

## Chapter 34 LAND DEVELOPMENT CODE

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### ARTICLE 2. ZONING DISTRICTS AND USE REGULATIONS

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#### 2.3.9 Industrial District (I1).

(A) **Purpose.**

- (1) The I1 district should generally apply to those areas designated as "District" on the Framework map of the comprehensive plan.
- (2) The purpose of the Industrial (I1) district is to provide an area to accommodate manufacturing uses, general businesses, offices, service and repair businesses, warehousing and office showroom uses in a functional, attractive manner that does not unduly affect the development or use of nearby property. Limited and incidental retailing shall be allowed in this district. The portion of the district that abuts the Cannon River shall be developed in a manner that enhances, restores, augments and maintains the ecology and beauty of this natural corridor.

~~(3) Amendments to the Official Zoning Map to expand the I1 district shall be limited to areas immediately adjacent to an area currently zoned I1. Expansion into areas not currently abutting the I1 district shall be prohibited.~~

- (B) **Site Development Standards.** See Section 3.2.5, I1 District Site Development Standards, for the site development standards that apply to the I1 district.
- (C) **Additional Site Development Standards.** In addition to the standards established for the I1 district, all development shall be subject to all other applicable standards in Article 3: Development Standards.
- (D) **Relationship to the Comprehensive Plan.** Refer to Appendix A for a description of the relationship between the I1 District regulations or standards and the Northfield Comprehensive Plan.

#### 2.4 Special Base Zoning Districts.

##### 2.4.1 Agricultural District (A-S).

- (A) **Purpose.** The purpose of the Agricultural (A-S) district is to allow primarily for agricultural uses and open space within the city limits while recognizing that privately owned land may be developed for non-agricultural purposes in the near to long-term. It is designed specifically for areas within the city that are presently agricultural uses not zoned as PB-S, Public Benefit, but that will remain as long-term agricultural uses, or that may be converted to non-agricultural urban uses in the future.
- (B) **Site Development Standards.** See Section 3.2.6, A-S District Site Development Standards for the site development standards that apply to the A-S district.
- (C) **Other Development Standards.** In addition to the standards established for the A-S district in this article, all development shall be subject to all other applicable standards in Article 3: Development Standards.

#### 2.6 Floating Zoning Districts.

##### 2.6.1 Neighborhood Commercial Floating District (NC-F)

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##### ~~2.6.2 Economic Development Floating District (ED-F).~~

~~(A) Purpose.~~

- ~~(1) The ED-F district should generally apply to those areas designated as "District" on the framework map of the comprehensive plan.~~
- ~~(2) The Economic Development Floating (ED-F) district is applied to areas of the city appropriate for employment with an urban-campus type character with a focus on sustainable, high-quality development that is designed in a way to preserve the city's natural resources while simultaneously promoting economic development. This district will provide opportunities for corporate administrative offices, research and development firms, and other uses that may be identified through a master planning process, to locate within the city. Land uses within the district shall be designed to minimize impact on any residential uses or environmental resources by appropriate buffering and overall subdivision design. High standards of appearance and design will be required and maintained with restrictions on outdoor storage and activities with undesirable characteristics.~~

~~(B) Site Development Standards. See Section 3.2.9, ED-F District Site Development Standards for the site development standards that apply to the ED-F district.~~

~~(C) Other Development Standards. In addition to the standards established for the ED-F district, all development shall be subject to all other applicable standards in Article 3: Development Standards.~~

**2.7 Permitted Principal Uses.**

**2.7.1 General Provisions.** Table 2.7-1 lists the principal uses allowed within all zoning districts except for the overlay zoning districts. The uses permitted in the overlay districts shall be controlled by the underlying base zoning district unless otherwise modified in the district standards of this article.

Table 2.7-1: Permitted Principal Uses						
Use Category and Use Type	Base Zoning Districts		Special Base Zoning Districts		Floating Zoning Districts	Use-Specific Standard in Section:
	Existing	<u>Proposed</u>	Existing	<u>Proposed</u>	Existing	
P = Permitted Use C = Conditional Use PE = Pre-Existing Use [#] Reference to Notes at Bottom of the Table					<u>Delete district in entirety</u>	
	<b>I1</b>		<b>A-S</b>		<b>ED-F</b>	
	Existing	<u>Proposed</u>	Existing	<u>Proposed</u>	Existing	
	<b>Agricultural Use Category</b>					
Agricultural Buildings	—		P		—	
<u>Cannabis/hemp Cultivation, Outdoor</u>		<u>C</u>		<u>P</u>		
Commercial Solar Farm	—	<u>C</u>	<u>E</u>	<u>—</u>	—	2.9.5
Community Solar Garden	—	<u>C</u>	<u>E</u>	<u>—</u>	—	2.9.5
Crop Raising	—		P		<u>P</u>	

