

**CITY OF WOODBURY
WASHINGTON COUNTY, MINNESOTA**

ORDINANCE NO. 1963

**AN ORDINANCE OF THE CITY OF WOODBURY, WASHINGTON COUNTY,
MINNESOTA PROVIDING THAT THE CITY CODE BE AMENDED BY AMENDING
CHAPTER 24- ZONING ORDINANCE, ARTICLE I- IN GENERAL, SECTION 24-4
DEFINITIONS; and CHAPTER 24- ZONING ORDINANCE, ARTICLE II-
ADMINISTRATION AND ENFORCEMENT, DIVISION 5- INTERIM AND
TEMPORARY USE PERMITS, SECTION 24-46- TEMPORARY OUTDOOR SALES;
and CHAPTER 24- ZONING ORDINANCE, ARTICLE V- SUPPLEMENTAL
PERFORMANCE STANDARDS, DIVISION 1- RESIDENTIAL PROPERTY
PERFORMANCE STANDARDS, SECTION 24-263- HOME OCCUPATIONS; and
CHAPTER 24- ZONING ORDINANCE, ARTICLE V- SUPPLEMENTAL
PERFORMANCE STANDARDS, DIVISION 2- ACCESSORY BUILDINGS, GARAGES,
RECREATIONAL FACILITY AND MISCELLANEOUS STRUCTURES, SECTION 24-
281- RESIDENTIAL DISTRICTS**

THE CITY COUNCIL OF THE CITY OF WOODBURY, WASHINGTON COUNTY,
MINNESOTA DOES ORDAIN:

**SECTION ONE. Amendment that Chapter 24 –Zoning, Article I – In General, Section 24-4
– Definitions be amended to delete the same in its entirety and substitute the following
therefore:**

Sec. 24-4. – Definitions

Essential services means overhead or underground electrical, gas, steam or water distribution systems and structures or collection, communication, supply or disposal systems and structures used by public utilities or governmental departments or commissions or as are required for the protection of the public health, safety or general welfare, conduits, cables, fire alarm boxes, police call boxes, and accessories in connection therewith but not including buildings.

Exterior storage means the storage of goods, materials, equipment, vehicles, manufactured products and similar items not fully enclosed by a building. Currently licensed and operable vehicles parked or stored outdoors and in compliance with ordinance standards shall not be viewed as exterior storage.

SECTION TWO. Amendment that Chapter 24 –Zoning, Article II – Administration and Enforcement, Division 5- Interim and Temporary Use Permits, Section 24-46 – Temporary outdoor sales be amended to delete the same in its entirety and substitute the following therefore:

Sec. 24-46. - Temporary outdoor events.

- (a) The purpose of the temporary outdoor event regulations is to provide a method for businesses within nonresidential zoning districts to have tent, sidewalk and similar sales or promotional events for limited periods of time and provide a method for nonprofit organizations to raise funds.
- (b) Temporary outdoor events are allowed subject to the following:
 - (1) Events are allowed within nonresidential zoning districts.
 - (2) A permit is required.
 - (3) Events are allowed for each business and development with the following exceptions:
 - a. The business or development must own the property or have at least a one-year lease at the event location.
 - b. Transient merchants are not allowed temporary outdoor events. Transient merchants may participate as part of a permitted event with the permission of the permit holder.
 - (4) Events are allowed for not more than ten days per calendar year.
 - (5) Event location on site must be approved by the city
 - (6) Adequate parking and circulation for both vehicles and pedestrians must be maintained.
 - (7) Off site events are not allowed.
 - (8) Each business and development may host nonprofit organizations on their sites to conduct temporary outdoor events subject to the following:
 - a. Nonprofit events are allowed for not more than 20 days per calendar year at each business or development location.
 - b. Nonprofit event days do not count as event days for the host business/development.
 - c. Permits shall be obtained by the host business or development.

SECTION THREE. Amendment that Chapter 24 –Zoning, Article VI – Supplemental Performance Standards, Division 1- Residential Property Performance Standards, Section 24-263 – Home occupations be amended to delete the same in its entirety and substitute the following therefore:

Sec. 24-263. - Home businesses.

- (a) *Purpose.* The purpose of this section is to establish standards by which home businesses shall be allowed in residential neighborhoods. Home businesses shall have no adverse impact to building aesthetics, traffic volume, noise, odor, or involve any other activity that adversely affects the health, safety and general welfare of, or is detrimental to, the residential nature of the surrounding neighborhood. In addition, this section is intended to

provide a distinction between permitted and prohibited activities and uses concerning home businesses.

(b) *Requirements.* Home businesses shall be allowed in residential districts, subject to the following criteria:

- (1) Home business activities shall be carried on entirely within the dwelling unit.
Exception: Business activities that occur off-site or within a detached garage or attached garage space as allowed within 24-263 (b) (6) (a).
- (2) No more than one room in (or more than 25 percent of) the principal structure shall be devoted to home business use.
- (3) The entrance to the space devoted to the business shall be within the dwelling. There shall be no separate entrance into the business area.
- (4) There shall be no internal or external alterations, or involve construction features not customarily found in dwellings.
- (5) No mechanical equipment shall be used that is not customarily found in the home.
- (6) Home business activities, including the storage, repair, operation, or testing of business equipment and materials, are not permitted within an accessory building, detached garage or attached garage space except as follows:
 - a. Up to 25% of a detached garage or attached garage space may be used for the storage of equipment/materials that are used off-site.
- (7) There shall be no exterior indication of the home business.
- (8) Exterior signs identifying or advertising the home business are prohibited.
- (9) There shall be no exterior display of any kind.
- (10) Exterior storage of equipment or materials used in the home business is prohibited.
- (11) Employees, sub-contractors, work associates, or persons other than those residing at the premises are prohibited from being employed or performing work at the home.
- (12) Home Business vehicles licensed for on road use and in compliance with all other ordinance requirements shall be exempt from criteria listed in 24-263 (b).

(c) *Traffic and deliveries.* The following limitations to vehicular and customer traffic and hours of operation are intended to maintain the residential character of the neighborhood:

- (1) Deliveries for home businesses shall be limited to two delivery or pick-up trips per day.
- (2) Hours of operation for customers of home businesses shall be limited to the hours between 7:00 a.m. and 10:00 p.m.
- (3) The number of customer trips allowed shall not exceed five per day.

(d) *Prohibited activities.* Home businesses shall not:

- (1) Constitute a fire or explosive hazard to neighboring residences, adversely affect neighboring property values, constitute a nuisance or otherwise be detrimental to the

neighbors because of excessive traffic, noise, glare, odor, electrical interference, vibration, dust and other nuisance or safety hazards.

- (2) Adversely impact governmental facilities and services, including roads, sanitary sewers, water, storm drainage, garbage service, police service and fire service.
- (3) Adversely affect sensitive environmental features, including lakes, surface water and underground water supply and quality, wetlands, slopes, floodplains and soils, or other factors as found relevant by the city.
- (4) Involve the use of hazardous materials or activities.
- (5) Involve guns, weapons, gun powder, gun repair, and similar items.

(e) *Prohibited home businesses:*

- (1) Retail sales. *Exception:* sales consistent with Sec. 24-263 (a) and approved by the zoning administrator.
- (2) Manufacturing. *Exception:* manufacturing consistent with Sec. 24-263 (a) and approved by the zoning administrator.
- (3) Repair shop of any kind.
- (4) Vehicle sales. *Exception:* Incidental sales of personal vehicles limited to no more than three per 12 month period.
- (5) Businesses utilizing gun powder or explosives.
- (6) Massage.
- (7) Beauty salons, barber shops, nail, tattoo and body piercing, and similar operations.
- (8) Equipment and supply rental.

SECTION FOUR. Amendment that Chapter 24 –Zoning, Article VI – Supplemental Performance Standards, Division 2- Accessory Buildings, Garages, Recreational Facility and Miscellaneous Structures, Section 24-281 – Residential districts, (a) (1) c. 7. be amended to delete the same in its entirety and substitute the following therefore:

Section 24-281 (a)(1) c.

7. Prohibited building materials.

(a) Plastic sheets, cloth, canvass, tarps and the like are prohibited from exterior use.

Exception: Agricultural buildings as defined by Minnesota Statutes.

(b) Corrugated materials are prohibited from exterior use in platted residential areas.

SECTION FIVE. Effective date.

This ordinance shall be in full force and effect following its passage and publication according to law.

Passed and adopted by the City Council of Woodbury, Washington County, Minnesota, this 26th day of June, 2019.

ATTEST:

Anne W. Burt, Mayor

Clinton P. Gridley, City Administrator

(SEAL)