

**CITY OF PLYMOUTH
HENNEPIN COUNTY, MINNESOTA**

ORDINANCE No. 2020-11

**ORDINANCE AMENDING CHAPTER 21 OF THE PLYMOUTH CITY CODE,
ENTITLED THE PLYMOUTH ZONING ORDINANCE (2020022)**

THE CITY OF PLYMOUTH ORDAINS:

SECTION 1. Amendment. Section 21005.02 of the Plymouth City Code (RULES AND DEFINITIONS—DEFINITIONS) is amended by adding, deleting, or changing the following definitions as follows:

Lot Width: The straight-line distance between side lot lines, as measured at the minimum building setback line. If the front lot line is curved or includes a bend, the straight-line distance between side lot lines is measured at the minimum building setback line in a manner that is an equal distance along both side lot lines.

Recreation, Commercial: A business directed toward the general public, not requiring membership, that offers recreational entertainment such as bowling alleys, billiard halls, miniature golf, ballrooms, roller rinks, shooting ranges, and the like.

Service Road: A road constructed along the main-traveled lanes of a trunk highway, county road, or major roadway with the purpose of eliminating unreasonable circuitry of local travel, providing access to properties off of the major roadway, and accommodating needs of local traffic, pedestrians, and bicyclists. Service roads are generally parallel to and within a reasonable proximity to the primary road, and often lie within the right-of-way of the major roadway, or are platted for purposes of being a service road or frontage road.

Structural Coverage: The term structural coverage, as referenced in this Chapter, shall include the principal building and any attachments thereto which contain a roof. Accessory buildings and structures which contain a roof and are in excess of 200 square feet in dimension shall also be included.

Structure: Anything which is built, constructed or erected; an edifice or building of any kind; or any piece of work artificially built up and/or composed of parts joined together in some definite manner whether temporary or permanent in character. Among other things, structures include but are not limited to buildings, gazebos, decks, retaining walls, walls, fences over 7 feet in height, and swimming pools, but excluding

patios and similar at-grade improvements. For purposes of floodplain overlay districts, the definition of structure also includes on-site utilities and recreational vehicles. *(Amended by Ord. No 2016-29, 10/25/16)*

SECTION 2. Amendment. Section 21030.04, Subd. 2 (b) (15) of the Plymouth City Code (ADMINISTRATION – VARIANCES—PROCEDURES) is amended as follows:

(15) The Zoning Administrator shall provide a written copy of the final order of the Board to the petitioner.

SECTION 3. Amendment. Section 21035.05, Subd. 4 of the Plymouth City Code (ADMINISTRATION – APPEALS—PROCEDURE) is amended as follows:

Subd. 4. The Zoning Administrator shall provide a written copy of the final order of the Board to the petitioner.

SECTION 4. Amendment. Section 21040 of the Plymouth City Code (ENVIRONMENTAL REVIEW) is amended as follows:

SECTION 21040 - ENVIRONMENTAL REVIEW

21040.01. GENERAL PROVISIONS:

Subd. 1. When an environmental assessment worksheet (EAW), alternative urban areawide review (AUAR), or environmental impact statement (EIS) is required or otherwise ordered or submitted, the applicable review procedures shall be as set forth in the Minnesota Environmental Quality Board regulations for the Environmental Review Program, as authorized by Minnesota Statutes and specified in Minnesota Rules 4410.

Subd. 2. An EAW, AUAR, or EIS application, together with the completed data portions of the environmental document, shall be accompanied by a fee and cash escrow as set forth in the City Code. Costs of city time and materials expended in reviewing and processing the application shall be charged against the cash escrow account and credited to the city. If, at any time, the balance in the cash escrow account is depleted to less than 10% of the originally required cash escrow amount, the project proposer shall deposit additional funds in the cash escrow account as determined by the Zoning Administrator. Any balance remaining in the cash escrow account upon

completion of the process shall be returned to the project proposer after all claims and charges thereto have been deducted.

Subd. 3. Upon completion of the environmental document for distribution, the Zoning Administrator shall provide mailed notice of the availability of the environmental document, and date of the meeting at which the Planning Commission will consider the matter, to all property owners within 750 feet of the boundaries of the property that is the subject of the environmental document. Said notice shall be mailed at least ten days before the Planning Commission meeting. Failure of a property owner to receive notice shall not invalidate any such proceedings as set forth in this Chapter. The Planning Commission shall provide its recommendations to the City Council.

SECTION 5. Amendment. Section 21045.04, Subd. 2 (a) of the Plymouth City Code (SITE PLAN REVIEW—MINOR PROJECTS) is amended as follows:

(a) Requests for site plan approval, as provided within this Chapter, shall be filed with the Zoning Administrator on an official application form. The applicant's signature shall be provided on the application form. Additionally, if the applicant is not the fee owner of the property, the fee owner's signature shall also be provided on the application form, or the applicant shall provide separate written and signed authorization for the application from the fee owner. Applications shall be accompanied by a fee as set forth in the City Code. Such applications that include: 1) a new building; or 2) a building addition that expands the gross floor area of an existing building by more than 50 percent or 25,000 square feet, whichever is greater; or 3) other changes that require a site plan amendment (e.g., parking lot expansion, additional lighting), shall be accompanied by a fee and cash escrow as set forth in the City Code for a major site plan amendment. Costs of city time and materials expended in reviewing and processing the application shall be charged against the cash escrow account and credited to the city. If, at any time, the balance in the cash escrow account is depleted to less than 10 percent of the originally required cash escrow amount, the applicant shall deposit additional funds in the cash escrow account as determined by the Zoning Administrator. Any balance remaining in the cash escrow account upon completion of the site plan review process shall be returned to the applicant after all claims and charges thereto have been deducted. The application shall also be accompanied by detailed written and graphic materials, the number, size, and format as prescribed by the Zoning Administrator, fully explaining the proposed change, development, or use. The request shall be

considered as being officially submitted and complete when the applicant has complied with all the specified information requirements.

SECTION 6. Amendment. Section 21045.08, Subd. 2 of the Plymouth City Code (SITE PLAN REVIEW—PLAN MODIFICATIONS) is amended as follows:

Subd. 2. Procedures. A request for a plan modification, as provided within this Chapter, shall be filed with the Zoning Administrator on an official application form. The applicant's signature shall be provided on the application form. Additionally, if the applicant is not the fee owner of the property, the fee owner's signature shall also be provided on the application form, or the applicant shall provide separate written and signed authorization for the application from the fee owner. Such application shall be accompanied by a fee as set forth in the City Code. Pursuant to Minnesota Statutes 15.99, the application shall be approved or denied within 60 days from the date of its official and complete submission, unless extended pursuant to Statute or a time waiver is granted by the applicant. The Zoning Administrator shall provide the applicant with a written decision on the request. The decision may include conditions of approval. *(Amended by Ord. No. 2004-02, 0/13/04) (Amended by Ord. No. 2010-21, 11/23/10)*

SECTION 7. Amendment. Section 21105.03, Subd. 8 of the Plymouth City Code (GENERAL BUILDING AND PERFORMANCE STANDARDS—PLATTED AND UNPLATTED PROPERTY) is amended as follows:

Subd. 8. Outlots are deemed unbuildable and no building permit shall be issued for such properties, except that permits for fences and retaining walls may be issued on outlots, and except that city and regional public park structures may be placed on outlots pursuant to any applicable building permits.

SECTION 8. Amendment. Section 21105.05 of the Plymouth City Code (GENERAL BUILDING AND PERFORMANCE STANDARDS—TRAFFIC SIGHT VISIBILITY) is amended as follows:

21105.05. TRAFFIC SIGHT VISIBILITY:

Subd. 1. Residential Uses. Except as may be approved by the Zoning Administrator, and except for a governmental agency for the purpose of screening, no wall, fence, structure, tree, shrub, vegetation or other obstruction shall be placed on or extend into any yard or right-of-way area so as to pose a danger to traffic by obscuring

the view of approaching vehicular traffic or pedestrians from any street. Visibility from any street shall be unobstructed above a height of three feet, measured from where street center lines intersect within a triangular area described as beginning at the intersection of the projected curb line of two intersecting streets, thence 30 feet along one curb line, thence diagonally to a point 30 feet from the point of beginning along the other curb line. The exception to this requirement shall be where there is a tree, planting or landscape arrangement within such area that will not create a total obstruction wider than three feet. These requirements shall not apply to conditions that legally exist prior to the effective date of this Chapter unless the Zoning Administrator determines that such conditions constitute a safety hazard.

Subd. 2. All Uses Excluding Residential Uses. Except as may be approved by the Zoning Administrator, and except for a governmental agency for the purpose of screening, no wall, fence, structure, tree, shrub, vegetation or other obstruction shall be placed on or extend into any yard or right-of-way area so as to pose a danger to traffic by obscuring the view of approaching vehicular traffic or pedestrians from any street or driveway. Visibility from any street or driveway shall be unobstructed above a height of three feet, measured from where both street or driveway center lines intersect within a triangular area described as beginning at the intersection of the projected curb line of two intersecting streets or drives, thence 30 feet along one curb line, thence diagonally to a point 30 feet from the point of beginning along the other curb line. The exception to this requirement shall be where there is a tree, planting or landscape arrangement within such area that will not create a total obstruction wider than three feet. These requirements shall not apply to conditions that legally exist prior to the effective date of this Chapter unless the Zoning Administrator determines that such conditions constitute a safety hazard.

SECTION 9. Amendment. Section 21105.06, Subd. 4 (b) (3) of the Plymouth City Code (GENERAL BUILDING AND PERFORMANCE STANDARDS—EXTERIOR LIGHTING) is amended as follows:

- (3) Lights mounted to buildings or structures. Lighting mounted onto buildings or other structures shall not exceed a mounting height greater than the height of the building or structure at the place where the lighting is attached, nor higher than 40 percent of the horizontal distance of the light from the property line, whichever is less.

SECTION 10. Amendment. Section 21115.09 of the Plymouth City Code (GENERAL YARD, LOT AREA AND BUILDING REGULATIONS—SINGLE FAMILY DWELLINGS) is amended as follows:

21115.09. SINGLE FAMILY DWELLINGS: All single family detached homes shall comply with the following:

Subd. 1. Minimum Size. Dwellings shall not be less than 30 feet in length and not less than 22 feet in width over that entire minimum length. Width measurements shall not take account of overhang and other projections beyond the principal walls. Dwelling shall also meet the minimum floor area requirements as set out in this Chapter.

Subd. 2. Roof Material. Dwellings shall have an earth covered, composition, wood shingled (include shakes), concrete, clay or ceramic-tiled roof. In addition, metal tile and standing seam metal roof coverings may be allowed by approval of the Zoning Administrator, provided they meet the standards adopted by the Minnesota State Residential Code. *(Amended by Ord. No. 99-25, 10/05/99) (Amended by Ord. No. 2009-07, 05/12/09)*

Subd. 3. Building Permit. Prior to commencement of construction, dwellings shall receive a building permit. The application for a building permit in addition to other information required shall indicate the height, size, design and the appearance of all elevations of the proposed building and a description of the construction materials proposed to be used.

Subd. 4. Design. The exterior architectural design of a proposed dwelling may not be so at variance with, nor so similar to, the exterior architectural design of any structure or structures already constructed or in the course of construction in the immediate neighborhood, nor so at variance with the character of the surrounding neighborhood as to cause a significant depreciation in the property values of the neighborhood or adversely affect the public health, safety or general welfare.

Subd. 5. Code Compliance. Dwellings shall meet the requirements of the Minnesota State Building Code or the applicable manufactured housing code.

SECTION 11. Amendment. Section 21120.02, Subd. 7 of the Plymouth City Code (ACCESSORY BUILDINGS, STRUCTURES, AND USES—GENERAL REQUIREMENTS) is amended as follows:

Subd. 7. Design and Building Materials.