Stables and Raising of Livestock	—		P			
Wholesale or Commercial Plant Nurseries	PE	P	P			
	<b>Residential Use Category NOT SHOWN; NO CHANGE</b>					
	<b>Commercial Use Category</b>					
Adult Uses	P		—		—	2.9.2
Animal Hospital/Veterinary Clinics	—	C	—		—	
Auto Service Stations	P		—		P	
Banks or Financial Institutions	P	C	—		P	
Bars, Taverns, Nightclubs, Banquet Halls	P	=	—		—	
Brewpub	—		—		—	
Brewer Taproom	P		—		—	
<u>Cannabis Retail</u>		C		=		
Cocktail Room	P		—		—	
Commercial Truck Storage and Parking	P		—		—	
Convenience Stores	—		—		E	
Day Care Facilities	P	C	—	C	E	2.9.6
Day Care Facilities, In-Home	—		P		—	
Drive-Through Establishments	—		—		—	2.9.7
Farm Implement Sales and Service	P		P		—	
Firearms Dealers	P		—		—	2.9.8
Funeral Homes	P		—		—	
Gasoline Station (Fuel Sales)	P		—		—	2.9.9
Greenhouses, Garden, and Landscaping Sales and Service	P		P		—	

Hotel, Motel, Extended Stay Establishments	P	—	—		—	
Kennels	P		P		—	
Neighborhood-serving Commercial	—		—		—	2.9.16
Offices, Business	P		—		—	
Medical Clinic	—		—		—	
Microbrewery	P		—		—	
Microdistillery	P		—		—	
Parking Lots or Ramps	P	—	—		P	
Personal Services	P	—	—		⊖	
Private Clubs	—		—		—	
Recreational Vehicle Parks	—		—		—	
Restaurant	P	—	—		⊖	
Restaurant, Drive-through	—		—		⊖	
Restaurant, Limited Service	—		—		⊖	
Retail Sales and Service	P	—	—		P	2.9.18
Theaters	P	—	—		—	
Vehicle, Boat or Recreational Sales & Service	P		—		—	
Vehicle Rental	P		—		—	2.9.20
<b>Industrial, Manufacturing, Research, and Wholesale Use</b>						
Automobile or truck repair, including body work	P		—		⊖	
Bulk Storage of Liquids	⊖	P/C	—	C	⊖	2.9.4
Distribution Facilities	P	—	—	C	P	
<u>Hazardous waste treatment and storage, generated on site</u>		P/C		—		
Industrial Uses (Indoors)	P	P/C	—	P/C	P	2.9.10

<u>Lower-potency hemp edible manufacturing</u>		<u>P</u>				
<u>Manufacturing, processing, or packaging of products using raw materials</u>		<u>C</u>		<u>C</u>		
<u>Cannabis/hemp Cultivation, Indoor</u>		<u>P/C</u>		<u>P/C</u>		
<u>Cannabis manufacturing</u>		<u>P/C</u>		<u>P/C</u>		
<u>Cannabis Testing Facility</u>		<u>P</u>		<u>P</u>		
<u>Cannabis retail</u>		<u>P/C</u>		<u>P/C</u>		
<u>Data processing facility</u>		<u>P/C</u>		<u>—</u>		<u>2.9.14</u>
<u>Manufacturing, processing, or packaging of products using raw materials</u>		<u>C</u>		<u>C</u>		
Industrial Uses with Outdoor/Open storage of Parts, Products, or Fuels	<u>P</u>	<u>P/C</u>	<u>—</u>	<u>C</u>	<u>E</u>	
Lumberyards and Construction Material Sales	<u>P</u>		<u>—</u>	<u>—</u>	<u>—</u>	
Mining, Extraction, and Aggregate Processing	<u>C</u>		<u>C</u>	<u>—</u>	<u>E</u>	<u>2.9.14</u> <u>15</u>
Mini-Warehouses	<u>P</u>	<u>C</u>	<u>—</u>	<u>—</u>	<u>—</u>	
Recycling of Aggregate Material	<u>P</u>		<u>P</u>		<u>—</u>	
<u>Research and development facilities</u>		<u>P</u>				
<u>Renewable energy technology production and processing</u>		<u>C</u>				
Warehouses and Yards	<u>P</u>	<u>—</u>	<u>—</u>		<u>P</u>	
Wholesale Commercial Uses	<u>P</u>		<u>—</u>	<u>P</u>	<u>P</u>	

	Public Facilities, Telecommunication, Utilities Use Category				
	NOT SHOWN; NO CHANGE				
	Public, Institutional, or Recreational Use Category				
Campgrounds	C		P		-
Cemeteries	—		P		-
College Related Offices	—		—		-
Cultural Facilities	—		—		-
Dormitories / Residence Halls	—		—		-
Golf Courses	—		P		-
Hospitals	P	=	—		P
Open Space, Urban (Plazas), Conservation Areas	—	P	—	P	-
Public Access to Rivers and Streams	P		—	P	-
Public and Semipublic Buildings	P		C		P
Recreational Facilities, Indoor	P		P		-
Recreational Facilities, Outdoor [4]	€	=	C		-
Religious Institutions	—		—		-
School (Elementary or Secondary)	—		C		-
School (Institutions of Higher Education - College, Seminary, or University)	—		P		-
School (Nursery or Kindergarten)	€	=	C		-
School (Trade, Business, or Other)	C		—	C	-

## 2.8 Use Definitions.

**2.8.1 Agricultural Use Category.** The agricultural use category is comprised of uses characterized by general active and on-going agricultural uses, activities, and related uses. An agricultural use, in general, means the use of land for the growing and/or production of field crops, livestock, and livestock products for the production of income.

