Park	-	-	-	-	-	-	-	○	○	-	-	○	-	○	-	-	-	-	-
Sacred Community	○	○	○	○	○	○	○	○	○	○	○	○	○	○	-	-	-	-	○
<b>Group Living (except as below)</b>																			
Residential Facility, Small	●	●	●	●	●	●	●	●	●	●	●	●	●	●	-	-	-	-	-
Residential Facility, Large	○	○	○	○	○	○	○	○	○	○	○	○	○	○	-	-	-	-	-
<b>COMMERCIAL</b>																			
Adult Establishment	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	○	-	-	1305.040.1
Animal Boarding	-	-	○	-	○	-	-	-	-	-	-	-	-	-	●	●	●	-	-
Consumer Service	●	●	●	●	●	●	●	-	-	-	-	-	-	-	●	●	●	-	●
Day Care, Small	●	●	●	●	●	●	●	●	●	●	●	●	●	●	-	-	-	●	●
Day Care, Large	●	●	●	●	●	●	●	○	○	-	-	-	-	-	●	●	-	-	-
Entertainment Venue, Large	-	●	●	-	●	●	-	-	-	-	-	-	-	-	-	-	-	○	●
Funeral & Mortuary Service	-	-	-	●	-	-	●	-	-	-	-	-	-	-	●	●	-	-	-
Lodging	●	●	●	●	●	●	●	-	-	-	-	-	-	-	●	●	-	-	-
Marina	-	○	-	-	○	-	-	-	-	-	-	-	-	-	-	-	-	-	●
Office	●	●	●	●	●	●	●	-	-	-	-	-	-	-	●	●	●	-	-
Pawnshop or Precious Metal Dealer	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
<b>Retail &amp; Entertainment</b>																			
Eating and Drinking Place (except as below)	●	●	●	●	●	●	●	-	-	-	-	-	-	-	-	-	-	-	-
Brewer Tap Room	○	-	-	-	-	-	-	-	-	-	-	-	-	-	○	○	-	-	-
Brewpub	○	-	-	-	-	-	-	-	-	-	-	-	-	-	○	○	-	-	-
Micro-distillery	○	-	-	-	-	-	-	-	-	-	-	-	-	-	○	○	-	-	-
Entertainment, General	●	●	●	●	●	●	●	-	-	-	-	-	-	-	●	●	-	-	-
Retail Sales (except as below)	●	●	●	●	●	●	●	-	-	-	-	-	-	-	-	●	-	-	-
Retail Sales, Large-Format	-	●	●	-	-	-	-	-	-	-	-	-	-	-	-	●	-	-	-
Liquor, Off-Sale	○	●	●	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Tobacco Products Shop	-	-	●	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Self-Service Storage	-	-	-	-	-	-	-	-	-	-	-	-	-	-	○	○	-	-	-
<b>Vehicle Sales, Service &amp; Storage)</b>																			
Car Wash	-	-	○	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Fueling Station	-	-	○	-	-	-	-	-	-	-	-	-	-	-	-	○	○	-	-
Vehicle Sales & Rental, Personal	-	-	○	-	-	-	-	-	-	-	-	-	-	-	-	○	-	-	-
Vehicle Repair & Maintenance, Minor	-	-	○	-	-	-	-	-	-	-	-	-	-	-	-	○	-	-	-
Vehicle Repair & Maintenance, Major	-	-	-	-	-	-	-	-	-	-	-	-	-	-	○	○	○	-	-

KEY: ● = Permitted ● = Permitted in Upper Stories Only ● = Limited to No More than 25% of Footprint ○ = Requires Conditional Use Approval - = Prohibited

# Chapter 1305 Principal Uses

## 1305.010 Allowed Uses

**Table 1305-1 Principal Use Table**

	Mixed-Use Zones								Residential Zones					Special Zones				Use-Specific Regulations		
	MX-D	MX-C	MX-S	GX-D	GX-C	GX-A	GX-N	RX-C	RX-N	R-1	R-2a-c	R-3	R-4	R-5	BP	IX	I		P1	P2
Vehicle Towing Service	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	○	○	-	-	1305.040.13
<b>MANUFACTURING &amp; INDUSTRY</b>																				
Manufacturing, Artisan	●	●	●	●	●	●	●	-	-	-	-	-	-	-	●	●	●	-	-	
Manufacturing, Limited	-	-	-	-	-	-	-	-	-	-	-	-	-	-	●	●	●	-	-	
High-Impact Industry	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	○	-	-	
Storage & Distribution																				
Indoor	-	-	-	-	-	-	-	-	-	-	-	-	-	-	●	●	●	-	-	1305.050.4
Outdoor	-	-	-	-	-	-	-	-	-	-	-	-	-	-	○	○	○	-	-	1305.050.4
<b>CIVIC &amp; INSTITUTIONAL</b>																				
College	●	●	●	●	●	●	●	-	-	-	-	-	-	-	●	●	-	-	●	
Community Assembly	-	●	●	●	●	●	-	○	○	-	-	-	-	-	-	-	-	○	●	
Cultural Facility	●	●	●	●	●	●	●	-	-	-	-	-	-	-	●	●	-	●	●	
Detention or Correctional Facility	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	○	
Hospital	-	-	-	○	○	-	-	-	-	-	-	-	-	-	●	●	-	-	●	
Parks and Open Space	-	-	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	
School	○	○	○	●	●	●	●	○	○	○	○	○	○	○	○	○	○	○	○	
Utilities & Services, Minor	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	1305.060.8
Utilities & Services, Major	○	○	○	○	○	○	○	○	○	○	○	○	○	○	○	○	○	○	○	1305.060.8
<b>OTHER</b>																				
Billboard	-	-	○	-	-	-	-	-	-	-	-	-	-	-	-	-	○	○	○	1305.070.1
<b>Cannabis and Hemp-Related Businesses</b>																				
Cannabis Cultivator	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	○	-	-	1305.070.2
Cannabis Delivery Service	-	-	-	-	-	-	-	-	-	-	-	-	-	-	○	○	○	-	-	1305.070.2
Cannabis Event	-	-	○	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	1305.070.2
Cannabis Event Organizer	-	-	○	-	-	-	-	-	-	-	-	-	-	-	○	○	○	-	-	1305.070.2
Cannabis Manufacturer	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	○	-	-	1305.070.2
Cannabis Mezzobusiness	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	○	-	-	1305.070.2
Cannabis Microbusiness	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	○	-	-	1305.070.2
Cannabis Testing Facility	-	-	-	-	-	-	-	-	-	-	-	-	-	-	○	○	○	-	-	1305.070.2
Cannabis Transporter	-	-	-	-	-	-	-	-	-	-	-	-	-	-	○	○	○	-	-	1305.070.2
Cannabis Wholesaler	-	-	-	-	-	-	-	-	-	-	-	-	-	-	○	○	○	-	-	1305.070.2
Dispensary	-	-	○	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	1305.070.2
Lower-Potency Hemp Edible Manufacturer	-	-	-	-	-	-	-	-	-	-	-	-	-	-	○	○	○	-	-	1305.070.2
Lower-Potency Hemp Edible Retailer	●	●	●	●	●	●	●	-	-	-	-	-	-	-	-	-	-	-	-	1305.070.2
Medical Cannabis Combination Business	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	○	-	-	1305.070.2
Wireless Communication Antennas & Towers	Allowed only on the city's municipal antenna site except as specified in 1305.070.3																			1305.070.1

KEY: ● = Permitted ○ = Permitted in Upper Stories Only ● = Limited to No More than 25% of Footprint ○ = Requires Conditional Use Approval - = Prohibited

### 1305.030 Residential Use Group

The residential use group includes uses that provide for long-term residential occupancy by individual households or by groups of people living together in a non-household setting.