(a) Design. Except in the FRD Zoning District, all accessory buildings in excess of 200 square feet shall be designed to be architecturally consistent with the principal building, and shall incorporate similar or complementary design elements and colors, except that solariums and greenhouses (attached or detached) shall be exempt from this provision.

(b) Building Materials.

(1) Except in the FRD Zoning District and except as may be allowed by paragraph (4) below, all accessory buildings in excess of 200 square feet shall incorporate similar or complementary building materials to those used on the principal building, except that solariums and greenhouses (attached or detached) shall be exempt from this provision.

(2) Accessory buildings and structures constructed primarily of canvas, plastic fabric, or other similar non-permanent building materials shall be prohibited, except that structures used exclusively as greenhouses shall be exempt from this provision.

(3) Quonset-hut type accessory buildings and structures shall be prohibited in the RSF and RMF districts.

(4) Non-residential uses allowed in the residential districts may be allowed to have an all metal or fiberglass accessory building in excess of 200 square feet by conditional use permit, provided the building is located in the rear yard and is screened and landscaped from adjacent residentially zoned or used property and public rights-of-way in accordance with Section 21130 of this Chapter.

SECTION 12. Amendment. Section 21130.01 of the Plymouth City Code (FENCING/SCREENING/LANDSCAPING—FENCE/WALL REGULATIONS) is amended as follows:

21130.01. FENCE/WALL REGULATIONS:

Subd. 1. Permit Required. Except as otherwise provided herein, no person shall erect, alter or relocate any fence or wall within the City without first having been issued a permit therefor.

Subd. 2. Permit Fee. There is no charge for permits for fences that are seven feet in height or lower, or for walls that are four feet in height or lower. A building permit application and related building permit fee, in accordance with the fee schedule outlined in Section 1015 of the City Code, shall be required for fences that exceed seven feet in height and for walls that exceed four feet in height. *(Amended by Ord. No. 2009-07, 05/12/09)*

Subd. 3. Application Procedures.

(a) Agricultural, single family, and two family uses. Each application for a permit under this section shall be submitted to the Building Official on forms provided by the City. Each application shall include a site plan drawn to scale showing the location of the house(s), garage(s), and other improvements on the lot and the location of the fencing or wall to be erected, altered or relocated.

(b) Uses other than agricultural, single family, or two family. Request for fencing or walls shall be processed as part of and according to the procedures of the site plan review, as stipulated in Section 21045 of this Chapter.

(Amended by Ord. No. 2002-02, 01/22/02)

Subd. 4. General Provisions. Except as otherwise provided herein, all fences and walls within the City shall be subject to the following general provisions:

(a) No fences or walls shall be placed on or extend into public rights-of-way.

(b) All fences (hedges and plantings excluded) and walls shall require a fence/wall permit under this Section, unless a separate building permit is required for the fence or wall, or unless the fence or wall does not require a building permit and is authorized on an approved site plan. Fence/wall permits may be issued by the Building Official or designee, if all requirements of this Chapter have been met. *(Amended by Ord. No. 2004-02, 01/13/04) (Amended by Ord. No. 2011-22, 07/26/11)*

(c) Fence Materials and Design.

(1) Fences shall not be constructed from chicken wire, welded wire, plastic deer fence netting or similar product, snow fence, branches, or materials originally intended for other purposes, unless upon the showing of a high degree of architectural quality achieved through the use of such, prior approval is granted by the Zoning Administrator.

(2) That side of any fence or wall considered to be its "face" (i.e., the finished side having no structural supports) shall face abutting property or street right-of-way.

(4) Chain link fences shall include a top rail and the barbed ends shall be toward the ground.

(5) Except for agricultural uses in the FRD district, fences shall not be supported using metal T- or U-posts or similar agricultural product.

(Amended by Ord. No. 2019-01, 02/12/19)

(d) Both sides of any fence or wall shall be maintained in a condition of reasonable repair and appearance by its owner and shall not be allowed to become and remain in a condition of disrepair or danger, or constitute a nuisance, public or private.

(e) No physical damage of any kind shall occur to abutting property during installation unless it is allowed under agreement with the adjacent property owner.

(f) A certificate of survey may be required by the Building Official for all fences (except hedges and plantings) or walls to be constructed on or within six feet from the property line, unless corner property stakes are in place and marked and a survey is filed with the City.

(g) Retaining walls shall not be placed within any drainage or ponding easement unless also reviewed and approved by the City Engineer.

(h) Fencing shall not be placed within any utility easement that includes major utility service such as publicly-maintained water main or sewer pipes unless also reviewed and approved by the City Engineer.

(i) A fence with a minimum height of 3.5 feet shall be required on the top of any retaining wall that exceeds four feet in height, and on the top of any tiered retaining wall that requires a building permit. The Zoning Administrator may grant exceptions to this provision if the retaining wall does not pose a public safety concern. *(Amended by Ord. No. 2005-01, 01/11/05) (Amended by Ord. No. 2010-01, 02/23/10)*

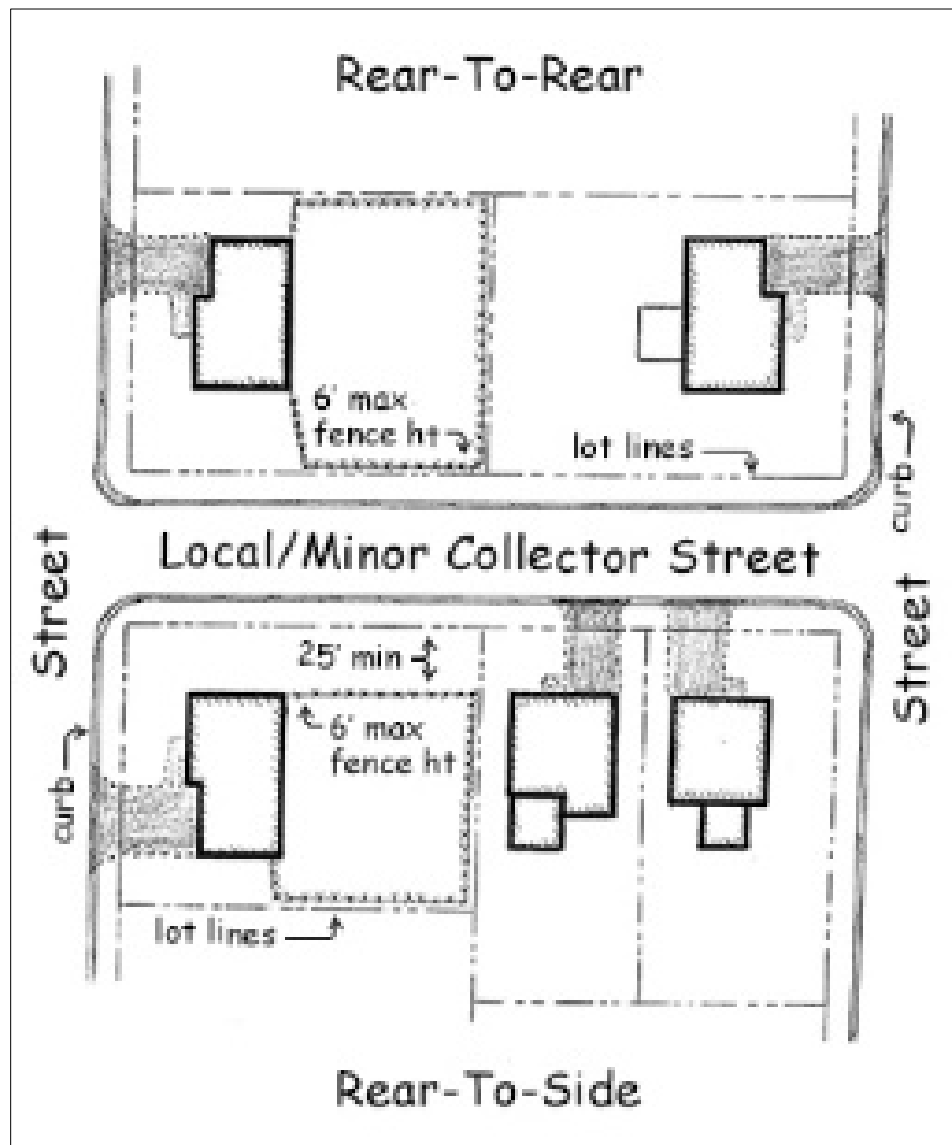
(j) No fences or walls shall be placed within a wetland or required wetland buffer, cross over a required rain garden, or extend below the ordinary high water level of a lake, stream, or water quality/detention pond.

(k) Fencing that is 2 feet high or lower and that directly surrounds a garden shall be exempt from the provisions of this section, provided it is set back a minimum of 6 feet from lot lines.

(Amended by Ord. No. 2000-06, 02/29/00) (Amended by Ord. No. 2002-02, 01/22/02) (Amended by Ord. No. 2004-02, 01/13/04) (Amended by Ord. No. 2009-07, 05/12/09) (Amended by Ord. No. 2019-01, 02/12/19)

Subd. 5. Specific Fence Standards. Except as otherwise provided herein, fences may be allowed subject to the following specific standards:

(a) Fences constructed of materials with an opacity of up to 100 percent and not exceeding 6.5 feet in height (includes ground clearance at the bottom and support posts/post caps at the top), provided that the actual fence panels/boards do not exceed 6 feet, may be located at or behind the minimum front setback lines, as required for the principal structure on the lot. The exception is, on corner lots where the rear wall of the principal building (wall opposite the wall where the property is addressed) faces the rear wall of an abutting principal building, such fences may be located within the required front yard area that lies between the side wall of the principal building and the abutting side street, from the rear wall of the principal building to the rear lot line. Said fence may also be located within a required front yard area that qualifies as an equivalent rear or side yard as defined by this Chapter. *(Amended by Ord. No. 2000-06, 02/29/00) (Amended by Ord. No. 2001-06, 02/13/01) (Amended by Ord. No. 2002-02, 01/22/02) (Amended by Ord. No. 2019-01, 02/12/19)*



(b) Except as provided in (a) above, fences constructed of materials with an opacity of 50 percent or more and not exceeding 3.5 feet in height (includes ground clearance at the bottom and support posts/post caps at the top), provided that the actual fence panels/boards do not exceed 3 feet, may be located within a required front yard area. Fences constructed of materials with an opacity of under 50 percent (e.g., wrought iron, chain link, split rail) and not exceeding 4.5 feet in height (includes ground clearance at the bottom and support posts/post caps at the top), provided that the actual fence panels/boards do not exceed 4 feet, may be located within a required front yard area. (Amended by Ord. No. 2002-02, 01/22/02) (Amended by Ord. No. 2004-02, 01/13/04) (Amended by Ord. No 2019-01, 02/12/19)

(c) Fences not exceeding 6.5 feet in height (includes ground clearance at the bottom and support posts/post caps at the top), provided that the actual fence panels/boards do not exceed 6 feet, may be permitted in front yard areas of homeowner-association owned and maintained amenity lots in order to enclose and secure a swimming pool area, provided that:

(1) Such fencing shall be set back a minimum of three feet from front lot lines.

(2) Such front yard fencing shall be constructed of decorative materials with an opacity of under 50 percent (e.g., wrought iron).

(d) Fences not exceeding 6.5 feet in height (includes ground clearance at the bottom and support posts/post caps at the top), provided that the actual fence panels/boards do not exceed 6 feet, for uses other than one and two family dwellings, may be permitted in front of the front building line as established by the primary structure on the lot, when required for screening of adjacent property. In such cases, the required front setback for the fence shall be the same as for the use which it is intended to buffer.