- (A) **Agricultural Buildings.** Any building or structure, existing or erected, which is used primarily for agricultural purposes, with the exception of dwelling units.
- (B) **Commercial Solar Farm.** A facility that converts sunlight into electricity whether by photovoltaic action (PV), concentrating solar thermal devices (CST), or other conversion technology for the sale to an electric utility company.
- (C) **Community Solar Garden.** A solar electric (photovoltaic) array that provides retail electric power (or a financial proxy for retail power) to multiple community members or businesses residing or located off site from the location of the solar energy system, under the provisions of Minn. Stats. § 216B.1641 or successor statute.
- (D) **Crop Raising.** The growing and harvesting of legal agricultural crops or produce for commercial agricultural purposes, including cannabis and hemp cultivation.
- (E) **Stable and Raising of Livestock.** A detached accessory building for the raising and sheltering of horses and other livestock for the private use of the occupants of a principal dwelling and their guests. See also provisions for the keeping of chickens as an accessory use in Section 2.10, Accessory Uses and Structures.
- (F) **Wholesale or Commercial Plant Nurseries.** An establishment used for the growing, storage, and sale of legal garden plants, shrubs, trees, or vines, including commercial cannabis cultivation over 15,000 sq. ft for retail or wholesale sales.

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**2.8.5 Industrial, Manufacturing, Research, and Wholesale Use.** Business uses associated with the manufacturing, processing, servicing, and storage of goods and materials. This use category may also include uses such as truck distribution and research facilities that have related impacts but do not necessarily involve manufacturing of products.

- (A) **Automobile or Truck Repair, Including Body Work.** A facility that provides service and collision repair services, including body frame straightening and repair, replacement of damaged parts, and painting.
- (B) **Bulk Storage of Liquids.** A use associated with the bulk storage of oil, gasoline, liquid fertilizer, chemicals, and similar liquids.
- (C) **Data Processing Facility.** A building or complex of buildings in which a substantial portion of the gross square footage is dedicated to the housing of three or more interconnected computers housed together in a facility whose primary function is to perform data processing.
- (GD) **Distribution Facilities.** A use where goods are received and/or stored for delivery to the ultimate customer or user at remote locations.
- (DE) **Industrial Uses (Indoors).** A facility for the manufacturing, processing, or assembly of products within a fully enclosed structure where noise, odor, light, or vibrations is not noticeable from the adjacent properties. These uses include the incidental storage of bulk liquid and materials subject to local, state and federal regulations. Industrial uses, (indoors) includes, but is not limited to, the following:
 
  - (1) **More than 15,000 sq. ft. of cannabis or hemp product manufacturing within an indoor facility.**
  - (2) **Except in industrial districts, the use of volatile solvents for cannabinoid extractions is prohibited.**
- (EF) **Industrial Uses with Outdoor/Open Storage of Parts, Products, or Fuels.**
  - (1) Uses engaged in the basic processing and manufacturing of materials or products predominately from extracted or raw materials and also uses engaged in the operation, parking, and maintenance of vehicles, cleaning of equipment or work processes involving solvents, recycling establishments, truck terminals, public works yards, and container storage.

- (2) Outdoor/open storage of parts, products, or fuels (exterior storage) means any land used or occupied for the purpose of the storing of the goods and materials used for the principal industrial use.

**(FG) Lumberyards and Construction Material Sales.** Lots and related structures used for the sale of construction materials, lumber, and related materials that may or may not be within an enclosed structure.

**(GH) Mining, Extraction, and Aggregate Processing.**

- (1) Mining means the extraction of sand, gravel, rock, soil or other material from the land and either the removing thereof from the site or processing the extracted materials. The only exclusion from this definition shall be removal of materials associated with construction of a building (e.g. removal of soil and rock for footings and basements), provided such removal is an approved item in the building permit.
- (2) Extraction means any artificial or mechanical act by which earth, sand, rock or any other similar material is dug into, cut, quarried, uncovered, removed, displaced, relocated or moved and shall include the resulting conditions, including but not limited to gravel pits and not including the impacts of such operation.

**(HI) Mini-Warehouses.** A building or group of buildings in a controlled access compound that contains equal or varying sizes of individual, compartmentalized, and controlled access stalls or lockers for the storage of residential or commercial customer's goods or wares. Such facilities do not include sales, service, or storage of hazardous materials.

**(JK) Recycling of Aggregate Material.** A facility or site used to recycle aggregate materials such as concrete, asphalt, and other composite materials.

**(L) Renewable Energy Technology Production and Processing.** A facility or site where activities associated with renewable energy technology is engineered, produced, processed, recycled, and/or researched.

**(LM) Warehouses and Yards.** Structures used for the storage or distribution of goods where there is no sale of items to retailers or the general public unless permitted as an accessory use to the warehouse. This may include the storage of construction materials for contracting and related equipment and any office space associated with such use.

**(MN) Wholesale Commercial Use.** The sale of merchandise, much of which is stored on the premises, to retail and service commercial uses, office uses, or institutional uses, or to other wholesalers, but not to the general public. Wholesale commercial uses may also mean acting as an agent or broker in the buying or selling of merchandise.

## **2.9 Use-Specific Standards.**

### **2.9.1 Purpose and Applicability.**

- (A) This section provides site planning, development, and/or operating standards for certain land uses that are permitted or conditionally permitted in Table 2.7-1.
- (B) The land uses and activities covered by this section shall comply with the applicable standards for the specific use in all districts unless otherwise specified, in addition to all other applicable provisions of this LDC.

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**2.9.4 Bulk Storage of Liquids.** The bulk storage of liquids shall be subject to all applicable local, state, and federal laws.

### **2.9.5 Commercial Solar Farms or Community Solar Gardens.**

- (A) **Uses.**



- (1) Commercial solar farms and community solar gardens with a nameplate capacity greater than 100 kW AC are allowed as a Conditional Use in the ~~(A-S) Agricultural~~ (I1-B) Industrial district.
- (2) Non-commercial solar farms, community solar gardens with a nameplate capacity 100KW or less, and other non-community solar energy systems are allowed as Accessory Uses and regulated according to Table 2.10.1 and Section 2.10.4 (K).
- (B) **Site Plan Review.** The compliance of commercial solar farms and community solar gardens with the standards set forth in this section shall be reviewed through the site plan review process established in Section 8.5.6.
- (C) **Setbacks.** Structures included within commercial solar farms and community solar gardens shall comply with the following front, interior side, corner street side, and rear setback requirements:
  - Front = 50 feet
  - Interior side = 15 feet
  - Corner street side = 50 feet
  - Rear = 15 feetPanels shall not encroach into the setbacks in any manner at maximum tilt.
- (D) **Height.** Ground-mounted solar energy systems shall not exceed twenty (20) feet in height.
- (E) **Coverage.** Notwithstanding anything in the LDC to the contrary, the modules and racking equipment included within commercial solar farms and community solar gardens shall not constitute impervious surfaces for purposes of calculating lot coverage for such systems.
- (F) **Fencing.** Security fencing may be installed around commercial solar farms and community solar gardens. Security fencing installed around commercial solar farms and community solar gardens shall be exempt from the ban on barbed wire fences set forth in Section 3.3.2(B)(4) and may be of chain link construction.
- (G) **Support Structures.** Support structures shall be constructed with quality materials and properly maintained to avoid signs of deterioration, rust or weathering.
- (H) **Landscaping, Screening, and Buffering.** All commercial solar farms and community solar gardens shall be subject to the requirements of Section 3.5, Landscaping, Screening, and Buffering Standards. The components of commercial solar farms and community solar gardens do not constitute "ground-mounted mechanical equipment," as such term is used in Section 3.5.10(B). Landscaping shall be installed and maintained along the portions of the project boundaries for commercial solar farms and community solar gardens that are adjacent to (a) public roadways, and (b) properties zoned for residential, commercial or public use for the purpose of mitigating visual impacts to the extent reasonably feasible considering the technological requirements of the systems and the solar access required for the systems.
- (I) **Feeder Lines.** Any electric lines accompanying a commercial solar farm or community solar garden, other than those attached to on-site structures by leads, shall be buried within the interior of the project footprint of the commercial solar farm or community solar garden, unless there are existing lines in the area to which the lines accompanying a solar energy system can be attached.
- (J) **Glare.** Commercial solar farms and community solar gardens shall be located and installed so as to not create or cause unreasonable glare on aircraft, other property, or public roadways. For purposes of the LDC, "unreasonable glare" shall mean a public safety hazard as determined by the city council or the appropriate roadway authority.
- (K) **Building Codes.** All commercial solar farms and community solar gardens shall conform to the requirements of the Minnesota State Building Code, the Minnesota Electrical Act, and the National Electrical Code.

- (L) **Certifications.** Components of commercial solar farms and community solar gardens shall be certified by Underwriters Laboratories, Inc., and solar thermal systems shall be certified by the Solar Rating and Certification Corporation or other appropriate certification(s) as reasonably determined by the city.
- (M) **Utility Connection.** All grid inter-tie solar energy systems shall have an agreement with a local utility company prior to receiving a building permit. Off-grid solar energy systems are exempt from this requirement.
- (N) **Wetlands.** Commercial solar farms and community solar gardens shall comply with all federal and state wetland regulations and mitigation requirements.
- (O) **Permits.** No commercial solar farm or community solar garden shall be erected and maintained in the city without first securing a building permit from the city. Additionally, commercial solar farms and community solar gardens with a nameplate capacity greater than 100 kW AC shall also require the issuance of a conditional use permit in accordance with the requirements of the LDC.
- (P) **Abandonment.** If a commercial solar farm or community solar garden remains nonfunctional or inoperative for a continuous period longer than one year, and is thereafter not brought into operation within the time specified by the city, the system shall be presumed to be abandoned and shall constitute a public nuisance. The owner of the real property on which the commercial solar farm or community solar garden is located shall remove the abandoned system at the owner's expense after a demolition permit has been obtained from the city. Removal of the commercial solar farm or community solar garden shall include removal of all modules and racking equipment and all structures erected in connection with the system. As a condition for the city's issuance of a conditional use permit for a commercial solar farm or community solar garden with a nameplate capacity greater than 100 kW AC, the applicant shall either (i) provide evidence to the City that an escrow or other financial guarantee has been or will be created to secure the payment of the solar energy system removal costs, or (ii) furnish to the city a financial guarantee, in one of the forms listed in Section 3.10.4(E)(4), in the amount of the solar energy system removal costs, which financial guarantee must remain in full force and effect until removal of the commercial solar farm or community solar garden has been completed in accordance with the requirements of this section.
- (Q) **CUP Termination.** If a commercial solar project is not built as per the timeline set in a Conditional Use Permit or is built and abandoned, then any Conditional Use Permit issued will terminate.