#### 1305.030.1 Household Living

- a) **Category Description.** The household living use category is characterized by a single household occupying a dwelling unit that is self-contained, with facilities for cooking, eating, sleeping, and hygiene. Tenancy is typically 30 days or longer.
- b) **Examples and Subcategories.** Examples of household living uses include living in houses, manufactured housing units, residential buildings containing multiple dwelling units, mixed-use buildings, and other buildings containing self-contained dwelling units. Housing that includes shared facilities (e.g., assisted living facilities, co-housing, and other forms of intentional communities) is considered household living if residents occupy self-contained dwelling units.
- 1) **Manufactured Home Park.** A lot or multiple lots upon which 2 or more manufactured homes or are available for lease or upon which spaces for placement of manufactured homes are available for lease.
  - 2) **Sacred Community.** A lot or multiple lots on which very small dwelling units (micro units) are sited to provide permanent housing for chronically homeless persons, extremely low-income persons, and designated volunteers.
- c) **Supplemental Use Regulations**
- 1) Sacred communities may be located only on lots occupied by a religious institution's primary worship location or on lots that are contiguous with lots occupied by a religious institution's primary worship location.
  - 2) Sacred communities are subject to all definitions and requirements established in Minnesota Statutes Section 327.30.

#### 1305.030.2 Group Living

- a) **Category Description.** The group living use category is characterized by residential occupancy of all or a portion of a building by a group other than a household. Residents typically occupy rooms or

areas that do not include separate cooking, eating, or bathroom facilities necessary to provide for self-contained living. Group living uses typically have a common eating area for residents. Tenancy is typically 30 days or longer.

- b) **Examples and Subcategories.** Examples of group living uses include convents, dormitories, monasteries, fraternity and sorority houses, nursing homes, rooming houses, and similar living arrangements, and residential facilities.
- 1) **Residential Facility.** A state-licensed residential facility or a housing with services establishment registered under Minnesota Statutes chapter 144D, except that residential facilities whose primary purpose is to treat juveniles who have violated criminal statutes relating to sex offenses or have been adjudicated delinquent on the basis of conduct in violation of criminal statutes relating to sex offenses are classified in the detention or correctional facility use category (see 1305.060.4). "Small" residential facilities are those with 6 or fewer residents. "Large" residential facilities are those with 7 to 16 residents.

### 1305.040 Commercial Use Group

The commercial use group includes uses that provide a business service or involve the selling, leasing or renting of merchandise to the general public.

#### 1305.040.1 Adult Establishment

- a) **Category Description.** The adult establishment use category includes all business types defined in §1124.020 of the municipal code.
- b) **Supplemental Use Regulations.** Adult establishments are subject to compliance with all applicable regulations of Chapter 1124 of the municipal code.

#### 1305.040.2 Animal Boarding

- a) **Category Description.** Establishments that keep and care for companion animals for remuneration or profit. Typical uses include boarding kennels, pet resorts/hotels, doggy or pet day care facilities, pet foster care homes, dog training centers and animal rescue shelters.

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## 1305.040 Commercial Use Group

### 1305.040.3 Consumer Service

- a) **Category Description.** The consumer service use category includes establishments that provide personal or business-oriented services to individuals or small businesses.
  - 1) **Personal Improvement Service.** Establishments that provide personal grooming, cosmetic or health and well-being-related services. Typical uses include barbers, hair and nail salons, tanning salons, day spas, health clubs, body art services and fortune telling services.
  - 2) **Studio, Artist or Instructional Service.** Establishments that focus on providing individual or small group instruction or training in fine arts, music, dance, drama, fitness, language or similar activities. Also includes dance studios, ballet academies, yoga studios, martial arts instruction, tutoring, artist studios and photography studios.
  - 3) **Business Support Service.** Establishments that provide personnel services, printing, copying, package (delivery) drop-off, photographic services or communication services to businesses or consumers. Examples include copy and print shops, delivery/courier service drop-off location for consumers, and photo developing labs.
  - 4) **Business Training.** Establishments and facilities, including classrooms, providing vocational, trade, business or professional training services in a completely enclosed building.
  - 5) **Consumer Maintenance & Repair Service.** Establishments that provide maintenance, cleaning and repair services for consumer goods on a site other than that of the customer (i.e., customers bring goods to the site of the repair/maintenance business). Examples include laundry and dry cleaning pick-up shops, tailors, taxidermists, dressmakers, shoe repair, picture framing shops, gunsmiths, locksmiths, vacuum repair shops, electronics repair shops and similar establishments.

### 1305.040.4 Day Care

- a) **Category Description.** The day care use category includes establishments licensed by the state that provide non-medical care to children or aged, infirm,

or disabled adults for only part of a day, typically during normal working hours.

- b) **Examples and Subcategories.** Examples of day care uses include adult day care centers, group family day care facilities, child care centers, and similar use types.
  - 1) **Day Care, Small.** A state-licensed day care facility serving 12 or fewer persons or a group family day care facility licensed under Minnesota Rules, parts 9502.0315 to 9502.0445 to serve 14 or fewer children.
  - 2) **Day Care, Large.** Any day care use that does not qualify as a small day care.

### 1305.040.5 Entertainment Venue, Large

- a) **Category Description.** Large entertainment venue uses are characterized by activities and structures that draw large numbers of people to specific events or shows and in which the gross floor area of the venue is more than 25,000 square feet. Activities are generally of a spectator nature but can also include participant sports and entertainment.
- b) **Exceptions.** Entertainment-related uses with no more than 25,000 square feet of total gross floor area are classified as "general entertainment" uses (see [1305.040.11](#)).

### 1305.040.6 Funeral & Mortuary Service

- a) **Category Description.** The funeral and mortuary service use category includes establishments that provide services related to the death of a human or domestic, household pet, including funeral homes and mortuaries. May include cremation if approved in accordance with the conditional use procedures of [1311.070](#).

### 1305.040.7 Lodging

- a) **Category Description.** Establishments that provide temporary lodging for less than 30 days to transient guests who maintain a permanent place of residence elsewhere.

### 1305.040.8 Marina

- a) **Category Description.** An area of concentrated small craft mooring, where ancillary facilities may be provided for some or all of such small craft by services such as fueling, sewage pump out, boat, launching, boat repair, and boat storage.

Temporary docks associated with riparian residential development are not classified as marinas if the mooring area is of a size not to exceed the resource limitations of the site and the needs of the residents of the abutting lot.

#### 1305.040.9 Office

- a) **Category Description.** The office use category includes workplaces of private companies, organizations (for-profit and non-profit), and public agencies providing professional, executive, management, medical, administrative, or design services.
- b) **Examples and Subcategories.** Examples of office use including the following subcategories:
- 1) **Business & Professional Office.** Workplaces of firms, organizations, or agencies providing professional, executive, management, administrative, financial, accounting, or legal services, but excluding walk-in offices. Examples of business and professional offices include accounting, architecture, computer software design, engineering, graphic design, interior design, investment, insurance, and law offices.
  - 2) **Broadcast or Recording Studio.** Establishments that provide for audio or video production, recording or broadcasting.
  - 3) **Financial Service.** Establishments involved in the exchange, lending, borrowing and safe-keeping of money. Examples include banks and credit unions. Automatic teller machines, kiosks and similar facilities that do not have on-site employees or amplified sound are not classified in the financial service subcategory if they meet the criteria for classification as an accessory use. This use subcategory does not include pawnshops or precious metal dealers (see [1305.040.10](#)).
  - 4) **Complementary and Alternative Health Care Practice.** Any establishment defined in [Minnesota Statutes Chapter 146A](#).
  - 5) **Medical or Dental Office.** Workplaces of medical doctors, dentists, and similar practitioners of medical and healing arts licensed for such practice by the state. This subcategory includes outpatient clinics, but excludes hospitals providing inpatient care. Veterinary offices and

animal grooming businesses are classified as medical or dental offices, provided they have no outdoor animal boarding areas. Uses with outdoor animal boarding areas are classified in the animal boarding use category.

- 6) **Research Service.** Establishments engaged in scientific research and testing services leading to the development of new products and processes. Uses that involve the mass production, distribution or sale of products or that produce odors, dust, noise, vibration or other external impacts that are detectable beyond the property lines of the subject property are classified in the limited manufacturing use category (see [1305.050](#)).
  - 7) **Walk-In Office.** Workplaces primarily providing direct services to patrons or clients, typically not requiring appointments. This subcategory classification includes employment agencies, insurance agencies, real estate agent offices, travel agencies, utility company offices, and offices for elected officials. It does not include medical or dental offices or uses more specifically classified as financial services.
- c) **Supplemental Use Regulations.** Complementary and Alternative Health Care Practice uses are subject to compliance with all applicable regulations of Chapter 1127 of the municipal code the regulations of [Minnesota Statutes Chapter 146A](#).

#### 1305.040.10 Pawnshop or Precious Metal Dealer

- a) **Category Description.** The pawnshop or precious metal dealer use category includes business types defined in §1125.030 of the municipal code.

#### 1305.040.11 Retail & Entertainment

- a) **Category Description.** The retail and entertainment use category includes establishments involved in the sale, lease or rental of products or goods to the ultimate consumer and those that provide food, beverage, or entertainment services.
- b) **Examples and Subcategories.** Examples of retail and entertainment uses including the following subcategories:
- 1) **Eating and Drinking Place.** Establishments that prepare and serve food or beverages, for on- or off-premise consumption, including sit-down (full-

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### 1305.040 Commercial Use Group

service) restaurants, banquet halls, and on-sale liquor establishments.

- a. **Brewpub.** As defined in Minnesota Statutes 340A.101.
- b. **Brewer Taproom.** As defined in Minnesota Statutes 340A.301.
- c. **Micro-distillery.** As defined in Minnesota Statutes 340A.101.

2) **Entertainment, General.** Establishments that provide gathering places for participant or spectator entertainment and that have no more than 25,000 square feet of total gross floor area. Typical general entertainment uses include cinemas, theaters, bowling centers, and experienced-based entertainment establishments.

- a. **Experience-based Entertainment Establishment.** An establishment offering group or team-based entertainment activities such as ax throwing, escape rooms, cooking or painting classes, and arts and crafts workshops. Does not include bingo or other forms of charitable gambling, live music venues, karaoke, arcade or video game centers, hookah lounges, art galleries, spas, oxygen bars, event centers, or adult-oriented businesses.
- b. **Exceptions.** Entertainment-related uses with more than 25,000 square feet of total gross floor area are classified as "large entertainment venues" (see 1305.040.5). Senior centers, community centers, religious institutions and similar facilities are classified as "community assembly" uses (see 1305.060.2).

3) **Retail Sales.** Establishments that sell or otherwise provide pharmaceuticals, groceries, off-sale liquor, sundry goods, convenience goods, consumer shopping goods, household goods, plants and flowers, or hardware.

- a. **Large-Format Retail.** A retail sales establishment with a gross floor area of more than 25,000 square feet.
- b. **Off-Sale Liquor.** A retail sales establishment that sells intoxicating alcoholic beverages for consumption off the premises.

c. **Tobacco Products Shop.** A retail sales establishment that:

- [i] Has a current tobacco license issued by the city and an entrance door opening directly to outdoors; and
- [ii] Derives more than 90% of its gross revenue from the sale of tobacco, tobacco-related devices, and electronic delivery devices, as defined in Minnesota Statutes, section 609.685, and in which the sale of other products is merely incidental.

#### c) Supplemental Use Regulations

- 1) **General Entertainment Uses.** General entertainment uses are subject to compliance with all applicable regulations of the municipal code, including, for example, Chapters 1109, 1113, and 1122.
- 2) **Off-Sale Liquor Stores.** Off-sale liquor stores may be approved in the MX-D zone only if:
  - a. Located on a lot with frontage on Highway 61 and 3rd Street or Highway 61 and 4th Street; and
  - b. The gross floor area of the business does not exceed 5,000 square feet.
- 3) **Tobacco Products Shops.** Tobacco products shops:
  - a. Must prohibit persons under the age of 21 years from entering the establishment at any time;
  - b. May not be approved within 1,000 feet of a school or within 500 feet of a day care, residential treatment facility, or a public park feature, as those terms are defined in 1314.020; and
  - c. Must comply with all other applicable city regulations.

#### 1305.040.12 Self-service Storage

- a) **Category Description.** The self-service storage facility use category includes enclosed, climate-controlled establishments providing separate, small-scale, self-service storage area leased or rented to individuals or small businesses. Such facilities are designed and used to accommodate

only interior access to storage lockers or drive-up access only from passenger vehicles and two-axle non-commercial vehicles. Self-storage facilities with external entrances to storage spaces and outdoor storage areas for consumers or small businesses are classified under the storage and distribution use category (see [1305.050.2](#)).

#### 1305.040.13 Vehicle Sales, Service & Storage

- a) **Category Description.** The vehicle sales and service use category includes uses that provide for the sale, rental, maintenance, repair, or storage of new or used passenger vehicles.
- b) **Examples and Subcategories.** Examples of vehicle sales and service uses include the following subcategories
  - 1) **Car Wash.** Principal use establishments offering self-service, automatic, hand-wash or vehicle detailing services.
  - 2) **Fueling Station.** Establishments engaged in retail sales of vehicle fuels for personal vehicles, other than fleet fueling facilities and truck stops. Fueling stations may dispense conventional vehicle fuels and/or alternative vehicle fuels. Fleet vehicle fueling facilities and truck stops are classified in the high-impact industry use category (see [1305.050.3](#)).
  - 3) **Vehicle Repair and Maintenance, Minor.** Establishments that repair or maintain passenger automobiles when such repair or maintenance does not include services classified in the major vehicle repair and maintenance subcategory or require removal of the engine, transmission, or differential. Typical examples include oil change establishments, window repair, tire sales and tire repair, car stereo or alarm installation, and automatic car washes accessory to a fueling station use.
  - 4) **Vehicle Repair and Maintenance, Major.** Establishments that provide major repair, rebuilding or reconditioning of passenger automobiles, including repairs that require removal of the engine, transmission, or differential or involve body work, frame work, welding, painting or other service that typically involves overnight storage of vehicles. Note:

servicing and repair of heavy trucks is classified as a high-impact industry use (see [1305.050.3](#)).

#### 5) Vehicle Sales and Rentals, Personal.

Establishments that provide for the sale or rental of new autos, small trucks or vans, trailers, motorcycles, motor homes or recreational vehicles, including recreational watercraft. Typical examples include automobile dealers and car rental agencies. Car-share vehicles that are parked or stored when not being used by members of a car-share program are not regulated as personal vehicle sales and rental uses, but are instead considered accessory parking. Note: Personal vehicle sales and rental establishments that occur in completely enclosed buildings with no outdoor storage or display are classified as retail sales uses in the retail and entertainment use category (see [1305.040.11](#)).

#### 6) Vehicle Towing Service.

Establishments engaged in towing removal and temporary storage of vehicles that are to be claimed by the titleholders or their agents. Examples include tow truck services, private parking tow-aways (tow lots), and vehicle impound yards.

#### c) Supplemental Use Regulations

- 1) **Car Wash.** Car washes are subject to the following supplemental use regulations:
  - a. **Separation from Residential.** Lots occupied by car washes may not be located within 500 feet of and R-zoned lots or lot occupied by a residential use or another car wash use.
  - b. **Lot Area.** Lots occupied by car washes must be at least one acre in area and may not exceed 1.5 acres in area.
  - c. **Building Area.** Lots occupied by car washes must include a principal building with a ground floor area equal to at least 10% of the area of the lot on which the car wash is located.
  - d. **Vehicle Parking and Stacking.**
    - [i] The total combined area of outdoor vehicle parking and stacking areas on the site may not exceed 2 times the ground floor area of the principal building.

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- [ii] The site plan must identify areas for customer and employee parking and vehicle stacking areas. Vehicles may not be positioned in any way that interferes with emergency access to the site or any parking, loading, maneuvering or pedestrian area.
  - [iii] All areas use for vehicle parking and stacking must be hard-surfaced, as approved by the City Engineer.
  - e. **Exterior Lighting.** Exterior lighting must be consistent in character, design and bulb type throughout the entire site and comply with the outdoor lighting regulations of [1308.170](#). All nonessential lighting must be turned off after business hours, leaving only the lighting necessary for site security.
  - f. **Screening.** The site must be screened in accordance with [Chapter 1308](#).
  - g. **Outdoor Activity.** All car washing and detailing activities, including vacuuming and drying of vehicles, must occur within an enclosed building.
  - h. **Outdoor Storage.** Outdoor storage of parts, materials, or equipment is prohibited.
  - i. **Outdoor Speakers.** Outdoor speakers and public address systems are prohibited.
- 2) **Fueling Station.** Fueling stations are subject to the following supplemental use regulations:
- a. **Building Area.** Lots occupied by fueling stations must include a principal building with a ground floor area equal to at least 10% of the area of the lot on which the fueling station is located.
  - b. **Vehicle Parking and Stacking.**
    - [i] The total combined area of outdoor vehicle parking and stacking areas on the site may not exceed 5 times the ground floor area of the principal building.
    - [ii] The site plan must identify areas for customer and employee parking and vehicle stacking areas. Vehicles may not be positioned in any way that interferes with emergency access to the site or any parking, loading, maneuvering or pedestrian area.
  - [iii] All areas use for vehicle parking and stacking must be hard-surfaced, as approved by the City Engineer.
- c. **Exterior Lighting.** Exterior lighting must be consistent in character, design and bulb type throughout the entire site and comply with the outdoor lighting regulations of [1308.170](#). All nonessential lighting must be turned off after business hours, leaving only the lighting necessary for site security.
- d. **Screening.** The site must be screened in accordance with [Chapter 1308](#).
- e. **Outdoor Storage.** Outdoor storage of parts, materials, or equipment is prohibited.
- f. **Outdoor Speakers.** Outdoor speakers and public address systems are prohibited.
- g. **Fuel Pumps.** See also the fuel pump and canopy regulations of [1306.130](#).
- 3) **Vehicle Repair and Maintenance.** All vehicle repair and maintenance uses are subject to the following supplemental regulations:
- a. **Vehicle Parking and Storage.** Vehicle repair and maintenance uses must designate on a site plan areas for required off-street parking including customer parking, storage of vehicles awaiting repair and repaired vehicles awaiting pick up. Vehicles may not be positioned in any way to interfere with emergency access to the site or any parking, loading, maneuvering or pedestrian area. All areas use for vehicle parking and storage must be hard-surfaced, as approved by the City Engineer.
  - b. **Exterior Lighting.** Exterior lighting must be consistent in character, design and bulb type throughout the entire site and comply with the outdoor lighting regulations of [1308.170](#). All nonessential lighting must be turned off after business hours, leaving only the lighting necessary for site security.
  - c. **Screening.** The site must be screened in accordance with [Chapter 1308](#). Lots abutting an R- or RX-zoned lot or a lot occupied by a residential use, must provide complete

visual screening at least 6 feet in height along the lot line of abutting such lot.

- d. **Outdoor Activity.** All repair, assembly, disassembly or maintenance of vehicles must occur within an enclosed building, except minor maintenance activities, such as tire inflation, adding oil and vehicle fluids, wiper or battery replacement, and similar quick-service activities.
- e. **Outdoor Storage.** Outdoor storage of parts, materials, or equipment is prohibited except for licensed vehicles awaiting repair or repaired vehicles awaiting pick up.
- f. **Outdoor Speakers.** Outdoor speakers and public address systems are prohibited.
- g. **Painting.** Any painting activities conducted in association with a major vehicle repair and maintenance use must occur in an approved paint booth. All paint booths and all other activities of the operation must control the emission of fumes, dust, or other particulate matter in compliance with Minnesota Pollution Control Agency standards and applicable fire and building codes.

4) **Personal Vehicle Sales and Rental.** All personal vehicle sales and rental uses are subject to the following supplemental regulations:

- a. **Lot Size.** Lots occupied by personal vehicle sales and rental uses must be at least 2 acres in area and have a minimum lot width of 100 feet.
- b. **Building Area.** Lots occupied by personal vehicle sales and rental uses must include a principal building with a ground floor area equal to at least 20% of the area of the lot on which the personal vehicle sales and rental uses is located.
- c. **Used Vehicle Sales.** Used automobile sales are permitted only when an integral and ancillary part of a new automobile sales dealership.
- d. **Vehicle Parking and Storage**

[i] The total combined area of all outdoor vehicle parking and storage may not exceed 3.5 times the ground floor area of the principal building.

[ii] The site plan must identify areas for customer and employee parking and vehicle stacking areas. Vehicles may not be positioned in any way that interferes with emergency access to the site or any parking, loading, maneuvering or pedestrian area.

[iii] All areas use for vehicle parking and storage must be hard-surfaced, as approved by the City Engineer.

- e. **Exterior Lighting.** Exterior lighting must be consistent in character, design and bulb type throughout the entire site and comply with the outdoor lighting regulations of [1308.170](#). All nonessential lighting must be turned off after business hours, leaving only the lighting necessary for site security.
- f. **Screening.** The site must be screened in accordance with [Chapter 1308](#). Lots abutting an R- or RX-zoned lot or a lot occupied by a residential use, must provide complete visual screening at least 6 feet in height along the lot line of abutting such lot.
- g. **Outdoor Activity.** All activities must take place within an enclosed building except vehicle inventory, vehicle storage, or minor maintenance activities such as tire inflation, adding oil and vehicle fluids, wiper or battery replacement, and similar quick service activities.
- h. **Outdoor Storage.** Outdoor storage of parts, materials, or equipment is prohibited except for operable vehicles for sale or lease with a valid license or dealer inventory control number.
- i. **Outdoor Speakers.** Outdoor speakers and public address systems are prohibited.
- j. **Test Driving.** Test driving of vehicles on local residential streets is prohibited.
- k. **Accessory Fueling.** An accessory fueling facility is allowed provided it is not visible from a public right-of-way and is secured to ensure its exclusive use by the host business for the fueling of its inventory vehicles. Retail sale of fuel to the general

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public is prohibited. See also the accessory fuel pump regulations of [1306.130](#).

- I. **Ancillary Automobile Repair.** Personal vehicle sales and rental uses require a separate conditional use permit for ancillary vehicle repair and maintenance. Ancillary automobile repair associated with a vehicle sales and rental use may include major or minor vehicle repair or maintenance uses.

5) **Vehicle Towing Service.** All vehicle towing service uses are subject to the following supplemental regulations:

- a. **Locational Criteria.** Vehicle towing service uses may be approved only if located on a lot that:
  - [i] Abuts Interstate 35E or railroad right-of-way; and
  - [ii] Is separated by a distance of at least 500 feet from a lot occupied by another towing service use.
- b. **Lot Area.** Lots occupied by towing service uses must be at least 2 acres in area and may not exceed 3 acres in area.
- c. **Building Area.** Lots occupied by towing service uses must include a principal building with a ground floor area equal to at least 5% of the area of the lot on which the towing service is located.
- d. **Vehicle Storage Areas**
  - [i] Outdoor vehicle storage areas must be separated by a minimum distance of at least 500 feet from any R-zoned lot and from any lot occupied by a residential dwelling unit.
  - [ii] The total combined area of all outdoor vehicle storage areas on the site may not exceed 6 times the ground floor area of the principal building.
  - [iii] The site plan must identify areas for customer and employee parking and vehicle stacking areas. Vehicles may not be positioned in any way that interferes with emergency access to the site or any parking, loading, maneuvering or pedestrian area.

[iv] All areas use for vehicle parking or storage must be hard-surfaced, as approved by the City Engineer.

- e. **Length of Storage.** Vehicles in storage must comply with Minnesota Statutes, 168B. A vehicle may not be stored for longer than 30 days beyond the minimum waiting period established in Minnesota Statutes. Vehicles impounded by law enforcement or required by law enforcement to remain in storage are exempt from vehicle storage time limits for the duration of the required impoundment or storage period.
- f. **Prohibited Activities**
  - [i] Vehicle towing service uses may not engage in the retail sale, rental, repair, disposal, permanent disassembly, salvage, or accessory storage of vehicles or the retail sale of any parts or equipment. Vehicle towing service may engage in wholesale activities to allow for the removal and recycling of abandoned vehicles.
  - [ii] Outdoor storage of parts, materials, or equipment is prohibited except for vehicles stored in association with the vehicle towing service use.
- g. **Exterior Lighting.** Exterior lighting must be consistent in character, design and bulb type throughout the entire site and comply with the outdoor lighting regulations of [1308.170](#). All nonessential lighting must be turned off after business hours, leaving only the lighting necessary for site security.
- h. **Screening.** The site must be screened in accordance with [Chapter 1308](#). The principal building must be positioned to be the primary source of screening for the vehicle storage area. The remainder of the vehicle storage area must comply with the outdoor storage regulations of [1306.110](#).
- i. **Outdoor Activity.** All activities must take place within an enclosed building except for storage of towed vehicles.
- j. **Outdoor Speakers.** Outdoor speakers and public address systems are prohibited.

## **1305.050 Manufacturing & Industry Use Group**

The manufacturing and Industry use group includes establishments involved in the manufacturing, processing, fabrication, packaging or assembly of goods. Natural, human-made, raw, secondary or partially completed materials may be used. Products may be finished or semi-finished and are generally made for the wholesale market, for transfer to other plants, or to order for firms or consumers. Goods are generally not displayed or sold on site, but if so, they are a subordinate part of the principal use. Relatively few customers come to the site.

### **1305.050.1 Manufacturing, Artisan**

a) **Category Description.** The artisan manufacturing use category includes indoor work spaces used by artists for creation of art or the practice of their artistic endeavors or by craftspeople that produce consumer goods by hand manufacturing, involving the use of hand tools and small-scale, light mechanical equipment in a completely enclosed building with no outdoor operations, storage or regular commercial truck parking/loading. Typical uses include woodworking; custom furniture shops; cabinet-making; ceramic studios; jewelry manufacturing; confections and custom-made food items; and artwork including painting, printmaking and sculpture. Also includes indoor accessory retail sales and service activities not exceeding 10% of the gross floor area of the principal building.

### **1305.050.2 Manufacturing, Limited**

a) **Category Description.** The limited manufacturing use category includes uses with indoor work spaces used for processing, fabricating, assembling, recycling, treating, or packaging finished parts or products that customarily have limited external impacts in terms of nuisance, odors, noise, vibrations, heavy truck traffic, or other public safety impacts. Also includes a single accessory caretaker dwelling unit and indoor accessory retail sales and service activities not exceeding 10% of the gross floor area of the principal building.

### **1305.050.3 High-Impact Industry**

a) **Category Description.** The high-impact industry use category includes establishments engaged in manufacturing of finished or unfinished products,

primarily from extracted or raw materials, or recycled or secondary materials, or bulk storage and handling of such products and materials. It also includes industrial service firms engaged in the repair or servicing of heavy trucks (exceeding 9,000 pounds rated capacity), industrial or commercial machinery, equipment, products, or by-products, such as welding shops; machine shops; industrial tool repair; and laundry, dry-cleaning and carpet cleaning plants. Few customers, especially the general public, come to the site.

### **1305.050.4 Storage & Distribution**

- a) **Category Description.** The storage and distribution category includes warehouses, wholesale sales establishments and other uses that store or distribute goods in large quantities. It includes self-service storage facilities (mini-warehouses) with external entrances to storage spaces or outdoor storage areas. Indoor-only self-service storage facilities are classified and regulated as self-service storage facilities (see [1305.040.12](#)).
- b) **Supplemental Use Regulations.** Existing liquid bulk storage facilities having with a capacity of more than 300 gallons require city inspection, and the city council may require construction of properly engineered dikes or berms around such facilities to hold a leakage capacity equal to at least 110% of the capacity of the liquid storage structure. New proposed liquid bulk storage require conditional use approval. All storage tanks or structures must comply with the requirements of the Minnesota State Fire Marshall's and Minnesota Department of Agriculture Offices and have documents from those stating the use is in compliance.

## **1305.060 Civic & Institutional Use Group**

The civic and institutional use group includes public, quasi-public, and institutional uses that provide services that benefit the public at-large.

### **1305.060.1 College**

a) **Category Description.** The college use category includes institutions of higher learning that offer courses of general or specialized study and are authorized to grant academic degrees and certificates. The college use subcategory includes classrooms and instructional spaces, as well as on-campus residence halls, fraternity and sorority

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houses, administrative buildings, auditoriums and other on-campus uses and facilities that provide customary accessory and support functions for college or university uses.

#### 1305.060.2 Community Assembly

- a) **Category Description.** The community assembly use category includes gathering places for secular or non-secular assembly. Community assembly uses may provide incidental food or beverage service.
- 1) **Non-secular Community Assembly.** Non-secular community assembly uses are those that are primarily centered on religious or spiritual matters, such as churches, synagogues, temples, mosques, and other facilities used for religious worship.
  - 2) **Secular Community Assembly.** Secular community assembly uses are those that are not primarily centered on religious or spiritual matters. Typical uses include fraternal organizations, private (member-based) clubs, senior centers, and community centers. This subcategory does not include uses classified as "large entertainment venues" or "general entertainment uses" (see [1305.040.5](#) and [1305.040.11](#)).

#### 1305.060.3 Cultural Facility

- a) **Category Description.** Museum-like preservation and exhibition of objects in one or more of the arts and sciences, gallery exhibition of works of art or library collections of books, manuscripts and similar materials operated by a public or quasi-public agency.

#### 1305.060.4 Detention/Correctional Facility

- a) **Category Description.** An institution operated by the city, the state, the federal government or a private party under contract with the city, the state or the federal government for the confinement and punishment and treatment or rehabilitation of offenders under the jurisdiction of a court.

#### 1305.060.5 Hospital

- a) **Category Description.** The hospital use category includes state-licensed public, private, and non-profit facilities providing inpatient medical, surgical, mental

health, or emergency medical services. Hospitals may also provide outpatient treatment.

#### 1305.060.6 Parks & Open Space

- a) **Category Description.** The parks and open space use category includes recreational, social, or multi-purpose uses associated with public parks, public open spaces, public play fields, public or private golf courses, or other outdoor open space or recreation areas. It also includes urban agriculture uses, such as community gardens, outdoor urban farms and beekeeping. The parks and open space use category includes the following subcategories:
- 1) **Cemetery.** Land or structures used for burial or permanent storage of the dead or their cremated remains. Typical uses include cemeteries and mausoleums. Also includes pet cemeteries.
  - 2) **Community Garden.** An area of land managed and maintained by a public or non-profit organization or a group of individuals to grow and harvest food crops and/or ornamental crops, such as flowers, for personal or group use, consumption, or donation. Community gardens may be divided into separate plots for cultivation by one or more individuals or may be farmed collectively by members of the group and may include common areas maintained and used by group members. Community gardens may be principal uses or accessory to other public or semi-public uses, such as parks, schools, food shelves, community centers, or community assembly uses. This classification does not include gardens that are accessory to residential uses when access is limited to those who reside on the subject property. Sales of products produced in association with a community garden is permitted as an accessory use in zones in which retail sales & entertainment uses are allowed.
  - 3) **Natural Resource Preservation.** Undeveloped land left in a natural state for specific use as visual open space or environmental purposes. Typical uses include wildlife or nature preserves, arboretums, flood management projects and reservoirs.
  - 4) **Parks and Recreation.** Parks, playgrounds, recreation facilities, and related open spaces that are open to the general public. This

subcategory also includes playing fields, courts, gymnasiums, swimming pools, picnic facilities, boat docks, and golf courses, as well as related food concessions or clubhouses within a principal structure or in an accessory structure on the same site.

#### **1305.060.7 School**

- a) **Category Description.** Public and private schools at the primary, elementary, middle school or high school level that provide basic, compulsory, state-mandated education.

#### **1305.060.8 Utilities & Services**

- a) **Category Description.** The utilities and services use category includes utilities and essential public service uses and facilities. The utilities and services use category includes the following subcategories:

- 1) **Utilities & Services, Essential.** Facilities that require locations in or close to the area where the service is provided. Minor utilities generally do not have regular employees at the site and typically have few if any impacts on surrounding areas. Typical uses include local distribution pipelines and cables, underground or overhead gas, electrical, steam, or water transmission or distribution systems, collection, communication, supply or disposal systems by public utilities, municipal or other governmental agencies. Also includes establishments that provide fire, police or life protection, together with the incidental storage and maintenance of fleet vehicles.
- 2) **Utilities & Services, Major.** Facilities that typically have substantial visual or operational impacts on nearby areas. Typical uses include water and wastewater treatment facilities, high-voltage electric substations, regional electrical transmission lines, transmission pipelines, utility-scale power generation facilities (including wind, solar and other renewable and nonrenewable energy sources), and sanitary landfills.

#### **1305.060.9 Supplemental Use Regulations.**

- a) **Underground Fiber Optic Cables, Local Distribution Pipelines, Underground Electric Transmission Lines, and Overhead Electric Transmission Lines and Substations Less Than 33 KV.** The following regulations and procedures apply to essential

utilities and services such as fiber optic cables, local distribution pipelines, electric transmission lines and substations:

- 1) All underground fiber optic cables, local distribution pipelines, underground electric transmission lines, and overhead electric transmission lines and substations less than 33 KV, when installed in any public right-of-way require review and approval by the city engineer.
- 2) All underground fiber optic cables, local distribution pipelines, underground electric transmission lines, and overhead electric transmission lines less than 33 KV that are intended to serve more than one parcel and are proposed to be installed at locations other than in public right-of-way, require a permit issued by the city after review and approval by the city engineer, as follows:
  - a. Prior to the installation of such essential utilities and services, the owner of such service must file with the zoning administrator, all maps and other pertinent information as deemed necessary for the city engineer to review the proposed project.
  - b. The zoning administrator must transmit the map and accompanying information to the city engineer for review and approval regarding the project's relationship to and consistency with the comprehensive plan and applicable regulations.
  - c. The city engineer must provide a written report to the zoning administrator regarding compliance of the proposed project with the comprehensive plan and applicable regulations.
  - d. In considering applications for the placement of essential utilities and services city staff must consider the effect of the proposed project upon the health, safety and general welfare of the city, as existing and as anticipated; and the project's relationship and consistency with the comprehensive plan.
  - e. Upon receiving written approval from the city engineer, the zoning administrator is authorized to issue a permit for the

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installation and operation of the applicant's essential utilities and services. If a permit is denied, the applicant may appeal such decision in accordance with the appeal procedures of [1311.130](#).

- b) **Transmission Pipelines and Overhead Transmission and Substation Lines In Excess of 33 KV.** The following regulations and procedures apply to all transmission pipelines (i.e. pipelines not required for local distribution) and overhead transmission and substation lines in excess of 33 KV require review and approval in accordance with the conditional use permit procedures of [1311.070](#). In acting on the conditional use permit, the city council shall consider the planning commission recommendation and the impact of the proposed project upon the health, safety and general welfare of the city, existing and anticipated; and the proposal's relationship to and consistency with the comprehensive plan.

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#### 1305.070.1 Billboard

- a) **Category Description.** See definition of "billboard" in Chapter 1202.
- b) **Supplemental Use Regulations.** Billboards may be approved only on lots abutting the right-of-way of Interstate 35E or Interstate 694. They are subject to compliance with all applicable regulations of the city's sign code (Chapter 1202).

#### 1305.070.2 Cannabis and Hemp-Related Businesses

- a) **Category Description.** Cannabis and hemp-related businesses include all of the following use subcategories:
  - 1) **Cannabis Cultivator.** A business licensed to operate as a "cannabis cultivator" by the Minnesota Office of Cannabis Management, pursuant to Minnesota Statutes, Chapter 342.
  - 2) **Cannabis Delivery Service.** A business licensed to operate as a "cannabis delivery service" by the Minnesota Office of Cannabis Management, pursuant to Minnesota Statutes, Chapter 342.
  - 3) **Cannabis Event.** A temporary event organized by a licensed cannabis event organizer at which cannabis and/or lower-potency hemp edibles may be offered or sold.
- 4) **Cannabis Event Organizer.** A business licensed to operate as a "cannabis event organizer" by the Minnesota Office of Cannabis Management, pursuant to Minnesota Statutes, Chapter 342.
- 5) **Cannabis Manufacturer.** A business licensed to operate as a "cannabis manufacturer" by the Minnesota Office of Cannabis Management, pursuant to Minnesota Statutes, Chapter 342.
- 6) **Cannabis Mezzobusiness.** A business licensed to operate as "a cannabis mezzobusiness" by the Minnesota Office of Cannabis Management, pursuant to Minnesota Statutes, Chapter 342.
- 7) **Cannabis Microbusiness.** A business licensed to operate as a "cannabis microbusiness" by the Minnesota Office of Cannabis Management, pursuant to Minnesota Statutes, Chapter 342.
- 8) **Cannabis Testing Facility.** A business licensed to operate as a "cannabis testing facility" by the Minnesota Office of Cannabis Management, pursuant to Minnesota Statutes, Chapter 342.
- 9) **Cannabis Transporter.** A business licensed to operate as a "cannabis transporter" by the Minnesota Office of Cannabis Management, pursuant to Minnesota Statutes, Chapter 342.
- 10) **Cannabis Wholesaler.** A business licensed to operate as a "cannabis wholesaler" by the Minnesota Office of Cannabis Management, pursuant to Minnesota Statutes, Chapter 342.
- 11) **Dispensary.** A business licensed to operate as a "cannabis retailer" by the Minnesota Office of Cannabis Management, pursuant to Minnesota Statutes, Chapter 342.
- 12) **Lower-Potency Hemp Edible Manufacturer.** A business licensed to operate as a "lower-potency hemp edible manufacturer" by the Minnesota Office of Cannabis Management, pursuant to Minnesota Statutes, Chapter 342.
- 13) **Lower-Potency Hemp Edible Retailer.** A business licensed to operate as a "lower-potency hemp edible retailer" by the Minnesota Office of Cannabis Management, pursuant to Minnesota Statutes, Chapter 342.
- 14) **Medical Cannabis Combination Business.** A business licensed to operate as a "medical cannabis combination business" by the

Minnesota Office of Cannabis Management, pursuant to Minnesota Statutes, Chapter 342.

**b) Supplemental Use Regulations.**

**1) Cannabis Cultivator.** Cannabis cultivators are subject to the following supplemental use regulations:

**a.** Cannabis cultivators may not be located within 1,000 feet of a school, or 500 feet of a day care, residential treatment facility, or public park feature, as those terms are defined in [1314.020](#).

**b.** All cultivation must occur in a completely enclosed building and may not occur in greenhouses, hoop houses, tents or similar structures.

**c.** The conditional use permit application must include:

- [i] Security plan consistent with all requirements of the State Office of Cannabis Management;
- [ii] Waste management plan consistent with all requirements of the State Office of Cannabis Management;
- [iii] Measures for ensuring that light and glare from interior lighting will be confined to the interior of the building; and
- [iv] Measures for ensuring that all state and local standards related to odors are satisfied, including, without limitation, standards adopted by the Minnesota Pollution Control Agency.

**2) Cannabis Delivery Service.** Cannabis delivery services are subject to the following supplemental use regulations:

**a.** Cannabis delivery services may not be located within 1,000 feet of a school, or 500 feet of a day care, residential treatment facility, or public park feature, as those terms are defined in [1314.020](#).

**b.** The conditional use permit application must include:

- [i] A security plan consistent with all requirements of the State Office of Cannabis Management; and

[ii] A waste management plan consistent with all requirements of the State Office of Cannabis Management.

**3) Cannabis Event.** Cannabis events are subject to the following supplemental use regulations:

**a.** Cannabis events may not be located within 1,000 feet of a school, or 500 feet of a day care, residential treatment facility, or public park feature, as those terms are defined in [1314.020](#).

**b.** Cannabis events may occur on no more than 4 consecutive days, there must be at least 30 days between events and no single site may host more than 2 events per calendar year.

**c.** Cannabis events are prohibited on city-owned property.

**d.** Cannabis events may not take place outdoors and must be held in a completely enclosed building.

**e.** On-site consumption of cannabis or hemp products during any cannabis event is prohibited.

**4) Cannabis Event Organizer.** Cannabis event organizers are subject to the following supplemental use regulations:

**a.** Cannabis event organizers may not be located within 1,000 feet of a school, or 500 feet of a day care, residential treatment facility, or public park feature, as those terms are defined in [1314.020](#).

**b.** The conditional use permit application must include:

- [i] A security plan consistent with all requirements of the State Office of Cannabis Management; and
- [ii] A waste management plan consistent with all requirements of the State Office of Cannabis Management.

**c.** On-site consumption of cannabis is prohibited as part of a cannabis event organizer (office) use.

**5) Cannabis Manufacturer.** Cannabis manufacturers are subject to the following supplemental use regulations:

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- a. Cannabis manufacturers may not be located within 1,000 feet of a school, or 500 feet of a day care, residential treatment facility, or public park feature, as those terms are defined in 1314.020.
- b. Cannabis manufacturing may not take place outdoors and must occur in a completely enclosed building.
- c. The conditional use permit application must include:
  - [i] A security plan consistent with all requirements of the State Office of Cannabis Management;
  - [ii] Waste management plan consistent with all requirements of the State Office of Cannabis Management; and
  - [iii] Measures for ensuring that all state and local standards related to odors are satisfied, including, without limitation, standards adopted by the Minnesota Pollution Control Agency.

**6) Cannabis Mezzobusiness.** Cannabis mezzobusinesses are subject to the following supplemental use regulations:

- a. Cannabis mezzobusinesses may not be located within 1,000 feet of a school, or 500 feet of a day care, residential treatment facility, or public park feature, as those terms are defined in 1314.020.
- b. Cannabis mezzobusinesses may not take place outdoors and must occur in a completely enclosed building.
- c. All cultivation activities conducted as part of a cannabis mezzobusiness are subject to all regulations that apply to cannabis cultivators.
- d. All manufacturing activities conducted as part of a cannabis mezzobusiness are subject to all regulations that apply to cannabis manufacturers.
- e. All cannabis retail sales activities conducted as part of a cannabis mezzobusiness are subject to all regulations that apply to dispensaries, provided, however, that such activities may be conducted in an I district

only in conjunction with cultivation or manufacturing activities.

**7) Cannabis Microbusiness.** Cannabis microbusinesses are subject to the following supplemental use regulations:

- a. Cannabis microbusinesses may not be located within 1,000 feet of a school, or 500 feet of a day care, residential treatment facility, or public park feature, as those terms are defined in 1314.020.
- b. Cannabis microbusinesses may not take place outdoors and must occur in a completely enclosed building.
- c. All cultivation activities conducted as part of a cannabis microbusiness are subject to all regulations that apply to cannabis cultivators.
- d. All manufacturing activities conducted as part of a cannabis microbusiness are subject to all regulations that apply to cannabis manufacturers.
- e. All cannabis retail sales activities conducted as part of a cannabis microbusiness are subject to all regulations that apply to dispensaries, provided, however, that such activities may be conducted in an I district only in conjunction with cultivation or manufacturing activities.

**8) Cannabis Testing Facility.** Cannabis testing facilities are subject to the following supplemental use regulations:

- a. Cannabis testing facilities may not be located within 1,000 feet of a school, or 500 feet of a day care, residential treatment facility, or public park feature, as those terms are defined in 1314.020.
- b. The conditional use permit application must include:
  - [i] A security plan consistent with all requirements of the State Office of Cannabis Management; and
  - [ii] A waste management plan consistent with all requirements of the State Office of Cannabis Management.