(e) On corner lots or lots adjacent to railroad rights-of-way, no fence shall be located in a sight visibility triangle unless it is in compliance with the sight clearance requirements for such lots as set forth in Section 21105.05 of this Chapter.

(f) There are no height restrictions on natural hedges or plantings utilized as fences in any residential zoning district, except that no such hedges or plantings shall be located within a sight visibility triangle as set forth in Section 21105.05 of this Chapter.

(g) Should the rear lot line of a lot in a residential district be common with the side lot line of an abutting lot, that portion of the rear lot line equal to the required front yard setback of the abutting lot shall be fenced in accordance with the provisions of Section 21130.01, Subd. 5.b.

(h) Fences not exceeding 10 feet in height may be permitted without a conditional use permit in order to enclose tennis or other recreational courts, provided that:

(1) All other requirements of this Chapter are met.

(2) Such fences shall be constructed of materials with an opacity of under 50 percent (e.g., wrought iron, chain link).

(3) Such fences may be located within: i) a rear or side yard provided they are set back at least six feet from any lot line; or ii) a front yard which qualifies as an equivalent rear or side yard (as defined by this Chapter) provided they are set back from such front lot line a distance equal to, or greater than, the minimum front setback specified for the principal building on the lot, and are set back at least six feet from other lot lines.

(4) Such fences over seven feet in height shall require a building permit.

(Amended by Ord. No. 2002-02, 01/22/02) (Amended by Ord. 2010-01, 02/23/10)

(i) Fences not exceeding 10 feet in height may be permitted without a conditional use permit in order to: 1) provide required screening of outside storage yards or loading areas in the industrial districts; or 2) provide screening of electrical substation enclosures in the P-I district, provided that:

(1) All other requirements of this Chapter are met.

(2) Such fences over seven feet in height shall require a building permit.

(j) Fences which include a security gate at a point where access is provided to the property and principal building may be approved if necessary and appropriate as part of the site plan review.

(k) Temporary fencing not exceeding six feet in height may be installed to secure the perimeter of a construction site, upon issuance of an administrative permit pursuant to Section 21025 of this Chapter, provided any such fencing is removed upon completion of the construction project. *(Amended by Ord. No. 2004-02, 01/13/04)*

(Amended by Ord. No 2014-12, 02/25/14)

Subd. 6. Fences Allowed by Conditional Use Permit and Interim Use Permit. In accordance with requirements set forth in Section 21015 or 21020 of this Chapter as

applicable, the following special fencing arrangements may be approved as a conditional use permit or interim use permit by the City:

(a) Fences allowed by conditional use permit are as follows:

(1) Fences exceeding 6.5 feet in height (includes ground clearance at the bottom and support posts/post caps at the top), provided that:

a. The fence is in a location where fences up to 6.5 feet are permitted.

b. The fence not exceed eight feet in height.

c. The fence shall not be located within the minimum building setback, as required for principal structures, from the ordinary high water level of lakes and streams. (*Amended by Ord. No. 2010, 02/23/10*)

(b) Fences allowed by interim use permit are as follows:

(1) Barbed wire and electrically charged fences. Agricultural uses located in the FRD District and essential service structures in all Districts shall, however, be exempt from the interim use permit requirements.

(2) Razor wire fences.

(c) Standards for evaluating fences allowed by conditional use permits or interim use permits shall include, but not be limited to, the following:

(1) The fence placement, height or design does not create a safety hazard with regard to, from or on a public street or roadway.

(2) The fence placement, height or design does not create a safety problem or negatively affect adjoining properties or use.

Subd. 7. Non-Conforming Fences. It is the intent of this Chapter to allow the continuation of such non-conforming fences until they are discontinued as provided herein. However, it is not the intent of this Chapter to encourage the survival of non-conforming fences and such fences that are declared to be incompatible with permitted fences within the City. Such fences shall be regulated by the following provision:

(a) An existing fence not allowed by this Chapter in the district within which it is located, except when required by law or ordinance, shall not be enlarged, extended, reconstructed, or structurally altered unless such fence is changed to comply with the requirements of this Chapter. Maintenance of a non-conforming fence will be allowed when this includes necessary repair and incidental alterations which do not expand or intensify the non-conforming fence.

SECTION 13. Amendment. Section 21135.03 of the Plymouth City Code (OFF-STREET PARKING AND LOADING—GENERAL PROVISIONS) is amended by deleting Subd. 5 as follows:

SECTION 14. Amendment. Section 21135.08, Subd. 5 of the Plymouth City Code (OFF-STREET PARKING AND LOADING—LOCATION) is amended as follows:

Subd. 5. In the case of single family, two family, townhouse, and manor home dwellings, parking shall be prohibited:

- (a) Within three feet of any side or rear lot line.
- (b) Within any established drainage or utility easement, unless approved by the City Engineer. *(Amended by Ord. No. 2000-06, 02/29/00)*
- (c) In any portion of a front yard except designated driveways leading directly into a garage or one parking space located along the side of, and parallel to, the driveway or attached garage, away from the principal use. This provision does not prohibit installation and use of an on-site maneuvering area (non-parking area) for driveways that gain their access from an arterial or collector roadway, in order to allow vehicles to turn around prior to entering the street system. *(Amended by Ord. No. 2002-02, 01/22/02) (Amended by Ord. No. 2008-09, 03/25/08) (Amended by Ord. No. 2010, 02/23/10)*

SECTION 15. Amendment. Section 21135.11 of the Plymouth City Code (OFF-STREET PARKING AND LOADING—NUMBER OF OFF-STREET PARKING SPACES REQUIRED) is amended as follows:

21135.11. NUMBER OF OFF-STREET PARKING SPACES REQUIRED: The following minimum number of off-street parking spaces shall be provided and maintained by ownership, easement, and/or lease for and during the life of the respective uses hereinafter set forth.

USE	NUMBER OF PARKING SPACES REQUIRED
Subd. 1. Residential:	
Single Family Dwellings	Two spaces.
Two Family Dwellings	Two spaces per dwelling unit.
Townhouses, Manor Homes	Two and one-half fee free spaces per dwelling unit, of which two must be enclosed, plus one guest parking space for every four units.
Apartment Dwellings	Two fee free spaces per dwelling unit, of which one must be enclosed.
Housing for Elderly	One and one-half spaces per dwelling unit.
Subd. 2. Institutional/Educational/Cultural:	
Auditoriums, Theaters, Religious Institutions, Sports Arenas	One space for each three permanent seats based on the design capacity of the main assembly hall. Facilities as may be provided in conjunction with such buildings or uses shall be subject to additional requirements which are imposed by this Chapter.
Community Centers, Libraries, Museums	One space for each 300 square feet of floor area.
Nursing Homes/Memory Care Homes	One space for each three beds, plus one space for each employee on the major shift.
Private or Private Non-Profit Baseball Fields	One space for each eight seats of design capacity.
Schools, Elementary and Junior High (Public or Private)	Three spaces for each classroom. This requirement may be reduced at the Zoning Administrator's discretion to reflect facility use and/or parking policy. Adequate space shall be allowed for the dropping off and/or picking up of students as determined by the Zoning Administrator.
Schools, Senior High (Public or Private)	One space for each two students based on the design capacity. This requirement may be reduced at the Zoning Administrator's discretion to reflect facility use and/or parking policy. Adequate space shall be allowed for the dropping off and/or picking up of students as determined by the Zoning Administrator.
Subd. 3. Non-Residential:	

Animal Hospitals or Kennels	Five spaces plus one space for each 500 square feet of floor area over 1,000 square feet.
Automobile Washes:	Shall be determined by the type of automobile wash as listed below:
Automatic Drive Through Service	Five spaces or one per employee on maximum shift, whichever is greater.
Self-Service Car Wash	One space per bay.
Motor Fuel Station Automobile Washes	One space in addition to that required for the station.
Beauty Shops	Two spaces for each beauty chair/station.
Bowling Alleys	Five spaces for each lane or alley, plus additional spaces as may be required herein for related uses contained within the principal structure.
Day Care Facilities	One space for each employee, plus one space for each six individuals of licensed capacity.
Drive-In or Drive-Through Restaurants	One space for each two and one-half seats plus one space for each 15 square feet of public service and counter area.
Furniture Sales	One space for each 400 square feet of floor area for the first 25,000 square feet, plus one space for each 600 square feet thereafter.
Laboratories	One space for each 350 square feet of floor area.
Manufacturing	One space for each employee on the major shift or one space for each 350 square feet, whichever is less, plus one space for each company motor vehicle on the premises.
Medical, Chiropractic, or Dental Offices or Clinics	One space for every 200 feet of floor area.
Motels, Hotels, Lodging or Boarding Houses	One space per sleeping unit, plus one space per day shift employee plus one space for each 40 square feet devoted to meeting or banquet rooms.

Motor Fuel Stations	Four spaces plus two spaces for each service stall. Those facilities designed for sale of other items than strictly automobile products, parts or service shall be required to provide additional parking in compliance with other applicable sections of this Chapter.
Office Buildings (Administrative/Commercial) and Banks	One space for each 250 square feet of floor area for the first 100,000 square feet, plus one space for each 350 square feet of floor area thereafter.
Restaurants, Private Clubs, Food Dispensing Establishments (Except Drive-In or Drive-Through Restaurants)	One space for each 40 square feet of floor area of dining and bar area and one space for each 80 square feet of kitchen area.
Retail Commercial Uses, Except as Prescribed Herein	One space for each 200 square feet of floor area for the first 100,000 square feet, plus one space for each 350 square feet of floor area thereafter. The number of parking spaces provided shall not exceed the minimum requirement by more than 10 percent, unless authorized under Section 21135.12.
Retail Sales and Service Business with 50 Percent or More of Gross Floor Area Devoted to Storage, Warehouses, and/or Industry	Eight spaces or one space for each 200 square feet devoted to public sales or service plus one space for each 500 square feet of storage area, whichever is greater.
Shopping Centers	One space for each 200 square feet of leasable floor area for the first 100,000 square feet, plus one space for each 350 square feet of leasable floor area thereafter. The number of parking spaces provided shall not exceed the minimum requirement by more than 10 percent, unless authorized under Section 21135.12.
Sports and Fitness Clubs	One space for each 300 square feet of floor area.
Warehousing	One space for each two employees of the largest shift or one space for each 2,000 square feet of floor area, whichever is greater.

Wholesale Showrooms	One space for each 500 square feet of floor area.
Subd. 4. Non-Specified Uses:	
For uses not specifically listed above, off-street parking requirements shall be computed by the Zoning Administrator on the same basis as required for the most similar listed uses. In such cases, the Zoning Administrator shall also consult off-street parking reference materials including, but not limited to, manuals prepared by the American Planning Association, and Institute of Transportation Engineers.	

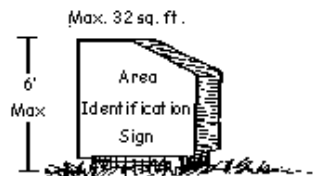
SECTION 16. Amendment. Section 21145.04, Subd. 4 of the Plymouth City Code (HOME OCCUPATIONS—REQUIREMENTS) is amended as follows:

Subd. 4. Prohibited Home Occupation Activities.

- (a) Auto repair, whether for consideration or not, of vehicles which are not registered to a resident of the dwelling, or to a son or daughter, sibling, parent, grandparent, or grandchild of a resident on the property.
- (b) Businesses, educational programs or similar gatherings which meet on a regular basis and have more than five non-residents in attendance at a time.
- (c) Gun or ammunition sales/repair.
- (d) Music instruction or recording studios, unless conducted within a single-family detached dwelling.
- (e) Pet care facilities, except for pet grooming.