**2.9.14 Data processing facility.**

- (A) **Purpose.** The purpose of this section is to minimize conflicts with adjacent land uses and to ensure the effect of any such enterprise is minimized. Potential effects include, but are not necessarily limited to, very high energy usage, noise pollution, and the disposal of electronic waste. The high energy consumption of data processing operations runs counter to the City of Northfield and State of Minnesota objectives to reduce contributions to climate change. Equipment at these facilities has the potential to create noise pollution that negatively impacts nearby residents, businesses, and wildlife. In addition, electronic waste contains heavy metals and known carcinogens that have the potential to damage human health, and air and water quality if not handled correctly
- (B) **Standards:**
  - (1) **Noise.** Noise testing shall be required prior to issuance of a Certificate of Occupancy to ensure compliance with the Noise Ordinance.
  - (2) **Exterior Lighting.** Exterior lighting shall be designed and constructed with cutoff and fully shielded fixtures that direct light downward and into the interior of the property and away from adjacent roads and adjacent properties.

- (3) **Height.** Buildings shall be a minimum of 30' in height. The maximum height limitation if all setbacks are increased by one foot for each two feet of height in excess of 50 feet is 65 feet.
- (4) **Linkages.** Convenient functional linkages shall be achieved by providing vehicular, bicycle, and pedestrian connections to promote the circulation and flow of vehicles, bicycles, and pedestrians between the development and existing uses.
- (5) **Electric grid connectivity and use.** No grid-connected data processing system shall be installed until evidence has been provided by the operator that installation of the system has been approved by the electrical utility provider. Off-grid systems shall be exempt from this requirement.
- (6) **Renewable energy.** Off-grid systems are preferred. Facilities shall develop or purchase sufficient new renewable energy to offset 100% of the electricity consumed by the data processing operation and demonstrate that their actions will introduce new renewable energy onto the electrical grid beyond what would have been developed otherwise.
- (7) **Site design.**
- a. In addition to the standards in Sec. 3.2.5, principal buildings shall meet the following:
    1. A minimum floor area ratio of .5.
    2. A maximum single front elevation of 300 feet in length unless special architectural landscaping, or topographic treatment, such as a change of material, texture, depression, berm, or other similar change, is employed.
  - b. Data processing facilities shall be located on land with a minimum acreage of 25 acres in size, at least 4,000 feet from an existing or planned park, trail, or other recreation feature, and the use shall be within a structure that is at least 200 feet from any residential dwelling.
  - c. The use of cargo containers, railroad cars, semi-truck trailers and other similar storage containers for any component of the operation is strictly prohibited.
  - d. All fencing along roadways shall be decorative. If security fencing is proposed, vegetative screening must be placed between the fence and the public view. Fencing must be made of high-quality materials and is subject to Planner approval. Chain-link and similar woven metal or plastic fencing shall not be used.
  - e. To minimize visibility from adjacent roads and adjacent properties, ground level and roof top mechanical equipment and loading areas shall be screened. Roof top screening shall be provided by principal building parapet. Ground level equipment shall be screened by a visually solid screen wall constructed of materials compatible with those used in exterior construction of the principal building. Mechanical equipment located in a manner found to have no adverse impact on adjacent roads and adjacent property, as determined by the Planner shall not be required to be screened.
  - f. No building housing data processing equipment shall be located within 60' of a collector or local roadway. Site line studies shall be provided to confirm screening of equipment from adjacent roads and properties.
  - g. A 40' heavy planted landscape buffer shall be required along public roadways and adjacent or abutting non-industrial uses. Use of natural topography and preservation of existing vegetation, supplemented by new vegetation, if needed, may be substituted for the above requirements when found by the

City Planner to provide screening at the appropriate density, depth and height. Landscape shall be maintained for the life of the project. Photographic documentation shall be provided for City record prior to issuance of certificate of occupancy.

(C) **Performance Standards.** These standards are intended to mitigate potential detrimental effects on adjacent properties. All applications for site plan approval must be accompanied by a registered engineer's certification that the use complies with all the performance standards. If, after occupancy of the structures, continuous or frequent (even if intermittent) violations of the performance standards occur, and after notice is given, bona fide and immediate corrective work is not performed which successfully prevents the violation(s) from reoccurring, the Planner or Building Official may suspend or revoke the Certificate of Occupancy and require the operations and occupancy to immediately cease. The Certificate of Occupancy will be reinstated after the property owner demonstrates to the City's satisfaction, that operation of the facilities is able to conform to these requirements.

