

(1) *Density.*

(a) *Minimum lot area (with city services):* One acre; and

(b) *Minimum lot area (without city services):* 20 acres.

(2) *Maximum impervious surface percentage:* 75%;

(3) *Lot specifications.*

(a) *Minimum lot width (with city services):* 100 feet;

(b) *Minimum lot width (without city services):* 600 feet;

(c) *Minimum front yard setback:* 30 feet;

(d) *Minimum side yard setback:* 15 feet;

(e) *Minimum rear yard setback:* 30 feet;

(f) *Minimum side or rear yard setback from residential zones:* 100 feet.

(4) *Maximum height:* 45 feet without a conditional use permit.

(2013 Code, § 11.44) (Ord. 31, passed 10-25-1979; Ord. 96, passed 11-11-1982; Ord. 138, passed 11-24-1983; Ord. 186, passed 1-30-1986; Ord. 203, passed 7-10-1986; Ord. 264, passed 5-26-1989; Ord. 279, passed 12-1-1989; Ord. 377, passed 7-7-1994; Ord. 429, passed 11-2-1995; Ord. 479, passed 3-13-1997; Ord. 482, passed 5-5-1997; Ord. 528, passed 10-29-1998; Ord. 563, passed 11-25-1999; Ord. 601, passed 6-28-2001; Ord. 816, passed 4-30-2009; Ord. 877, passed 12-3-2013; Ord. 909, passed 8-18-2015)

§ 151.046 HEAVY INDUSTRY ZONE (I-2).

(A) *Purpose.* The purpose of the Heavy Industry Zone is to provide an area for industrial uses in locations remote from residential uses and in which urban services and adequate transportation exist.

(B) *Permitted uses.* Within the Heavy Industry Zone, no structure or land shall be used except for one or more of the following uses:

(1) Motor freight terminals;

(2) Manufacturing, fabrication, processing, assembly, and storage operations, except those involving a project that fits within one of the Mandatory EIS Categories under Minn. Rules 4410.4400;

(3) Warehousing and wholesaling;

(4) Commercial vehicle rental facilities;

(5) Research laboratories, except those involving a project that fits within one of the Mandatory EIS Categories under Minn. Rules 4410.4400;

(6) Contractors' supply yards;

(7) Retail sales of heavy industrial, manufacturing, or construction machinery or equipment;

(8) Agricultural uses, but limited to the growing of field crops;

(9) Utility services;

(10) Utility service structures;

(11) Landscaping services and contractors;

- (12) Establishments supplying goods or services to industrial users;
- (13) Public buildings;
- (14) Adult establishments;
- (15) Single- and mixed-use developments which comply with § 151.048, and have received approval from the City Council;
- (16) Breweries;
- (17) Distilleries; or
- (18) Wineries.

(C) *Conditional uses.* Within the Heavy Industry Zone, no structure or land shall be used for the following uses except by conditional use permit:

- (1) Manufacturing, fabrication, processing, assembly, and storage operations, and research laboratories, that fit within one of the Mandatory EIS Categories under Minn. Rules 4410.4400;
- (2) Retail sales of products manufactured, fabricated, assembled, or stored on-site;
- (3) Concrete or asphalt plants;
- (4) Airports and heliports;
- (5) Grain elevators;
- (6) Junkyards;
- (7) Residences for security personnel;
- (8) Vehicle repair;
- (9) Restaurants, Class I or Class II, contained within a principal structure and oriented toward serving employees or those working in the immediate area;
- (10) Recycling or composting facilities;
- (11) Exterior storage;
- (12) Structures over 45 feet in height;
- (13) Developments containing more than one principal structure per lot;
- (14) Offices occupying more than 35% of the principal structure and directly associated with a permitted use;
- (15) Exhibit spaces, educational facilities, and interpretive centers, whether publicly or privately operated;
- (16) Communication service towers as conditional uses, subject to the following conditions:
 - (a) Shall be a monopole structure;
 - (b) The location of the tower shall comply with the minimum setback requirements of the zone in which it is to be located. Towers located closer to a property line than a distance equal to the height of the tower shall be designed and engineered to collapse within the distance between the tower and the property line supporting documentation shall be provided to prove this by a professional engineer;
 - (c) Shall not exceed 175 feet in total height (including the extension of any antenna);