SECTION 17. Amendment. Section 21155.06, Subd. 2 (c) (1) of the Plymouth City Code (SIGN REGULATIONS—DISTRICT REQUIREMENTS) is amended as follows:

(1) One freestanding sign not to exceed 32 square feet in surface area. The sign shall be located at least 10 feet from lot lines, and shall not exceed 6 feet in height. The sign may include a changeable copy sign or an electronic changeable copy sign subject to the following:



- a. The portion of the sign containing changeable copy or electronic changeable copy shall be an integral part of the sign or shall be directly connected to the non-changeable copy portion of the sign.
- b. The color of text for an electronic changeable copy sign shall be white or amber with a contrasting dark background.
- c. The sign shall be set back at least 50 feet from side and rear lot lines, except that in no case shall such signage be set back less than 100 feet from any directly abutting residentially guided or used property.
- d. When a changeable copy sign or an electronic changeable copy sign is located on a property that abuts more than one roadway, such sign shall be placed along the highest classification roadway.
- e. Only one changeable copy sign or electronic changeable copy sign shall be permitted per lot. For developments with two or more structures and/or lots, only one changeable copy sign or electronic changeable copy sign shall be permitted per development. (*Amended by Ord. No. 2009-07, 05/12/09*)
- f. The portion of the sign dedicated to changeable copy or electronic changeable copy shall not be illuminated between 10:30 PM and 6:00 AM.

- g. Compliance shall be met with the general regulations and restrictions specified for such signs, as outlined in Section 21155.05 of this Chapter.

SECTION 18. Amendment. Section 21155.06, Subd. 3 (b) of the Plymouth City Code (SIGN REGULATIONS—DISTRICT REQUIREMENTS) is amended as follows:

(b) Freestanding Signs. One freestanding sign not to exceed 64 square feet in surface area or 16 feet in height. The sign shall be set back at least 10 feet from lot lines. The sign may include a changeable copy sign or an electronic changeable copy sign subject to the following:

- (1) The portion of the sign containing changeable copy or electronic changeable copy shall be an integral part of the sign or shall be directly connected to the non-changeable copy portion of the sign.
- (2) The color of text for an electronic changeable copy sign shall be white or amber with a contrasting dark background.
- (3) A changeable copy sign or an electronic changeable copy sign shall be located in a manner that minimizes views (to the extent possible) from residential properties.
- (4) Only one changeable copy sign or electronic changeable copy sign shall be permitted per lot. (*Amended by Ord. No. 2009-07, 05/12/09*)
- (5) Compliance shall be met with the general regulations and restrictions specified for such signs, as outlined in Section 21155.05 of this Chapter.

SECTION 19. Amendment. Section 21155.06, Subd. 4 (c) (2) of the Plymouth City Code (SIGN REGULATIONS—DISTRICT REQUIREMENTS) is amended as follows:

- (2) The freestanding sign may contain a time and temperature sign, a changeable copy sign, an electronic changeable copy sign, or an electronic graphic display sign, subject to the following restrictions:

- a. The portion of the sign containing changeable copy (electronic or not) or electronic graphic display shall be an integral part of the sign or shall be directly connected to the non-changeable copy portion of the sign.
- b. The electronic portion of the sign shall not exceed 64 square feet.
- c. A changeable copy sign, electronic changeable copy sign, or electronic graphic display sign shall be located in a manner that minimizes views (to the extent possible) from residential properties.
- d. Only one changeable copy sign, electronic changeable copy sign, or electronic graphic display sign shall be permitted per lot.
(Amended by Ord. No. 2009-07, 05/12/09)
- e. Compliance shall be met with the general regulations and restrictions specified for such signs, as outlined in Section 21155.05 of this Chapter.

SECTION 20. Amendment. Section 21155.06, Subd. 4 (d) of the Plymouth City Code (SIGN REGULATIONS—DISTRICT REQUIREMENTS) is amended as follows:

(d) In addition to the freestanding sign above, coffee shops and restaurant uses with a drive-through facility may have up to two additional signs, subject to the following conditions:

(1) The combined surface area of the two signs shall not exceed 50 square feet.

(2) Neither sign shall exceed eight feet in height from grade to the top of the sign.

(3) The sign(s) shall be single-sided, located adjacent to the drive-through aisle, and oriented so that the signs provide information to the patrons using the drive-through facility only.

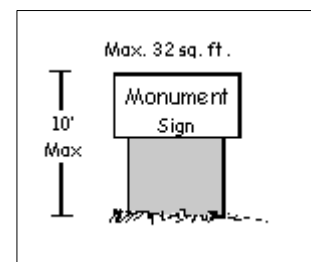
(4) If two signs are used, they shall be similarly designed with the same style, materials and color.

(5) Extenders shall not be attached to any sign if the maximum size allowed in (1) or (2) above would be exceeded.

SECTION 21. Amendment. Section 21155.06, Subd. 5 (c) of the Plymouth City Code (SIGN REGULATIONS—DISTRICT REQUIREMENTS) is amended as follows:

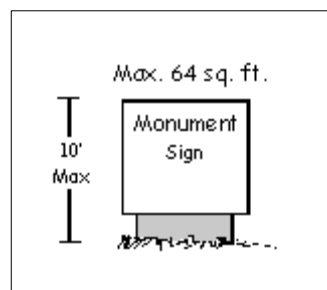
(c) Freestanding Signs:

(1) CC-R & E and CC-OT & R: One monument sign shall be permitted per lot provided the height shall not exceed 10 feet, and the surface area of the sign shall not exceed 32 square feet. Such signage shall be set back at least 10 feet from all lot lines. The monument sign may include a changeable copy sign or an electronic changeable copy sign,



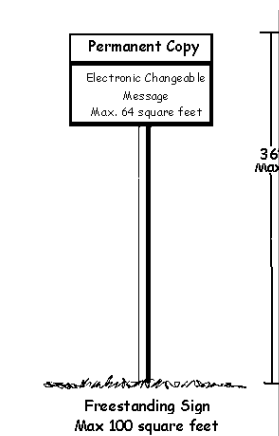
provided the color of text on an electronic changeable copy sign shall be white or amber with a contrasting dark background. A changeable copy sign or an electronic changeable copy sign shall be located in a manner that minimizes views (to the extent possible) from residential properties. In addition, compliance shall be met with the general regulations and restrictions specified for such signs, as outlined in Section 21155.05 of this Chapter.

(2) CC-P: One monument sign shall be permitted per lot provided the height shall not exceed 10 feet, and the surface area of the sign shall not exceed 64 square feet. Such signage shall be set back at least 10 feet from all lot lines. The monument sign may include a changeable copy sign, an electronic changeable copy sign, or an electronic graphic display sign, provided it is



set back at least 15 feet from all lot lines and the color of text on an electronic changeable copy signs shall be white or amber with a contrasting dark background. In addition, compliance shall be met with the general regulations and restrictions specified for such signs, as outlined in Section 21155.05 of this Chapter.

(3) For properties directly abutting Highway 55, one freestanding sign not exceeding 36 feet in height shall be permitted per lot in lieu of the monument sign identified in (1) above, provided the surface area of the sign shall not exceed 100 square feet. Any such freestanding sign shall be located between Highway 55 and the building, and shall be setback at least 10 feet from all lot lines. The sign may include a changeable copy sign or an electronic changeable copy sign, subject to the following restrictions:



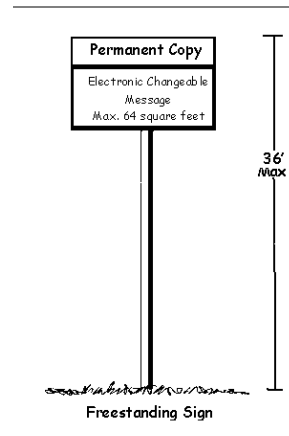
- a. The color of text on an electronic changeable copy sign shall be white or amber with a contrasting dark background.
- b. The electronic portion of the sign shall not exceed 64 square feet.

c. Only one changeable copy sign or electronic changeable copy sign shall be permitted per lot. (*Amended by Ord. No. 2009-07, 05/12/09*)

d. Compliance shall be met with the general regulations and restrictions specified for such signs, as outlined in Section 21155.05 of this Chapter.

SECTION 22. Amendment. Section 21155.06, Subd. 6 (c) of the Plymouth City Code (SIGN REGULATIONS—DISTRICT REQUIREMENTS) is amended as follows:

(c) Freestanding Signs. One freestanding sign shall be permitted per lot provided it shall not exceed 100 square feet in surface area or 36 feet in height. Such signage shall be set back at least 10 feet from all lot lines. The surface area of the sign may be increased to a maximum of 160 square feet for industrial developments of over 20 acres. The sign may include a changeable copy sign or an electronic changeable copy sign subject to the following:



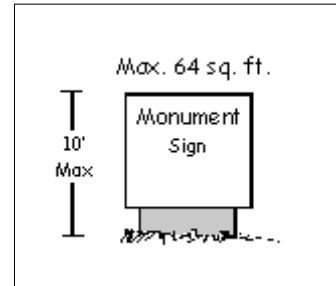
- (1) The portion of the sign containing changeable copy or electronic changeable copy shall be an integral part of the sign or shall be directly connected to the non-changeable copy portion of the sign.
- (2) The color of text on an electronic changeable copy sign shall be white or amber with a contrasting dark background.
- (3) The electronic portion of the sign shall not exceed 64 square feet.
- (4) A changeable copy sign or an electronic changeable copy sign shall be located in a manner that minimizes views (to the extent possible) from residential properties.
- (5) Only one changeable copy sign or electronic changeable copy sign shall be permitted per lot. (*Amended by Ord. No. 2009-07, 05/12/09*)
- (6) Compliance shall be met with the general regulations and restrictions specified for such signs, as outlined in Section 21155.05 of this Chapter.

SECTION 23. Amendment. Section 21155.06, Subd. 7 of the Plymouth City Code (SIGN REGULATIONS—DISTRICT REQUIREMENTS) is amended as follows:

Subd. 7. Public/Institutional District. Signs are accessory to permitted, conditional and interim uses in the P-I District. Only the following signs are allowed in these districts, unless otherwise specifically provided in this Section.

- (a) All signs permitted in Section 21155.06, Subd. 1.
- (b) One monument sign per street frontage, provided that:

(1) The sign shall not exceed 64 square feet in surface area or 10 feet in height. The sign shall be set back at least 10 feet from lot lines. *(Amended by Ord. No. 99-5, 01/19/99)*

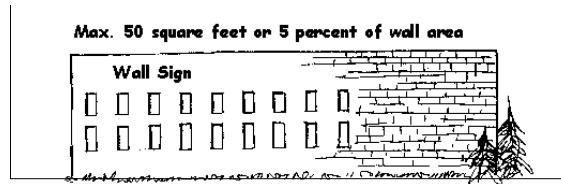


(2) The sign may include a changeable copy sign, an electronic changeable copy sign or an electronic graphic display sign, provided that:

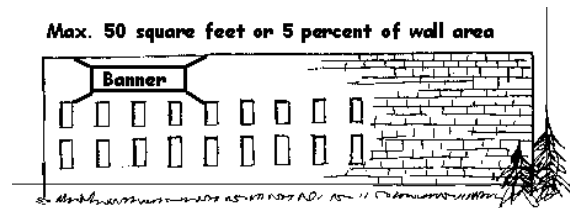
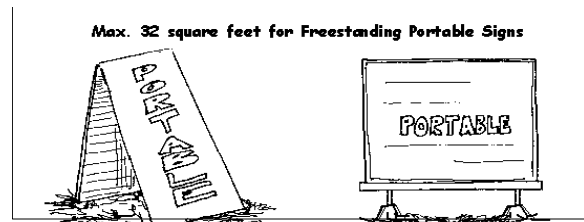
- a. The sign shall be set back at least 50 feet from side and rear lot lines, except that in no case shall such signage be set back less than 100 feet from any directly abutting residentially guided or used property. *(Amended by Ord. No. 2009-07, 05/12/09)*
- b. The portion of the sign dedicated to changeable copy (electronic or not) or electronic graphic display shall not be illuminated between 10:30 PM and 6:00 AM.
- c. When a changeable copy sign (electronic or not) or electronic graphic display sign is located on a property that abuts more than one roadway, such sign shall be placed along the highest classification roadway.
- d. Only one changeable copy sign, electronic changeable copy sign, or electronic graphic display shall be permitted per lot. *(Amended by Ord. No. 2009-07, 05/12/09)*
- e. Compliance shall be met with the general regulations and restrictions specified for such signs, as outlined in Section 21155.05 of this Chapter.