- a. Air Quality. Air emissions shall meet applicable state and federal regulations. Where emissions could be released as a result of accident or equipment malfunction, standard safeguards for safe operation of the industry involved shall be taken and documented.
- b. Odors. Any use producing odors shall implement best available practices and use best available technology so that offensive or obnoxious odor shall not be perceptible to a person of normal sensitivity at or beyond the property line.
- c. Heat and Humidity.
  1. Any use or activity producing heat or humidity in the form of steam or moist air shall be carried on in such a manner that the heat or humidity is not perceptible at or beyond the property line.
  2. Any data processing operation shall ensure that no more than 20 % of the heat dissipated by the mining activity shall be released directly to the outside when the average daily temperature is less than 40 degrees Fahrenheit.
- d. Energy use. Any data processing operation shall document and certify a power usage effectiveness ratio (PUE) of not more than 1.25 at start-up.
- e. Water use. Any data processing operation shall document a water usage effectiveness ratio upon start-up.
  1. Data processing centers using free cooling, direct liquid, rack, or room cooling technologies may be permitted without a conditional use permit.
  2. A conditional use permit is required for data processing centers proposing to use water for cooling. Water use must meet at least two (2) of the following conditions:
    - a. Recycled and non-potable water makes up at least 60% of water withdrawals.
    - b. The data processing operation shall be operated at or near the ASHRAE-recommended upper limit for temperature.
    - c. The data processing operation shall ensure the humidity control system is optimized, and the data center is running at the low end of the ASHRAE-recommended guidelines for humidity (5.5°C dew point).
    - d. Demonstrate and document implementation of all appropriate best practice airflow management strategies to improve cooling efficiency.

- f. Glare. Any activity producing glare shall be carried on in such a manner that the glare is not perceptible at or beyond the property line. Artificial lighting shall be hooded or shaded so that direct light of high intensity lamps will not result in glare when viewed from public streets or neighboring properties.
- g. Vibrations. Every use shall be so operated that any air or ground vibration recurrently generated from equipment other than vehicles is not perceptible without instruments at any point on or beyond the property line; nor may any vibration produce a particle velocity of 2 inches per second measured at or beyond the property line. This provision does not apply between adjoining data processing facilities.
- h. Hazardous Materials. The manufacture, use, processing or storage of hazardous materials shall be permitted in accordance with the regulations of the State Building Code, State Fire Code, the National Fire Protection Association standards, the Minnesota Department of Natural Resources, Pollution Control Agency, Department of Health, and/or any other state or nationally recognized standards that may apply to the particular use, building, or process.
- i. Industrial and Electronic Wastes. The storage, processing, or disposal of potentially hazardous waste, including electronic waste, shall be subject to the regulations of State Building Code, State Fire Code, the National Fire Protection Association standards, the Minnesota Department of Natural Resources, Pollution Control Agency, Department of Health, and/or any other state or nationally recognized standards that may apply to the particular use, building, or process. Verification that all hazardous and electronic waste will be handled by a qualified electronic waste recycling firm is required.
- j. Electromagnetic Interference. Electric fields and magnetic fields shall not be created that adversely affect the public health, safety, and welfare, including but not limited to interference with the normal operation of equipment or instruments or normal radio, telephone, or television reception from off the premises where the activity is conducted.
  - 1. This section does not apply to telecommunication facilities which are regulated by the FCC under the Federal Telecommunications Act of 1996 or its successor.
- k. Noise. Noise emanating from a use or activity within an industrial zone which exceeds the maximum permissible noise levels set forth in this chapter and shown in Table 3.3-3: Maximum Decibels by District shall not be permitted.

### **2.9.145 Mining, Extraction, and Aggregate Processing**

- (A) **Purpose.** The purpose of this section is to control mining, extraction, and aggregate processing so as to minimize conflicts with adjacent land uses and to ensure that the mining area is restored at the completion of the mining operation.

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## **2.10 Accessory Uses and Structures.**

**2.10.1 Purpose.** This section authorizes accessory uses and structures that are incidental and customarily subordinate to principal uses. The intent of this section is to allow accessory uses while not creating adverse impacts on surrounding lands. Examples of accessory uses and structures include accessory dwelling units, detached garages, detached sheds, gazebos, swimming pools, hot tubs and spas, and courts for tennis and other recreational sports.

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### 2.10.3 Permitted Accessory Uses.

- (A) The symbols used in Table 2.10-1 are defined as follows:
- (1) **Permitted Uses (P).** A "P" in a cell indicates that the accessory use or structure is allowed by-right in the respective zoning district subject to compliance with the use-specific standards set forth in the final "use-specific standards" column of Table 2.10-1.
  - (2) **Conditional Uses (C).** A "C" in a cell indicates that the accessory use or structure is allowed as a conditional use in the respective zoning district subject to compliance with the use-specific standards set forth in the final "additional requirements" column of Table 2.10-1 and approval of a conditional use permit in accordance with Section 8.5.9, Conditional Use Permit.
  - (3) **Prohibited Uses.** A cell with a "—" indicates that the listed use type is prohibited in the respective zoning district.
  - (4) **Use-Specific Standards.** The "use-specific standards" column of Table 2.10-1 cross-references standards that are specific to an individual use type and are applicable to that use in all districts unless otherwise stated.
- (B) **Unlisted Uses.** If an application is submitted for an accessory use or structure that is not listed in Table 2.10-1, the city planner is authorized to classify the new or unlisted use, with consultation from appropriate city departments, into an existing use type that most closely fits the new or unlisted use. If no similar use determination can be made, the city planner shall refer the use to the planning commission, who may initiate an amendment to the text of this LDC to clarify where and how the use should be permitted.

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**Table 2.10-1: Permitted Accessory Uses and Structures**

Use Category and Use Type	Base Zoning Districts		Special Base Zoning Districts				Floating Zoning Districts	Use-Specific Standards in Section:
	I1		A-S		CD-S		ED-F	
P = Permitted Use C = Conditional Use PE = Pre-Existing Use								
[#] Reference to Notes at Bottom of the Table	Existin g	Propose d	Existin g	Propose d	Existin g	Propose d	<b>REMOV E ENTIREL Y</b>	
<b>Accessory Uses</b>								
Crop Raising	—	<u>C</u>	—		—		—	
Accessory Dwelling Units	—	—	—	<u>P</u>	—	<u>P</u>	—	2.10.4(B)
Home Businesses [1]	—	—	P		<u>P</u>	<u>==</u>	—	2.10.4(C)
In-Home Day Care	—	—	P		P		—	
Keeping of Chickens (on less than five acres)	—	—	P		P		—	2.10.4(D)
Commercial Solar Farm	—	<u>P</u>	C		C		—	2.9.5
Community Solar Garden	—	<u>P</u>	C		C		—	2.9.5
<u>Cannabis transportation/delivery accessory to a cannabis business</u>		<u>P</u>		<u>P</u>		<u>==</u>		
<u>Cannabis and hemp product manufacturing accessory to craftbreweries, craft wineries, or craft distilleries</u>		<u>P</u>		<u>P</u>		<u>==</u>		
<u>Cannabis and hemp cultivation for research or educational purposes, accessory to a college, university or similar institution of higher learning.</u>		<u>==</u>		<u>==</u>		<u>P</u>		
<u>Essential Services</u>		<u>P</u>						
<u>Machine Shop</u>		<u>P</u>		<u>P</u>		<u>P</u>		
<u>Bulk Storage of Liquids</u>		<u>P</u>		<u>P</u>		<u>==</u>		
<u>Recycling collection site and recycling facilities</u>		<u>P</u>		<u>==</u>		<u>==</u>		

Use Category and Use Type	Base Zoning Districts		Special Base Zoning Districts				Floating Zoning Districts	Use-Specific Standards in Section:
	I1		A-S		CD-S			
P = Permitted Use C = Conditional Use PE = Pre-Existing Use								
[#] Reference to Notes at Bottom of the Table	Existing	<u>Proposed</u>	Existing	<u>Proposed</u>	Existing	<u>Proposed</u>	<b>REMOVED ENTIRELY</b>	
<b>Accessory Structures</b>					P			
Accessibility Ramps	P		P					2.10.4(A)
Amateur Radio Towers	P		P		P		<del>P</del>	2.10.4(J)(2)
Detached Garages	P		P		P		<del>P</del>	2.10.2; Table 3.2-3
Detached Sheds, and other Similar Structures	P		P		P		<del>P</del>	2.10.2
Outdoor Wood Fire Boilers/Furnaces	—	<u>C</u>	C		C		—	2.10.4(F)
Porches, Gazebos and Detached Decks	—		P		P		—	2.10.4(G)
Satellite Dishes	P		P		P		<del>P</del>	2.10.4(J)(2)
Building-Mounted Solar Energy Systems	P		P		P		<del>P</del>	2.10.4(H)
Freestanding Solar Energy Systems	P		P		P		<del>P</del>	2.10.4 (H)
Swimming Pools, Hot Tubs, and Spas	—		P		P		—	2.10.4(I)
Temporary Family Health Care Dwelling	—		P		P		—	2.10.4 (K)
Tennis and Other Recreational Courts	—		P		P		—	2.10.4(D)
Telecommunications Antennas and Facilities	P		—	<u>P</u>	—	<u>P</u>	<del>P</del>	2.10.4(J)(2)
Micro Wind Energy conversion Systems	P		P		P		<del>P</del>	2.10.4(L)
Non-Commercial Wind Energy Conversion Systems	P		P		P		—	2.10.4(L)
Commercial Wind Energy Conversion Systems	—	<u>C</u>	C		C		—	2.10.4(L)
Workshops	—	<u>P</u>	—	<u>P</u>	—		—	2.10.4 (M)



Note:								
1. Home business that employs people who do not reside at the home may be permitted with a conditional use permit.								

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## ARTICLE 3. SITE DEVELOPMENT

### 3.2 Site Development Standards.

**3.2.1 Purpose.** The purpose of these site development standards is to further the purpose of this LDC and the goals and policies of the comprehensive plan. Furthermore, these standards are intended to establish appropriate lot dimensions within each zoning district, provide for appropriate scale of structures, and prescribe how structures will relate to a vibrant, pedestrian friendly streetscape.