(d) Lights and/or flashing equipment shall not be permitted unless required by state or federal agencies;

(e) Shall be protected with corrosive resistant material;

(f) Signage shall not be allowed on the tower other than danger or warning type signs;

(g) Must provide proof from a professional engineer that the equipment is not able to be co-located on any existing or approved towers and prove that the planned tower will not interfere with existing communications for public safety purposes;

(h) Must be built to accommodate antennas being placed at varying heights on the tower;

(i) Existing vegetation on the site shall be preserved to the maximum extent possible;

(j) Shall be surrounded by a security fence 6 feet in height with a lockable gate;

(k) Shall be located and have an exterior finish that minimizes visibility off-site to the greatest extent possible;

(l) Applicable provisions of this code of ordinances, including the provisions of the State Building Code therein adopted, shall be complied with;

(m) Equipment and buildings shall be screened from view by suitable landscaping, except where a design of non-vegetative screening better reflects and compliments the architectural character of the surrounding neighborhood;

(n) No tower shall be permitted unless the equipment planned for the proposed tower cannot be accommodated on an existing or approved tower or building within the one-half mile search radius of the proposed tower for any of the following reasons:

1. The necessary equipment would exceed the structural capacity of the existing or approved tower or building and the existing or approved tower cannot be reinforced, modified, or replaced to accommodate planned or equivalent equipment at a reasonable cost, as certified by a qualified, licensed professional engineer;

2. The necessary equipment would cause interference as to significantly impact the usability of other existing or planned equipment at the tower, structure, or building and the interference cannot be prevented at a reasonable cost, as certified by a qualified, licensed structural engineer;

3. Existing or approved towers and buildings within the one-half mile search radius cannot or will not accommodate the planned equipment at a height necessary to function reasonably, as certified by a qualified licensed professional engineer; or

4. The applicant, after a good faith effort, is unable to lease space on an existing or approved tower or building.

(o) All obsolete or unused towers and accompanying accessory facilities shall be removed within months of the cessation of operations at the site unless a time extension is approved by the city. After the facilities are removed, the site shall be restored to its original or an improved state. The user of the tower and/or accompanying accessory facilities shall be responsible for the removal of facilities and the restoration of the site.

(p) The applicant shall submit a plan illustrating anticipated sites for future location for communication towers and/or communication device(s)/apparatus;

(q) When towers are to be located in city parks, no towers should be located in designated conservation areas such as forest areas, marshlands, wildlife preserves, nature center parks, picnic areas, near historical structures, scenic open space areas, and areas of intense recreational play for children (play fields, swimming pools, playground equipment, and the like);

(r) Wireless telecommunication towers and antennas will only be considered for city parks when the following conditions exist and if those areas are recommended by the Parks and Recreation Advisory Board and approved by the City Council:

1. City parks of sufficient size and character that are adjacent to an existing commercial or industrial use; and

2. Commercial recreation areas and major play fields used primarily by adults;

(s) All revenue generated through the lease of a city park for wireless telecommunication towers and antennas should be transferred to the Park Reserve Fund.

(17) Power generation facilities;

(18) Taprooms;

(19) Winery/distillery tasting rooms; or

(20) Other uses similar to those permitted by this division (C), upon a determination by the Board of Adjustment and Appeals, may be allowed upon the issuance of a conditional use permit.