(Amended by Ord. No. 2000-06, 02/29/00) (Amended by Ord. No. 2012-05, 02/28/12) (Amended by Ord. No. 2013-11, 04/23/13)

(c) Wall signage shall be permitted on up to two walls, provided such signage does not exceed 50 square feet in surface area or five percent of the area of the wall to which the sign is attached, whichever is greater. Window signage (includes graphics) shall be permitted on the same building wall that has, or is allowed to have, wall signage. Window signage shall be deducted from the allowable wall signage area; however, in no case shall window signage cover more than 50 percent of the area of the windows on said building wall. (Amended by Ord. No. 2010-01, 02/23/10) (Amended by Ord. No. 2012-05, 02/28/12) (Amended by Ord. No. 2019-01, 02/12/19)



(d) Temporary signs. For single-tenant buildings and multi-tenant buildings with two to four lease-spaces, one temporary sign may be mounted on a portable stand, with a maximum surface area not to exceed 32 square feet, or may be a wall sign subject to the same size standards as the permanent wall signage allowed for the use. Such signs must be located on the subject property and may be used not more than four times per calendar year,



and for a period of not more than 14 days per time. For multi-tenant buildings with five or more lease-spaces, each tenant shall be permitted one such sign per calendar year, except that tenants may be permitted more than one such sign per calendar year upon written authorization of the property owner or designated manager – provided that such temporary signage shall not exceed the total number allowed for the building within the calendar year. Any such temporary signage shall be the responsibility of the property owner or designated manager who shall endorse in writing, all applications for sign permits. The owner or manager of the sign and the property owner shall be equally responsible for the proper location, maintenance, and removal of the sign. The sign, sign supports, and portable stand shall be removed from public view at the end of the period. No such temporary signage shall be allowed on any lot that has a changeable

copy sign, an electronic copy sign, or an electronic graphic display sign.
(Amended by Ord. No. 2009-07, 05/12/09) (Amended by Ord. No.

SECTION 24. Amendment. Section 21194 of the Plymouth City Code (MEDICAL CANNABIS) is amended by deleting SECTION 3 as follows:

SECTION 25. Amendment. Section 21355.07, Subd. 4 of the Plymouth City Code (RSF-1, SINGLE FAMILY DETACHED DWELLING DISTRICT 1—CONDITIONAL USES) is amended as follows:

Subd. 4. Day care facilities not within a residential dwelling, as an accessory use provided that the use complies with Section 21150 of this Chapter, as well as day care facilities not within a residential dwelling that existed as a principal use on or before October 13, 2020 provided that the use complies with Section 21150 of this Chapter.

SECTION 26. Amendment. Section 21355.07, Subd. 5 of the Plymouth City Code (RSF-1, SINGLE FAMILY DETACHED DWELLING DISTRICT 1—CONDITIONAL USES) is amended as follows:

Subd. 5. Educational facilities including, and limited to, public and private accredited elementary, middle, junior high, and senior high schools.

SECTION 27. Amendment. Section 21360.07, Subd. 3 of the Plymouth City Code (RSF-2, SINGLE FAMILY DETACHED DWELLING DISTRICT 2—CONDITIONAL USES) is amended as follows:

Subd. 3. Educational facilities including, and limited to, public and private accredited elementary, middle, junior high, and senior high schools.

SECTION 28. Amendment. Section 21365.07, Subd. 3 of the Plymouth City Code (RSF-3, SINGLE FAMILY DETACHED DWELLING DISTRICT 3—CONDITIONAL USES) is amended as follows:

Subd. 3. Educational facilities including, and limited to, public and private accredited elementary, middle, junior high, and senior high schools.

SECTION 29. Amendment. Section 21370.07, Subd. 3 of the Plymouth City Code (RSF-4, SINGLE AND TWO FAMILY DWELLING DISTRICT—CONDITIONAL USES) is amended as follows:

Subd. 3. Educational facilities including, and limited to, public and private accredited elementary, middle, junior high, and senior high schools.

SECTION 30. Amendment. Section 21375.07, Subd. 3 of the Plymouth City Code (RMF-1, MULTIPLE FAMILY DWELLING DISTRICT 1—CONDITIONAL USES) is amended as follows:

Subd. 3. Educational facilities including, and limited to, public and private accredited elementary, middle, junior high, and senior high schools.

SECTION 31. Amendment. Section 21375.13 of the Plymouth City Code (RMF-1, MULTIPLE FAMILY DWELLING DISTRICT 1—AREA REQUIREMENTS AND CONSTRUCTION LIMITATIONS) is amended as follows:

21375.13. AREA REQUIREMENTS AND CONSTRUCTION LIMITATIONS: The following requirements shall be observed in the RMF-1 District subject to additional requirements, exceptions and modifications set forth in this Chapter:

District Area Minimum	Lot Area Minimum (a)		Minimum Lot Width (feet)		Minimum Lot Area Per Unit	Maximum Structural Coverage (a)		Minimum Setbacks (feet)(a) (d)		Maximum Building Height	
1 acre	SF (b)	6,000 sq. ft.	SF (b)	55	SF (b) – 6,000 sq. ft.	Residential uses – base lot	40%	Front (c) – Res. uses - arterial street	50	Princ. Bldg.	35 feet
	Dwellings >SF - base lot	10,000 sq. ft.	TF (b) - base lot	90	Dwellings >SF – 5,000 sq. ft.	Other uses	50%	Front (c) – Res. uses - non-arterial street	25	Acc. Bldg. 200 sq. ft. or less	10 feet
	Other uses	1 acre	Dwellings >TF - base lot	100				Front (c) – Other uses	50	Acc. Bldg. over 200 sq. ft.	15 feet
			Other uses	200				Principal structure to railroad right-of-way	50		
								Side – living area of SF/TF (e)	8		
								Side – attached garage area of SF/TF	6		
								Side – between SF/TF structures (f)	16		
								Side – Dwellings >TF and Other uses	25		
								Side – between res. structures >TF (f)	25		
								Side – Detached accessory	6		
								Rear – Res. uses	25		
								Rear – between res. structures (f)	40		
								Rear –	40		

					Other uses		
					Rear – Detached accessory	6	
<p>(a) Special requirements apply for environmental overlay districts - See appropriate text</p> <p>(b) SF = Single family detached dwelling / TF = Two family dwelling</p> <p>(c) Applies to each street frontage</p> <p>(d) Setbacks apply to base lot or public rights-of-way</p> <p>(e) Also applies to living space above or behind an attached garage</p> <p>(f) As measured between structures within the same development site; Building Code may require a greater separation in some cases.</p>							

SECTION 32. Amendment. Section 21380.07, Subd. 3 of the Plymouth City Code (RMF-2, MULTIPLE FAMILY DWELLING DISTRICT 2—CONDITIONAL USES) is amended as follows:

Subd. 3. Educational facilities including, and limited to, public and private accredited elementary, middle, junior high, and senior high schools.

SECTION 33. Amendment. Section 21385.07, Subd. 3 of the Plymouth City Code (RMF-3, MULTIPLE FAMILY DWELLING DISTRICT 3—CONDITIONAL USES) is amended as follows:

Subd. 3. Educational facilities including, and limited to, public and private accredited elementary, middle, junior high, and senior high schools.

SECTION 34. Amendment. Section 21390.07, Subd. 4 of the Plymouth City Code (RMF-4, MULTIPLE FAMILY DWELLING DISTRICT 4—CONDITIONAL USES) is amended as follows:

Subd. 4. Educational facilities including, and limited to, public and private accredited elementary, middle, junior high, and senior high schools.

SECTION 35. Amendment. Section 21465.03 of the Plymouth City Code (C-3, HIGHWAY COMMERCIAL DISTRICT—PERMITTED USES) is amended as follows:

21465.03. PERMITTED USES: The following are permitted uses in the C-3 District:

Subd. 1. Amusement centers.

Subd. 2. Auto accessory stores (not including service).

- Subd. 3.** Banks, credit unions, and other financial institutions (excluding currency exchanges) with or without drive up tellers. (Drive up teller service is regulated by Section 21120.04, Subd. 3 of this Chapter.)
- Subd. 4.** Beauty salons and day spas.
- Subd. 5.** Bicycle sales and repair.
- Subd. 6.** Breweries with a taproom.
- Subd. 7.** Brewpub restaurants (no drive-in or drive-through service).
- Subd. 8.** Bus/transit stations or terminals without vehicle storage.
- Subd. 9.** Candy, ice cream, popcorn, nuts, frozen desserts, and soft drink sales.
- Subd. 10.** Commercial recreation, indoor (e.g., bowling alleys, roller rinks).
- Subd. 11.** Convenience grocery markets (without motor fuel facilities or delicatessen food service).
- Subd. 12.** Copy/printing services (excludes printing presses and publishing facilities).
- Subd. 13.** Delicatessens/coffee houses without drive-through service.
- Subd. 14.** Dining restaurants (no drive-in or drive-through service).
- Subd. 15.** Dry cleaning pick up and laundry pick up stations including incidental repair but not including processing.
- Subd. 16.** Essential services not including structures, except those requiring administrative permits or conditional use permits pursuant to Section 21160 of this Chapter.
- Subd. 17.** Furniture stores containing less than 5,000 square feet of gross floor area.
- Subd. 18.** Governmental and public utility (essential service) buildings and structures, including public works type facilities, excluding outdoor storage.
- Subd. 19.** Hotels.
- Subd. 20.** Liquor, off sale, pursuant to the required liquor license.
- Subd. 21.** Locksmiths.
- Subd. 22.** Offices, administrative/commercial.
- Subd. 23.** Offices/clinics for medical, dental, or chiropractic services.
- Subd. 24.** Pet sales, supplies and grooming.
- Subd. 25.** Prepared food restaurants: delivery and/or take out only, with no interior seating.
- Subd. 26.** Private clubs (may serve food and beverages).
- Subd. 27.** Reception halls/event centers, with or without catering services.
- Subd. 28.** Religious institutions such as churches, chapels, temples, synagogues, mosques limited to worship and directly related social events.

Subd. 29. Retail or service operations that are not otherwise addressed in this Chapter provided they are limited to 3,000 square feet of gross floor area per tenant.

Subd. 30. Sexually oriented businesses – accessory or principal (as regulated by Section 21195 of this Chapter).

Subd. 31. Shoe repair.

Subd. 32. Sporting goods and recreational equipment sales, not including motorized vehicles or boats.

Subd. 33. Sports and fitness clubs.

Subd. 34. Tailoring services.

Subd. 35. Tanning salons.

Subd. 36. Therapeutic massage.

Subd. 37. Tutoring/learning centers

Subd. 38. Veterinary clinics and related indoor kennel.

SECTION 36. Amendment. Section 21560.11 of the Plymouth City Code (I-1, LIGHT INDUSTRIAL DISTRICT—USES BY ADMINISTRATIVE PERMIT) is amended as follows:

21560.11. USES BY ADMINISTRATIVE PERMIT: Subject to applicable provisions of this Section, performance standards established by this Chapter, and processing requirements of Section 21025, the following are uses allowed in the I-1 District by administrative permit as may be issued by the Zoning Administrator:

Subd. 1. Antennas located upon an existing structure or existing tower, as regulated by Section 21175 of this Chapter.

Subd. 2. Antennas not located upon an existing structure or existing tower, as regulated by Section 21175 of this Chapter.

Subd. 3. Essential services requiring a permit as provided by Section 21160 of this Chapter.

Subd. 4. Offices, administrative/commercial (excludes offices/clinics for medical, dental, or chiropractic services) using over 50 percent of the principal structure or as a freestanding principal use, provided the parking regulations of this Chapter are met.

Subd. 5. Offices or clinics for physical, cognitive or behavioral therapy limited to 7,000 square feet or less of the principal structure, provided parking regulations of this Chapter are met.

Subd. 6. Other uses of the same general character as those listed as a permitted use in this District.

Subd. 7. Outside, above ground storage facilities for fuels used for heating purposes; outdoor generators located 200 feet or more away from residentially guided or zoned property; and outdoor equipment used for dispensing fuels to vehicles or containers used in conjunction with the approved principal use, but not for sale. Such features for new developments shall be included with the site plan submitted for review and approval as required by this Chapter, and such features for existing developments shall be subject to the approval of the Zoning Administrator and the following criteria:

- (a) The design, construction, and location of any such features must comply with State and City codes including appropriate National Fire Protection Association standards, Minnesota State Fire Code requirements, and manufacturer's specifications.
- (b) An accurate site plan for the development based upon a certified survey, shall be submitted showing to scale the location of such features, including any fencing and landscaping related to safety or screening.
- (c) To assure that fire hose streams can be directed onto such features with minimal obstruction, solid wall enclosures shall not be used.
- (d) Such features must be located so as not to obstruct approved parking spaces, driving aisles, fire lanes, utility easements, or required building ingress or egress points.
- (e) No signage shall be permitted, other than required safety information, product identification, product hazards, and operation instructions. For the purpose of this Section, "signage" includes words, graphics, logos, and symbols.
- (f) Outdoor generators located less than 200 feet from residentially guided or zoned property shall require the approval of a site plan (or site plan amendment) for a major project, pursuant to Section 21045.05 of this Chapter.

(Amended by Ord. No. 2012-05, 02/28/12)

Subd. 8. Outside storage as an accessory use when not abutting any residentially zoned or used property other than vacant FRD property classified for non-residential use by the Land Use Guide Plan, provided that:

- (a) The storage area is surfaced with blacktop, concrete, or other approved material to control dust.
- (b) The storage area does not take up parking space or loading space as required for conformity to this Chapter.
- (c) All requirements of Section 21105.11 of this Chapter are met.

Subd. 9. Temporary mobile towers for personal wireless service antennas, as regulated by Section 21175 of this Chapter.

Subd. 10. Temporary events and outdoor sales subject to the following criteria:

- (a) Special Promotional Events (except Carnivals).
 - (1) Such activity is directed towards the general public and includes grand openings, business events, craft shows, flea markets, mechanical and animal rides, and outdoor display of materials.
 - (2) The event shall not exceed the period specified in the administrative permit and in no case shall exceed three consecutive calendar days per event.
 - (3) There shall be no more than two special events per calendar year per property. However, each tenant in a multi-tenant building shall be permitted one special event per year. Multi-tenant buildings with less than five lease spaces shall be considered as a single property for purposes of this provision.
- (b) Carnivals.
 - (1) The applicant must submit an amusement license application as required by Section 1100 of the City Code.

(2) The event shall not exceed the period specified in the administrative permit and in no case shall exceed seven consecutive calendar days per event.

(3) There shall be no more than one carnival per calendar year per property.

(c) Outdoor Sales, including but not limited to transient merchants and transient produce merchants (excluding Christmas Tree Sales):

(1) Such activity is directed towards the general public and includes warehouse sales, sidewalk sales, inventory reduction or liquidation sales, distressed merchandise sales, sales of fireworks, seasonal merchandise sales (except Christmas trees), and transient merchant and transient produce merchant sales.

(2) The following specific standards shall apply to all proposed temporary outdoor sales activities allowed by this paragraph and by City Code business licensing provisions in addition to other applicable building and safety code requirements as determined by the Zoning Administrator.

a. The maximum total time for temporary outdoor sales activities shall be the period specified in the administrative permit and, in no case, shall exceed 90 days per calendar year per property.

b. There shall be no more sales activities than those specified in the administrative permit and, in no case, shall there be more than 10 sales activities per year per property.

c. Sales activities may be conducted within a required yard provided the area is paved and the activity does not interfere with parking, traffic circulation or emergency vehicle access. Temporary sales on unpaved landscaped areas is prohibited.

d. Sales of fireworks shall also be regulated by Section 1110 of the City Code.

(d) Outdoor Christmas Tree Sales.

(1) Such activity is directed towards the general public and consists of the outdoor sales of cut evergreen trees, boughs, wreaths and other natural holiday decorations and related products.

(2) The following specific standards shall apply to all proposed outdoor Christmas tree sales allowed by this paragraph and by City Code business licensing provisions in addition to other applicable building and safety code requirements as determined by the Zoning Administrator.

a. The maximum total time for sales activities shall be the period specified in the administrative permit and, in no case, shall exceed 45 days per calendar year per property.

b. There shall be no more than one sales activity per year per property, which shall be in addition to any special events or other outdoor sales permitted on the property.

c. Sales activities may be conducted within a required yard provided the area is paved and the activity does not interfere with parking, traffic circulation or emergency vehicle access. Sales on unpaved landscaped areas is prohibited.

(e) General Standards applying to all temporary events and outdoor sales.

(1) The event or sale shall be accessory to or promoting the permitted or conditional use approved for the site.

(2) Tents, stands, and other similar temporary structures may be used, provided they are clearly identified on the submitted plan and provided that it is determined by the Zoning Administrator that they will not impair the parking capacity, emergency access, or the safe and efficient movement of pedestrian and vehicular traffic on or off the site.

(3) The submitted plan shall clearly demonstrate that adequate off-street parking for the proposed event can and will be provided for the duration of the event. Determination of compliance with this requirement shall be made by the Zoning Administrator who shall consider the nature of the event and the applicable parking requirements of Section 21135. Consideration shall be given to the parking needs and requirements of other occupants in the case of multi-tenant buildings. Parking on public

right-of-way and streets is prohibited; except that parking on local streets may be allowed on Saturday and Sunday only, provided that the petitioner arranges for traffic control by authorized enforcement officers, as approved in writing by the Police Chief, at the petitioner's expense.
(Amended by Ord. No. 2016-11, 04/26/16)

(4) Signage related to the event or sale shall be in compliance with the temporary sign standards of Section 21155 and shall be allowed for the duration of the event. The Zoning Administrator may authorize special signage for purposes of traffic direction and control; the erection and removal of such signage shall be the responsibility of the applicant.

(5) The approved permit shall be displayed on the premises for the duration of the event.

(6) All activity related to the event or sale must take place within the time permitted in the administrative permit. No buildings, equipment or materials may be erected or displayed prior to the start date identified in the permit application and all structures, equipment and displays must be removed by the end date identified in the administrative permit.

(7) Not more than one such event or sale shall be allowed per property at any given time.

(Amended by Ord. No. 2011-05, 02/22/11)

Subd. 11. Temporary structures, as regulated by Section 21167 of this Chapter.

SECTION 37. Amendment. Section 21565.11 of the Plymouth City Code (I-2, GENERAL INDUSTRIAL DISTRICT—USES BY ADMINISTRATIVE PERMIT) is amended as follows:

21565.11. USES BY ADMINISTRATIVE PERMIT: Subject to applicable provisions of this Section, performance standards established by this Chapter, and processing requirements of Section 21025, the following are uses allowed in the I-2 District by administrative permit as may be issued by the Zoning Administrator:

Subd. 1. Antennas located upon an existing structure or existing tower, as regulated by Section 21175 of this Chapter.

Subd. 2. Antennas not located upon an existing structure or existing tower, as regulated by Section 21175 of this Chapter.

Subd. 3. Essential services requiring a permit as provided by Section 21160 of this Chapter.

Subd. 4. Offices, administrative/commercial (excludes offices/clinics for medical, dental, or chiropractic services) using over 50 percent of the principal structure or as a freestanding principal use, provided the parking regulations of this Chapter are met.

Subd. 5. Offices or clinics for physical, cognitive or behavioral therapy limited to 7,000 square feet or less of the principal structure, provided parking regulations of this Chapter are met.

Subd. 6. Other uses of the same general character as those listed as a permitted use in this District.

Subd. 7. Outside, above ground storage facilities for fuels used for heating purposes; outdoor generators located 200 feet or more away from residentially guided or zoned property; and outdoor equipment used for dispensing fuels to vehicles or containers used in conjunction with the approved principal use, but not for sale. Such features for new developments shall be included with the site plan submitted for review and approval as required by this Chapter, and such features for existing developments shall be subject to the approval of the Zoning Administrator and the following criteria:

(a) The design, construction, and location of any such features must comply with State and City codes including appropriate National Fire Protection Association standards, Minnesota State Fire Code requirements, and manufacturer's specifications.

(b) An accurate site plan for the development based upon a certified survey, shall be submitted showing to scale the location of such features, including any fencing and landscaping related to safety or screening.

(c) To assure that fire hose streams can be directed onto such features with minimal obstruction, solid wall enclosures shall not be used.

(d) Such features must be located so as not to obstruct approved parking spaces, driving aisles, fire lanes, utility easements, or required building ingress or egress points.

(e) No signage shall be permitted, other than required safety information, product identification, product hazards, and operation instructions. For the purpose of this Section, "signage" includes words, graphics, logos, and symbols.

(f) Outdoor generators located less than 200 feet from residentially guided or zoned property shall require the approval of a site plan (or site plan amendment) for a major project, pursuant to Section 21045.05 of this Chapter.

(Amended by Ord. No. 2012-05, 02/28/12)

Subd. 8. Outside storage as an accessory use when not abutting any residentially zoned or used property other than vacant FRD property classified for non-residential use by the Land Use Guide Plan, provided that:

(a) The storage area is surfaced with blacktop, concrete, or other approved material to control dust.

(b) The storage area does not take up parking space or loading space as required for conformity to this Chapter.

(c) All requirements of Section 21105.11 of this Chapter are met.

Subd. 9. Temporary mobile towers for personal wireless service antennas, as regulated by Section 21175 of this Chapter.

Subd. 10. Temporary events and outdoor sales subject to the following criteria:

(a) Special Promotional Events (except Carnivals).

(1) Such activity is directed towards the general public and includes grand openings, business events, craft shows, flea markets, mechanical and animal rides, and outdoor display of materials.

(2) The event shall not exceed the period specified in the administrative permit and in no case shall exceed three consecutive calendar days per event.

(3) There shall be no more than two special events per calendar year per property. However, each tenant in a multi-tenant building shall be permitted one special event per year. Multi-tenant buildings with less than five lease-spaces shall be considered as a single property for purposes of this provision.

(b) Carnivals.

(1) The applicant must submit an amusement license application as required by Section 1100 of the City Code.

(2) The event shall not exceed the period specified in the administrative permit and in no case shall exceed seven consecutive calendar days per event.

(3) There shall be no more than one carnival per calendar year per property.

(c) Outdoor Sales, including but not limited to transient merchants and transient produce merchants (excluding Christmas Tree Sales):

(1) Such activity is directed towards the general public and includes warehouse sales, sidewalk sales, inventory reduction or liquidation sales, distressed merchandise sales, sales of fireworks, seasonal merchandise sales (except Christmas trees), and transient merchant and transient produce merchant sales.