#### 3.2.5 I1 District Site Development Standards.

##### (A) Dimensional Standards - Minimum.

Table 3.2-9: Minimum Dimensional Standards for the I1 District	
Feature	Dimension (feet)
Lot area	40,000 square feet
Lot width	150
Front yard setback	20
Side yard setback [1]	20
Height (maximum) [2]	50
Parking lot	
From a property line	10
From a street right-of-way	10
<p>1. Or 20 feet from a street unless a greater setback distance is required by the state building code or other regulation.</p> <p>2. Unless a greater height is authorized by a conditional use permit <u>or as otherwise specified elsewhere in this Land Development Code.</u></p>	

##### (B) Transitions and Appearances.

Table 3.2-10: Transition and Appearance Standards for the I1 District	
Buffering and Screening	Buffering and screening requirements must be followed when bordering other zones, as described in Table 3.5-3, Buffer Areas, and Table 3.5-4, Planting Requirements.
Adjacent to other Districts	Construction of any building that is within <del>45</del> 60 feet of the property line adjacent <del>to Highway 3, Highway 19, or any non-Industrial residential zoning</del> district shall comply with the C2 Site Development Standards found in Section 3.2.4, not the I1 Site Development Standards found in Section 3.2.5.
Exterior Materials <u>and Standards</u>	<p><u>1. Entrances must be designed and oriented in terms of their relationship to the human scale and must reflect this relationship through the inclusion of human-scaled architectural elements.</u></p> <p><u>2. Avoid the use of undifferentiated surfaces by including at least two (2) of the following design elements applied cohesively to the entirety of the face: Changes in building height; building step-backs or recesses, fenestration; and/or change in building material, pattern, or use of architectural accent materials.</u></p> <p><u>3. 75% of each elevation facing a public roadway shall be brick, stone or accent material. Each elevation which faces a public roadway shall be consistent in terms of design, materials, details and treatment.</u></p> <p><u>4. Windows, doors, or similar fenestration design features such as faux windows, must be distributed horizontally and vertically across the façade and comprise a minimum of 30 percent of the individual façade.</u><del>The exterior walls of principal buildings shall consist primarily of face brick, stone, glass, stucco, synthetic stucco, architectural metal, approved architectural concrete, cast in place or pre-cast panels, or decorative block. The exterior walls of accessory</del></p>

	<del>buildings shall be complementary to those of the principal buildings in terms of materials and colors.</del>
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### 3.2.6 A-S District Site Development Standards

- (A) The minimum lot size shall be 35 acres unless a smaller lot or lots is part of an approved annexation process in which case the smaller lots shall be permitted and shall be considered to be legally conforming lots.
- (B) The minimum front yard setback is 70 feet.
- (C) The minimum rear yard setback shall be:
  - (1) Fifty feet for nonagricultural structures;
  - (2) One hundred feet for structures used to house livestock; and
  - (3) Ten feet for accessory buildings.
- (D) The minimum side yard setback shall be:
  - (1) Fifteen feet for nonagricultural structures;
  - (2) One hundred feet for structures used to house livestock; and
  - (3) Ten feet for accessory buildings.
- (E) The maximum height of principal buildings shall be 50 feet except for agricultural structures such as, but not limited to, silos and barns.

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### ~~3.2.9 ED-F District Site Development Standards~~

- ~~(A) The minimum lot size shall be 20,000 square feet.~~
- ~~(B) The minimum lot width shall be 100 feet.~~
- ~~(C) The front build to line shall be within 30 to 65 feet of a lot line that is adjacent to a street.~~
- ~~(D) The front building façade shall have a relationship with the street that creates a pedestrian environment and frames the street.~~
- ~~(E) The minimum side yard setback shall be ten feet from a lot line or 20 feet from a side street.~~
- ~~(F) The maximum height shall be 50 feet unless authorized by a conditional use permit.~~
- ~~(H) More than one principal building may be located on a single lot.~~

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## Article 9. Definitions

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### 9.2 Definitions.

**Abutting or Adjacent.** The land, lot, or property adjoining the property in question along a lot line or separated only by an alley, easement, or street.

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**Cannabis retail.** A cannabis business with a license or endorsement authorizing the retail sale of cannabis flower, plants, cannabis products, and lower-potency hemp products, including cannabis products sold for on-site consumption.

**Cannabis microbusiness/mezzobusiness.** A cannabis business with a license or endorsement authorizing the up to 15,000 sq. ft. of cannabis cultivation, cannabis product manufacturing, or lower-potency hemp edible manufacturing within an indoor facility.

**Cannabis mezzobusiness.** A cannabis business with a license or endorsement authorizing the retail sale of cannabis flower, plants, cannabis products, and lower-potency hemp products, including cannabis products sold for on-site consumption.

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**Related Equipment.** All equipment ancillary to the transmission and reception of voice and data via radio frequencies. Such equipment may include but is not limited to cable, conduit and connectors.

**Renewable Energy System.** ~~A solar energy or wind energy system.~~ Renewable energy includes the following:

a. Solar energy;

b. Wind energy;

c. Geothermal energy;

d. Waterpower in the case of a hydroelectric project that does not require a new appropriation, diversion, or impoundment of water and that has a nameplate rating of 10 megawatts or less, or is an expansion of an existing hydroelectric project;

e. Landfill or farm-based methane gas;

f. Gas produced from the treatment of wastewater;

g. Low-emission, non-toxic biomass energy based on dedicated energy crops, animal wastes, or solid organic fuels from wood, forest, or field residues, except that the term does not include wood pieces that have been treated with chemical preservatives such as creosote, pentachlorophenol, or copper-chrome arsenic; and,

h. Hydrogen derived from any of the sources listed above for use in fuel cells.

Renewable energy systems do not include passive systems that serve a dual function, such as a greenhouse or window.

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**Volatile solvent.** Any solvent that is or produces a flammable gas or vapor that, when present in the air in sufficient quantities, will create explosive or ignitable mixtures. Volatile solvent includes but is not limited to butane, hexane, and propane.