9) **Cannabis Transporter.** Cannabis transporters are subject to the following supplemental use regulations:

- a. Cannabis transporters may not be located within 1,000 feet of a school, or 500 feet of a day care, residential treatment facility, or public park feature, as those terms are defined in [1314.020](#).
- b. The conditional use permit application must include:
  - [i] A security plan consistent with all requirements of the State Office of Cannabis Management; and
  - [ii] A waste management plan consistent with all requirements of the State Office of Cannabis Management.

10) **Cannabis Wholesaler.** Cannabis wholesalers are subject to the following supplemental use regulations:

- a. Cannabis wholesalers may not be located within 1,000 feet of a school, or 500 feet of a day care, residential treatment facility, or public park feature, as those terms are defined in [1314.020](#).
- b. All storage and warehousing must occur in a completely enclosed building.
- c. The conditional use permit application must include:
  - [i] A security plan consistent with all requirements of the State Office of Cannabis Management; and
  - [ii] A waste management plan consistent with all requirements of the State Office of Cannabis Management.

11) **Dispensaries.** Dispensaries are subject to the following supplemental use regulations:

- a. Dispensaries may not be located within 1,000 feet of a school, or 500 feet of a day care, residential treatment facility, or public park feature, as those terms are defined in [1314.020](#).
- b. The conditional use permit application must include:

- [i] A security plan consistent with all requirements of the State Office of Cannabis Management; and
- [ii] A waste management plan consistent with all requirements of the State Office of Cannabis Management.

12) **Lower-Potency Hemp Edible Manufacturer.**

Lower-potency hemp edible manufacturers are subject to the following supplemental use regulations:

- a. Lower-potency hemp edible manufacturers may not be located within 1,000 feet of a school, or 500 feet of a day care, residential treatment facility, or public park feature, as those terms are defined in [1314.020](#).
- b. Lower-potency hemp edible manufacturers may not take place outdoors and must occur in a completely enclosed building;
- c. The conditional use permit application must include:
  - [i] A security plan consistent with all requirements of the State Office of Cannabis Management;
  - [ii] A waste management plan consistent with all requirements of the State Office of Cannabis Management; and
  - [iii] Measures for ensuring that all state and local standards related to odors are satisfied, including, without limitation, standards adopted by the Minnesota Pollution Control Agency.

13) **Lower-Potency Hemp Edible Retailer.** Lower-potency hemp edible retailers are subject to the following supplemental use regulations:

- a. On-site consumption of lower-potency hemp edibles is prohibited unless the business holds a valid on-sale liquor license.
- b. All locations shall have an approved security plan consistent with all requirements of the State Office of Cannabis Management.
- c. All locations shall have an approved waste management plan consistent with all requirements of the State Office of Cannabis Management.

# Chapter 1305 Principal Uses

## 1305.070 Other Uses

### 14) Medical Cannabis Combination Business.

Medical cannabis combination businesses are subject to the following supplemental use regulations:

- a. Medical cannabis combination businesses may not be located within 1,000 feet of a school, or 500 feet of a day care, residential treatment facility, or public park feature, as those terms are defined in 1314.020.
- b. Medical cannabis combination businesses may not take place outdoors and must be held in a completely enclosed building.
- c. All cultivation activities conducted as part of a medical cannabis combination businesses are subject to all regulations that apply to cannabis cultivators.
- d. All manufacturing activities conducted as part of a medical cannabis combination businesses are subject to all regulations that apply to cannabis manufacturers.
- e. All cannabis retail sales activities conducted as part of a medical cannabis combination businesses are subject to all regulations that apply to dispensaries, provided, however, that such activities may be conducted in and I district only in conjunction with cultivation or manufacturing activities.

### 1305.070.3 Wireless Communications Antennas and Towers

- a) **Category Description.** A facility for the provision of wireless communications services, as defined by the Telecommunications Act of 1996, including all hardware that provides wireless communication services including antennas, towers and all associated equipment.
  - 1) **Tower.** A self-supported lattice, guyed or monopole structure constructed from grade that supports wireless communication facilities.
  - 2) **Antenna.** A physical device attached to and supported by a building or structure through which electromagnetic, wireless telecommunications signals authorized by the Federal Communications Commission are transmitted or received.

- b) **Supplemental Use Regulations.** Wireless communications antennas and towers located outside of city rights-of-way are subject to compliance with the following supplemental use regulations (see Chapter 906 of the municipal code for regulations governing wireless facilities in city rights-of-way):

- 1) No antenna or tower may be erected, constructed or placed, re-erected or re-constructed, or replaced anywhere within the city without first making an application for and obtaining a permit in accordance with the city's building permit procedures, provided however, that no permit is required for the following:
  - a. Satellite dish antennas that are no greater than 9 square feet in cross sectional area and that do not exceed 6 feet in height. as measured from the base of the antenna to the highest point of the antenna;
  - b. Towers or other antennas that do not exceed 6 feet in height, as measured from the base of the antenna or tower to the highest point of the antenna or tower; and
  - c. Antennas, satellite dish antennas, and towers erected or constructed by the city for city purposes.
- 2) Antennas, dish antennas, and towers must be grounded for protection against a direct strike by lightning and must comply with all applicable regulations of the city and state.
- 3) Antennas, dish antennas, and towers may not exceed a height equal to the distance from the base of the antenna, dish antenna, or tower to the nearest overhead electrical power line (except individual service drops), less 5 feet.
- 4) Antennas, dish antennas, and towers, must be protected by a city-approved barrier to discourage climbing by unauthorized persons.
- 5) Antennas, dish antennas, and towers may not display any signs, banners, or placards except one sign not over 10 square inches in area.
- 6) Tower or antenna lighting may be approved by the city for safety purposes only.
- 7) Platforms, catwalks, crow's nests, or similar structures are prohibited on towers.

- 8) All towers must be constructed of corrosive-resistant steel or other corrosive-resistant, non-combustible materials. Towers may not be constructed or made of wood, including timbers or logs.
- 9) No part of any antenna, dish antenna, or tower, or any lines, cables, equipment, wires, or braces used in connection with any tower or antenna may, at any time, extend across or over any part of a street, sidewalk, or alley.
- 10) Applicants must present documentation of the possession of any required license by any federal, state, or local agency.
- 11) In all residential zones, private receiving or transmitting antennas more than 20 feet in height above a structure or more than 50 in height above the ground, if constructed on the ground, are prohibited.
- 12) Commercial receiving or transmitting antennas regardless of height or size with the exception of satellite dish antennas must connect to be sited on the city's municipal antenna site, if technically feasible. The applicant has the burden of proving that a municipal location is not feasible.
- 13) Commercial receiving or transmitting antennas not located on the municipal antenna site are restricted to BP and I districts and require approval in accordance with the conditional use permit procedures of [1311.070](#).
- 14) Private and commercial receiving or transmitting antennas not located on the municipal antenna site must be set back from all lot lines a distance equal to the height of the antenna plus 5 feet.
- 15) Satellite dish antennas greater than 9 square feet in cross section area may not be located on the roof or exterior wall of a principal or accessory building.
- 16) No antenna, dish antenna, or tower may be located in the front yard.
- 17) Satellite dish antennas are allowed only the rear yard.
- 18) No antenna, dish antenna, or tower may be constructed, located, or maintained, at any time, permanently or temporarily, closer to the allowed buildable area of a principal building on any adjacent lot than it is to the principal building on the lot on which it is located.
- 19) All antennas, dish antennas, and towers shall be designed and situated to be visually unobtrusive with ground-mounted screened from view of abutting lots and rights-of-way.
- 20) No transmitting or receiving antennas may be added to nonconforming towers.