(2) The following specific standards shall apply to all proposed temporary outdoor sales activities allowed by this paragraph and by City Code business licensing provisions in addition to other applicable building and safety code requirements as determined by the Zoning Administrator.

a. The maximum total time for temporary outdoor sales activities shall be the period specified in the administrative permit and, in no case, shall exceed 90 days per calendar year per property.

b. There shall be no more sales activities than those specified in the administrative permit and, in no case, shall there be more than 10 sales activities per year per property.

c. Sales activities may be conducted within a required yard provided the area is paved and the activity does not interfere with parking, traffic circulation or emergency vehicle access. Temporary sales on unpaved landscaped areas is prohibited.

d. Sales of fireworks shall also be regulated by Section 1110 of the City Code.

(d) Outdoor Christmas Tree Sales.

(1) Such activity is directed towards the general public and consists of the outdoor sales of cut evergreen trees, boughs, wreaths and other natural holiday decorations and related products.

(2) The following specific standards shall apply to all proposed outdoor Christmas tree sales allowed by this paragraph and by City Code business licensing provisions in addition to other applicable building and safety code requirements as determined by the Zoning Administrator.

a. The maximum total time for sales activities shall be the period specified in the administrative permit and, in no case, shall exceed 45 days per calendar year per property.

b. There shall be no more than one sales activity per year per property, which shall be in addition to any special events or other outdoor sales permitted on the property.

c. Sales activities may be conducted within a required yard provided the area is paved and the activity does not interfere with parking, traffic circulation or emergency vehicle access. Sales on unpaved landscaped areas is prohibited.

(e) General Standards applying to all temporary events and outdoor sales.

(1) The event or sale shall be accessory to or promoting the permitted or conditional use approved for the site.

(2) Tents, stands, and other similar temporary structures may be used, provided they are clearly identified on the submitted plan and provided that it is determined by the Zoning Administrator that they will not impair the parking capacity, emergency access, or the safe and efficient movement of pedestrian and vehicular traffic on or off the site.

(3) The submitted plan shall clearly demonstrate that adequate off-street parking for the proposed event can and will be provided for the duration of the event. Determination of compliance with this requirement shall be made by the Zoning Administrator who shall consider the nature of the event and the applicable parking requirements of Section 21135. Consideration shall be given to the parking needs and requirements of other occupants in the case of multi-tenant buildings. Parking on public right-of-way and streets is prohibited; except that parking on local streets may be allowed on Saturday and Sunday only, provided that the petitioner arranges for traffic control by authorized enforcement officers, as approved in writing by the Police Chief, at the petitioner's expense.
(Amended by Ord. No. 2016-11, 04/26/16)

(4) Signage related to the event or sale shall be in compliance with the temporary sign standards of Section 21155 and shall be allowed for the duration of the event. The Zoning Administrator may authorize special signage for purposes of traffic direction and control; the erection and removal of such signage shall be the responsibility of the applicant.

(5) The approved permit shall be displayed on the premises for the duration of the event.

(6) All activity related to the event or sale must take place within the time permitted in the administrative permit. No buildings, equipment or materials may be erected or displayed prior to the start date identified in the permit application and all structures, equipment and displays must be removed by the end date identified in the administrative permit.

(7) Not more than one such event or sale shall be allowed per property at any given time.

(Amended by Ord. No. 2011-05, 02/22/11)

Subd. 11. Temporary structures, as regulated by Section 21167 of this Chapter.

SECTION 38. Amendment. Section 21650 of the Plymouth City Code (PI, PUBLIC/INSTITUTIONAL DISTRICT) is amended as follows:

SECTION 21650 - P-I, PUBLIC/INSTITUTIONAL DISTRICT

21650.01. PURPOSE: The P-I District is intended to provide a specific zoning district for facilities devoted to serving the public and specialized government activities, and semi-public uses. It is unique in that the primary objective of uses within this district is the provision of services, frequently on a non-profit basis, rather than the sale of goods or services. It is intended that uses within such a district will be compatible with adjoining development, and they normally will be located on or in proximity to an arterial street.

21650.03. PERMITTED USES: Subject to applicable provisions of this Chapter, the following are permitted uses in the P-I District:

Subd. 1. Day care facilities as a principal or accessory use.

Subd. 2. Educational facilities including, and limited to, public and private accredited elementary, middle, junior high, and senior high schools.

Subd. 3. Essential services not including structures, except those requiring administrative permits or conditional use permits pursuant to Section 21160 of this Chapter.

Subd. 4. Governmental and public utility (essential service) buildings and structures, including public works type facilities, excluding outdoor storage.

Subd. 5. Parks, trails, docks, playgrounds, and outdoor athletic fields and their related structures, excluding the recreational facilities requiring a conditional use permit under Section 21650.07, Subd. 18 of this Chapter. (*Amended by Ord. No. 2014-12, 02/25/14*)

Subd. 6. Private clubs (may serve food and beverages).

Subd. 7. Publicly owned civic or cultural buildings, such as libraries, city offices, fire stations, auditoriums, public administration buildings and historical developments.

Subd. 8. Radio and television receiving antennas including single satellite dish TVROs two meters or less in diameter, short-wave radio dispatching antennas, or those necessary for the operation of electronic equipment including federally licensed amateur radio stations, as regulated by Section 21175 of this Chapter. *(Amended by Ord. No. 2011-22, 07/26/11)*

Subd. 9. Religious institutions, such as chapels, temples, synagogues, and mosques limited to worship and directly related social events.

Subd. 10. Residential care facilities such as nursing homes, assisted living facilities and similar facilities (excludes hospitals or similar institutions).

Subd. 11. Trade schools.

Subd. 12. Tutoring/learning centers.

*(Amended by Ord. No. 2004-02, 01/13/04) (Amended by Ord. No. 2005-01, 01/11/05)
(Amended by Ord. No. 2008-09, 03/25/08) (Amended by Ord. No. 2009-07, 05/12/09)
(Amended by Ord. No. 2011-05, 02/22/11)*

21650.05. ACCESSORY USES: Subject to applicable provisions of this Chapter, the following are permitted accessory uses in the P-I District:

Subd. 1. Accessory buildings and structures for a use accessory to the principal use but such structure shall not exceed 30 percent of the gross floor space of the principal use.

Subd. 2. Accessory uses incidental and customary to the uses listed as permitted, conditional, interim, and uses by administrative permit in this Section.

Subd. 3. Farmer's markets, publically sponsored.

Subd. 4. Fences, as regulated by Section 21130 of this Chapter.

Subd. 5. Liquor, on-sale, when accessory and customary to the uses listed as permitted, conditional, interim, and uses by administrative permit in this Section, pursuant to the required liquor license. *(Amended by Ord. No. 98-41, 12/16/98)*

Subd. 6. Off-street parking and off-street loading as regulated by Sections 21105.11 and 21135 of this Chapter, including parking and loading of semi-trailer trucks.

Subd. 7. Parking ramps as an accessory use.

Subd. 8. Scoreboards for public parks and public or private schools, provided that:

(a) One scoreboard not exceeding 16 feet in height or 150 square feet in surface area is allowed per playing field, not including fields used only for practice.

(b) One scoreboard not exceeding 32 feet in height or 550 square feet in area is allowed per park or school, provided that the information on the scoreboard is not visible from any adjacent public rights-of-way and provided that the scoreboards does not contain a video display panel. *(Amended by Ord. No. 2013-11, 04/23/13)*

(c) No commercial speech shall be permitted on a scoreboard, except that an organization sponsoring the scoreboard may include identifying information within the area allowed for the scoreboard in a combined amount not to exceed 30 percent of the total scoreboard area.

Subd. 9. Signs, as regulated by Section 21155 of this Chapter.

(Amended by Ord. No 2007-05, 01/23/07) (Amended by Ord. No. 2008-09, 03/25/08)
(Amended by Ord. No. 2009-07, 05/12/09) (Amended by Ord. No 2011-19, 06/28/11)

21650.07. CONDITIONAL USES: Subject to applicable provisions of this Chapter, the following are conditional uses in the P-I District and require a conditional use permit based upon procedures set forth in and regulated by Section 21015 of this Chapter. Additionally, besides the specific standards and criteria which may be cited below for respective conditional uses, each request for a conditional use permit shall be evaluated

based upon the standards and criteria set forth in Sections 21015.02, Subd. 5 and 21015.04 of this Chapter.

Subd. 1. Antennas not located upon an existing structure or existing tower, as regulated by Section 21175 of this Chapter.

Subd. 2. Buildings in excess of height limitations as specified in Section 21650.13 of this Chapter, provided that:

(a) For each additional five feet in height above the maximum building height specified in this district, the front and side yard setback requirements shall be increased by one foot.

(b) The construction does not limit solar access to abutting and/or neighboring properties.

Subd. 3. Cemeteries or memorial gardens provided that:

(a) The site is landscaped in accordance with Section 21130.

(b) The use is available to the "public".

(c) All portions of the use meet the minimum setback requirements for principal structures.

Subd. 4. Colleges, seminaries, and other similar institutions of higher education.

Subd. 5. Commercial and public radio and television transmitting antennas, and public utility microwave antennas, as regulated by Section 21175 of this Chapter.

Subd. 6. Community centers.

Subd. 7. Correctional facilities provided that:

(a) Facilities shall comply with all applicable codes and regulations and shall have, current and in effect, the appropriate state licenses.

(b) On-site services and treatment shall be for residents and inmates of the facility only, and shall not be for non-residents or persons outside the facility.

(c) All new buildings or additions to existing buildings shall be consistent with the scale and character of the buildings in the neighborhood. Exterior building materials shall also be harmonious with other buildings in the neighborhood.

(d) No correctional facility shall be closer than 1,320 feet from another licensed correctional facility or from any property designated on the Land Use Guide Plan as residential and/or designated on the official zoning map as residential.

(e) The conditional use permit is only valid as long as a valid state license is held by the operator of the facility where such license is required.

(f) Appropriate transition to neighboring property shall be provided by landscaping and site design consistent with the City ordinances and policies.

Subd. 8. Dog park facilities, provided that:

(a) Any such facility established after January 23, 2007 shall be set back at least 75 feet from residentially zoned or guided property.

(b) Any such facility established after January 23, 2007 shall be completely enclosed with a fence and gates that are at least five feet high, except that the fencing requirement may be waived in areas where natural barriers (e.g., wetlands) provide enclosure for the facility.

(c) Adequate off-street parking shall be provided for the facility, as determined by the Zoning Administrator based on the size of and anticipated parking needs for the dog park.

(Amended by Ord. No. 2007-05, 01/23/07)

Subd. 9. Essential services requiring a conditional use permit pursuant to Section 21160 of this Chapter.

Subd. 10. Essential service structures (as defined by Section 21005 of this Chapter) that exceed five feet in height or 20 square feet in area, necessary for the health, safety and general welfare of the City, excluding public works type facilities, provided that equipment is completely enclosed in a permanent structure with no outside storage.

Subd. 11. Funeral homes and mortuaries.

Subd. 12. Helistops, as regulated by Section 21193 of this Chapter.

Subd. 13. Hospitals or similar institutions, provided that all state laws and statutes governing such use are strictly adhered to and all required operating permits are secured.

Subd. 14. Offices, administrative/commercial.

Subd. 15. Offices/clinics for medical, dental, or chiropractic services.

Subd. 16. Parking lots/ramps, as a principal use.

Subd. 17. Public safety communication towers and antennas, provided that:

(a) Public safety communication towers in excess of 150 feet in height shall be located on property not less than 10 acres in size.

(b) Public safety communication towers shall comply with the standards and requirements of Section 21175.

Subd. 18. Recreational facilities and related structures (e.g., golf courses, arenas, stadiums, gymnasiums, and similar uses).

Subd. 19. Residential shelters, in accordance with Section 21190.02 of this Chapter.

Subd. 20. Retail commercial activities and personal services, provided that:

(a) Merchandise is sold at retail.

(b) Personal services are limited to those uses and activities which are allowed as a permitted or permitted accessory use within the C-1 Zoning District.

(c) The retail activity and personal services are located within a structure whose principal use is not commercial sales.

(d) The retail activity and personal services shall not occupy more than 15 percent of the gross floor area of the building.

(e) The retail activity and personal services are not located within a structure whose principal use is residential.

(f) No directly or indirectly illuminated sign or sign in excess of 10 square feet identifying the name of the business shall be visible from the outside of the building.

(g) No signs or posters of any type advertising products for sale or services shall be visible from the outside of the building.

Subd. 21. Scoreboard (limit of one) for a public park or a public or private school that either: 1) exceeds 32 feet in height or 550 square feet in surface area, or 2) contains a video display panel, provided that:

(a) Any such scoreboard shall not exceed 50 feet in height or 950 square feet in surface area.

(b) No other scoreboard at the park or school shall exceed 150 square feet in surface area.

(c) No commercial speech shall be permitted on the scoreboard, except that commercial messages may be displayed during city- or school-sponsored events on the athletic field served by the scoreboard. These events shall not include practices or classes held on the field. Organizations sponsoring the scoreboard may include identifying information within the area allowed for the scoreboard in a combined amount not to exceed 30 percent of the total scoreboard area.

(d) The information and commercial speech on the scoreboard shall not be visible from adjacent public streets.

(Amended by Ord. No. 2012-12, 03/27/12) (Amended by Ord. No. 2014-12, 02/25/14)

*(Amended by Ord. No. 2003-35, 11/25/03) (Amended by Ord. No. 2004-02, 01/13/04)
(Amended by Ord. No. 2006-04, 02/07/06) (Amended by Ord. No. 2006-13, 06/13/06)
(Amended by Ord. No. 2008-09, 03/25/08) (Amended by Ord. No. 2009-07, 05/12/09)*

(Amended by Ord. No. 2011-05, 02/22/11) (Amended by Ord. No. 2011-19, 06/28/11)
(Amended by Ord. No. 2013-11, 04/23/13)

21650.09. INTERIM USES: Subject to applicable provisions of this Chapter, the following are interim uses in the P-I District and are governed by Section 21020 of this Chapter:

Subd. 1. Temporary classroom structures for use by public or private schools.

(Amended by Ord. No. 2019-01, 02/12/19)

21650.11. USES BY ADMINISTRATIVE PERMIT: Subject to applicable provisions of this Section, performance standards established by this Chapter, and processing requirements of Section 21025, the following are uses allowed in the P-I District by administrative permit as may be issued by the Zoning Administrator.

Subd. 1. Antennas located upon an existing structure or existing tower, as regulated by Section 21175 of this Chapter.

Subd. 2. Essential services requiring a permit as provided by Section 21160 of this Chapter.

Subd. 3. Essential service structures (as defined by Section 21005 of this Chapter) that do not exceed five feet in height or 20 square feet in area, necessary for the health, safety and general welfare of the City, excluding public works type facilities and uses, provided that:

(a) Equipment is completely enclosed in a permanent structure with no outside storage.

(b) Landscaping is provided to screen any such storage.

Subd. 4. Other uses of the same general character as those listed as a permitted use in this District.

Subd. 5. Outside, above ground storage facilities for fuels used for heating purposes; outdoor generators located 200 feet or more away from residentially guided

or zoned property; and outdoor equipment used for dispensing fuels to vehicles or containers used in conjunction with the approved principal use, but not for sale. Such features for new developments shall be included with the site plan submitted for review and approval as required by this Chapter, and such features for existing developments shall be subject to the approval of the Zoning Administrator and the following criteria:

- (a) The design, construction, and location of any such features must comply with State and City codes including appropriate National Fire Protection Association standards, Minnesota State Fire Code requirements, and manufacturer's specifications.
- (b) An accurate site plan for the development based upon a certified survey shall be submitted showing to scale the location of such features, including any fencing and landscaping related to safety or screening.
- (c) To assure that fire hose streams can be directed onto such features with minimal obstruction, solid wall enclosures shall not be used.
- (d) Such features must be located so as not to obstruct approved parking spaces, driving aisles, fire lanes, utility easements, or required building ingress or egress points.
- (e) No signage shall be permitted, other than required safety information, product identification, product hazards, and operation instructions. For the purpose of this Section, "signage" includes words, graphics, logos, and symbols.
- (f) Outdoor generators located less than 200 feet from residentially guided or zoned property shall require the approval of a site plan (or site plan amendment) for a major project, pursuant to Section 21045.05 of this Chapter.

(Amended by Ord. No. 2012-05, 02/28/12)

Subd. 6. Outside storage as an accessory use provided that:

- (a) The storage area does not take up parking space or loading space as required for conformity to this Chapter.
- (b) All requirements of Section 21105.11 of this Chapter are met.

Subd. 7. Temporary meteorological equipment and associated tower, as regulated by Section 21173 of this Chapter.

Subd. 8. Temporary mobile towers for personal wireless service antennas, as regulated by Section 21175 of this Chapter.

Subd. 9. Temporary events and outdoor sales subject to the following criteria:

(a) Special Promotional Events (except Carnivals).

(1) Such activity is directed towards the general public and includes grand openings, business events, craft shows, flea markets, mechanical and animal rides, and outdoor display of materials.

(2) The event shall not exceed the period specified in the administrative permit and in no case shall exceed three consecutive calendar days per event.

(3) There shall be no more than two special events per calendar year per property. However, each tenant in a multi-tenant building shall be permitted one special event per year. Multi-tenant buildings with less than five lease spaces shall be considered as a single property for purposes of this provision.

(b) Carnivals.

(1) The applicant must submit an amusement license application as required by Section 1100 of the City Code.

(2) The event shall not exceed the period specified in the administrative permit and in no case shall exceed seven consecutive calendar days per event.

(3) There shall be no more than one carnival per calendar year per property.

(c) Outdoor Sales, including but not limited to transient merchants and transient produce merchants (excluding Christmas Tree Sales):

(1) Such activity is directed towards the general public and includes warehouse sales, sidewalk sales, inventory reduction or liquidation sales, distressed merchandise sales, sales of fireworks, seasonal merchandise sales (except Christmas trees), and transient merchant and transient produce merchant sales.

(2) The following specific standards shall apply to all proposed temporary outdoor sales activities allowed by this paragraph and by City Code business licensing provisions in addition to other applicable building and safety code requirements as determined by the Zoning Administrator.

a. The maximum total time for temporary outdoor sales activities shall be the period specified in the administrative permit and, in no case, shall exceed 90 days per calendar year per property.

b. There shall be no more sales activities than those specified in the administrative permit and, in no case, shall there be more than 10 sales activities per year per property.

c. Sales activities may be conducted within a required yard provided the area is paved and the activity does not interfere with parking, traffic circulation or emergency vehicle access. Temporary sales on unpaved landscaped areas is prohibited.

d. Sales of fireworks shall also be regulated by Section 1110 of the City Code.

(d) Outdoor Christmas Tree Sales.

(1) Such activity is directed towards the general public and consists of the outdoor sales of cut evergreen trees, boughs, wreaths and other natural holiday decorations and related products.

(2) The following specific standards shall apply to all proposed outdoor Christmas tree sales allowed by this paragraph and by City Code business licensing provisions in addition to other applicable building and safety code requirements as determined by the Zoning Administrator.

a. The maximum total time for sales activities shall be the period specified in the administrative permit and, in no case, shall exceed 45 days per calendar year per property.

b. There shall be no more than one sales activity per year per property, which shall be in addition to any special events or other outdoor sales permitted on the property.

c. Sales activities may be conducted within a required yard provided the area is paved and the activity does not interfere with parking, traffic circulation or emergency vehicle access. Sales on unpaved landscaped areas is prohibited.

(e) General Standards applying to all temporary events and outdoor sales.

(1) The event or sale shall be accessory to or promoting the permitted or conditional use approved for the site.

(2) Tents, stands, and other similar temporary structures may be used, provided they are clearly identified on the submitted plan and provided that it is determined by the Zoning Administrator that they will not impair the parking capacity, emergency access, or the safe and efficient movement of pedestrian and vehicular traffic on or off the site.

(3) The submitted plan shall clearly demonstrate that adequate off-street parking for the proposed event can and will be provided for the duration of the event. Determination of compliance with this requirement shall be made by the Zoning Administrator who shall consider the nature of the event and the applicable parking requirements of Section 21135. Consideration shall be given to the parking needs and requirements of other occupants in the case of multi-tenant buildings. Parking on public right-of-way and streets is prohibited; except that parking on local streets may be allowed on Saturday and Sunday only, provided that the petitioner arranges for traffic control by authorized enforcement officers, as approved in writing by the Police Chief, at the petitioner's expense.
(Amended by Ord. No. 2016-11, 04/26/16)

(4) Signage related to the event or sale shall be in compliance with the temporary sign standards of Section 21155 and shall be allowed for the duration of the event. The Zoning Administrator may authorize special

signage for purposes of traffic direction and control; the erection and removal of such signage shall be the responsibility of the applicant.

(5) The approved permit shall be displayed on the premises for the duration of the event.

(6) All activity related to the event or sale must take place within the time permitted in the administrative permit. No buildings, equipment or materials may be erected or displayed prior to the start date identified in the permit application and all structures, equipment and displays must be removed by the end date identified in the administrative permit.

(7) Not more than one such event or sale shall be allowed per property at any given time.

(Amended by Ord. No. 2011-05, 02/22/11)

Subd. 10. Temporary structures, as regulated by Section 21167 of this Chapter.

Subd. 11. Wind energy conversion systems (WECS), as regulated by Section 21173 of this Chapter.

(Amended by Ord. No. 2004-02, 01/13/04) (Amended by Ord. No. 2006-04, 02/07/06)
(Amended by Ord. No. 2008-09, 03/25/08) (Amended by Ord. No. 2009-07, 05/12/09)
(Amended by Ord. No. 2013-11, 04/23/13)

21650.13. AREA REQUIREMENTS AND CONSTRUCTION LIMITATIONS: The following requirements shall be observed in the P-I District subject to additional requirements, exceptions, modifications set forth in this Chapter:

District Area Minimum	Minimum Lot Area (acres)		Minimum Lot Width (feet)	Minimum Lot Depth (feet)	Maximum Structural Coverage (a)		Minimum Setbacks (feet)		Maximum Building Height	
2 acres	Community Centers	3	100	None	General Uses	50%	Abutting Residential District (b)		Princ. Bldg	45 feet
	Elementary Schools	15			Correctional Facilities	8%	Front yard (b)	75	Acc. Bldg. 120 sq. ft. or less	10 feet
	Hospitals	10					Side yard (b)	75	Acc. Bldg. over 120 sq. ft.	20 feet
	Junior High Schools	30					Rear yard (b)	75		
	Religious Institutions	3					Abutting Non-Residential District			
	Senior High Schools or Correctional Facilities	50					Front yard	50		
	Other uses	2					Side yard corner lot	50		
							Side yard interior lot	15		
							Rear yard	15		
							Correctional Facilities			
							Front	200		
							Side	400		
							Rear	400		

(a) Special requirements apply for environmental overlay districts - See appropriate text

(b) Where a P-I District abuts a residential district or is separated from a residential district by a local or minor collector street.

SECTION 39. Effective Date. This Ordinance shall be in full force and effect upon its passage.

APPROVED by the City Council on this 13th day of October, 2020.

Jeffry Wosje, Mayor

ATTEST:

Sandra R. Engdahl, City Clerk