(D) *Permitted accessory uses.* Within the Heavy Industry Zone, the following uses shall be permitted accessory uses:

(1) Parking and loading spaces;

(2) Temporary construction buildings;

(3) Decorative landscape features;

(4) Offices occupying up to 35% of the principal structure and directly associated with a permitted use;

(5) Communication service apparatus/device(s) as permitted accessory uses, subject to the following conditions:

(a) Shall be co-located on an existing tower or an existing structure;

(b) Must not exceed 175 feet in total height (including the extension of any communication service device(s) apparatus);

(c) Lights and/or flashing equipment shall not be permitted unless required by state or federal agencies;

(d) Signage shall not be allowed on the communication service device(s)/apparatus other than danger or warning type signs;

(e) Must provide proof from a professional engineer that the equipment will not interfere with existing communications for public safety purposes;

(f) Shall be located and have an exterior finish that minimizes visibility off-site to the maximum extent possible;

(g) Applicable provisions of this code of ordinances, including the provisions of the State Building Code therein adopted, shall be complied with;

(h) All obsolete or unused towers and accompanying accessory facilities shall be removed within 12 months of the cessation of operations at the site unless a time extension is approved by the city. After the facilities are removed, the site shall be restored to its original or an approved state. The user of the tower and/or accompanying accessory facilities shall be responsible for the removal of facilities and restoration of the site;

(i) The applicant shall submit a plan illustrating all anticipated future location sites for communication towers and/or communication devices(s)/apparatus;

(j) Wireless telecommunication towers and antennas will only be considered for city parks when the following conditions exist and if those areas are recommended by the Parks and Recreation Advisory Board and approved by the City Council:

1. City parks of sufficient size and character that are adjacent to an existing commercial or industrial use; and

2. Commercial recreation areas and major play fields used primarily by adults;

(k) All revenue generated through the lease of a city park for wireless telecommunication towers and antennas should be transferred to the Park Reserve Fund.

(6) Silos; and

(7) Other accessory uses customarily appurtenant to a permitted use, as determined by the Zoning Administrator.

(E) *Design standards.* Within the Heavy Industry Zone, no land shall be used, and no structure shall be constructed or used, except in conformance with the following minimum requirements:

(1) *Density:* Minimum lot area: One acre;

(2) *Maximum impervious surface percentage:* 85%;

(3) *Lot specifications.*

(a) *Minimum lot width:* 100 feet;

(b) *Minimum front yard setback:* 30 feet;

(c) *Minimum side yard setback:* 15 feet;

(d) *Minimum rear yard setback:* 30 feet;

(e) *Minimum side or rear yard setback from residential zones:* 100 feet; and

(f) *Minimum side or rear yard setback from railroad right-of-way:* Zero feet.

(4) *Maximum height:* 45 feet without a conditional use permit.

(2013 Code, § 11.46) (Ord. 31, passed 10-25-1979; Ord. 59, passed 5-14-1981; Ord. 96, passed 11-11-1982; Ord. 138, passed 11-24-1983; Ord. 158, passed 1-31-1985; Ord. 203, passed 7-10-1986; Ord. 246, passed 6-17-1988; Ord. 264, passed 5-26-1989; Ord. 279, passed 12-1-1989; Ord. 334, passed 5-21-1992; Ord. 377, passed 7-7-1994; Ord. 429, passed 11-2-1995; Ord. 479, passed 3-13-1997; Ord. 488, passed 7-17-1997; Ord. 514, passed 2-5-1998; Ord. 528, passed 10-29-1998; Ord. 549, passed 6-3-1999; Ord. 563, passed 11-25-1999; Ord. 672, passed 6-26-2003; Ord. 877, passed 12-3-2013; Ord. 909, passed 8-18-2015)

§ 151.047 BUSINESS PARK ZONE (BP).

(A) *Purpose.* The purpose of the Business Park Zone is to provide areas for the development of office, business, and light industrial uses meeting high standards of design and construction and having close proximity to major transportation corridors and/or other industrial zones.

(B) *Permitted uses.* Within the Business Park Zone, no structure or land shall be used except for one or more of the following uses: