

SECTION 200. DISTRICT USE REGULATIONS

This Ordinance divides the geographic area within its jurisdiction into Use Districts and establishes regulations pertaining to the location, erection, construction, reconstruction, alteration and use of structures, buildings and land within said area.

201. Use Districts

The City is hereby divided into the following use districts:

- R-1 Residential
- R-2 Moderate Density Residential
- R-3 Multiple-Family Residential
- C-1 Commercial Downtown
- C-2 Commercial Highway
- C-3 Commercial Limited (*Ord No 1995-F*)
- C-4 Commercial/Residential (*Ord No 12-10-2015-2*)
- M-1 Medical Services (*Ord No 1999-G*)
- I Industry
- I-2 Light Industrial (*Ord No 2003-D*)
- P Public-Institutional
- FDD Future Development District

202. District Boundaries

The location and boundaries of the above use districts are as shown on the Zoning Districts Map which is incorporated as part of this Ordinance. District boundary lines as indicated on such map follow lot lines, right-of-way lines of streets or alleys existing and projected, railroad right-of-way lines and section lines and their customary divisions to one-half, one-fourth and one-eighth section lines.

203. Annexed Territory

Any land which may be annexed to the City shall be placed in the FDD-Future Development District until special action of the Council shall definitely assign such land to another district.

204. Unlawful Use of Buildings and Land

It shall be unlawful to use or permit the use of any building or premises within the City for any purpose other than as listed in the district regulations below.

210. Residential Districts

- 211. R-1 – Residential
 - .01 Intent

The intent in establishing the Residential District is to provide for compatible in-fill residential development within the developed portions of the City and to permit a greater housing density.

.02 Permitted Uses

- (1) One and two family detached dwellings including single-family manufactured/mobile homes located outside of a manufactured/mobile home park provided the manufactured/mobile homes are in compliance with this Section and with M.S. Sections 327.31 through 327.35 and amendments thereto. Manufactured/mobile homes manufactured before July 1, 1972 and not already located in the City are prohibited. *(Ord No 1-21-2010)*
- (2) Repealed *(Ord No 12-10-2015-2)*
- (3) Neighborhood public parks, playgrounds, athletic fields and other neighborhood scale recreational uses of a non-commercial nature
- (4) A licensed day care facility serving 12 or fewer persons
- (5) A community residential facility serving not more than six persons
- (6) Townhouses *(Ord No 1995-D)*

.03 Permitted Accessory Uses

- (1) Accessory structures as regulated in Section 604 *(Ord No 1995-D; 1999-G; 3-20-2008-1; 12-10-2015-3)*
- (2) The renting of rooms by a resident family for lodging purposes only, and for not more than two roomers in a one-family dwelling
- (3) Home occupations located in the principal building provided that: *(Ord No 12-10-2015-2)*
 - (3.1) Not more than 25% of the gross floor area of any one story is used for a home occupation *(Ord No 12-10-2015-2)*
 - (3.2) Repealed *(Ord No 12-10-2015-2)*
 - (3.3) No articles for sale shall be displayed so as to be visible from any street
 - (3.4) No mechanical or electrical equipment is used if the operation of such equipment interferes with the desired quiet residential environment of the neighborhood
 - (3.5) Such occupation is engaged only by the resident(s) of said home *(Ord No 12-10-2015-2)*
 - (3.6) One non-illuminated nameplate sign not larger than two square feet affixed to the dwelling immediately adjacent to the entrance used for business access and except as otherwise expressly authorized by this chapter, there shall be no evidence of the occupation, activity, or business use visible, audible, or with an odor detectable from the exterior of the dwelling *(Ord No 12-10-2015-2)*

- (3.7) No structural changes to the dwelling or residential driveway shall be permitted which are inconsistent with the residential use and appearance of the property *(Ord No 12-10-2015-2)*
 - (3.8) Customer visits related to the home occupation shall be allowed only during the hours of 7:00 a.m. to 9:00 p.m., Monday through Saturday. Deliveries and pickups related to the home occupation shall only be allowed during the hours of 8:00 a.m. to 6:00 p.m., Monday through Saturday *(Ord No 12-10-2015-2)*
 - (3.9) Deliveries may not be made by semitrailer truck *(Ord No 12-10-2015-2)*
 - (3.10) No business activity may be conducted which is illegal or prohibited under any other City ordinance or applicable law *(Ord No 12-10-2015-2)*
 - (4) Attached private garage with door height of nine feet or less. If more than one door, both must be of same height. See Section 604 *(Ord No 12-10-2015-2)*
 - (5) Fences, as regulated by Section 1600 *(Ord No 12-10-2015-2)*
 - (6) Private swimming pool, as regulated by Section 1500 *(Ord No 12-10-2015-2)*
 - (7) Repealed *(Ord No 12-10-2015-2)*
 - (8) Repealed *(Ord No 12-10-2015-2)*
 - (9) Signs as regulated by Section 700
- .04 Uses by Conditional Use Permit
- (1) Planned Unit Developments as defined herein
 - (2) Hospitals, nursing homes, independent age-restricted housing units (rental or owner-occupied), rest homes, cemeteries, municipal facilities such as fire stations, city offices, libraries and museums and similar uses of a public service nature *(Ord No 12-10-2015-2)*
 - (3) Nurseries and greenhouses
 - (4) Attached private garages with door openings greater than nine feet in height *(Ord No 12-10-2015-2)*
 - (5) Repealed *(Ord No 12-10-2015-2)*
 - (6) Churches and public and parochial schools
 - (7) Community wide recreational facilities such as special use parks and golf courses
 - (8) Essential public utility service structures not exempted by Subsection 106
 - (9) Repealed *(Ord No 12-10-2015-2)*
 - (10) Accessory buildings in excess of two
 - (11) Manufactured/mobile home parks complying with Section 2000 Manufactured Home Park Regulations *(Ord. No 1-21-2010; Ord No 12-10-2015-2)*

.05 Townhouse Regulations (*Ord No 1995-D*)

(1) Townhouse Utilities

If the Melrose Public Utilities Commission (MPUC) determines that it is necessary, each residential unit must be provided separate sanitary sewer, water, electricity, natural gas, telephone and other utilities (*Ord No 12-10-2015-2*)

(2) Townhouse; Minnesota Statutes

Applications for townhouses must comply with the provisions of The Minnesota Common Interest Ownership Act and furnish proof of compliance at any time upon request of the Zoning Officer

(3) Declaration of Covenants, Conditions and Restrictions

Applications for townhouses must be accompanied by a Declaration of Covenants, Conditions and Restrictions, which document shall set forth the rights of the individual owners sharing a single structure, including maintenance, repair and construction, building and use restrictions, party walls and separate or shared services. The intent of the required declaration is to promote harmony between the neighbors, sharing a single structure, and to protect the City and neighborhood from improper maintenance and/or disputes.

The City, as well as the individual property owners, shall be considered the beneficiary of these Declaration of Covenants, Conditions and Restrictions. The Declaration of Covenants, Conditions and Restrictions must be approved by the City Attorney and recorded with the County Recorder at or before the time of filing the subdivision plat

(4) Townhouse Plat

Property utilized for the construction of townhouses must be platted in such manner that the party wall property line for the residential units will have a zero lot line and each lot must meet all other City requirements

(5) Floor Area Requirements (*Ord No 12-10-2015-2*)

(1.1) A townhouse shall have no more than six dwelling units

(1.2) Townhouse dwelling units shall contain at least 800 square feet when it is a one story structure and at least 1,100 square feet when it is a two story structure

(1.3) The minimum width of a townhouse shall be 24'

(1.4) The maximum building height for townhomes shall be 40'

- .06 Dwelling Unit Guidelines (*Ord No 1-21-2010*)
- (1) Regulations: Single-family detached dwelling units, which shall include manufactured/mobile homes meeting the regulations of this Section and two-family attached dwelling units shall be governed by the following restrictions: (*Ord No 12-10-2015-2*)
 - (1.1) Foundation; Anchoring: All dwellings shall be anchored by being placed on a permanent concrete or treated wood foundation which is solid for the complete circumference of the dwelling and that meets the requirements of the current State of Minnesota Building Code
 - (1.2) Width; Minimum Ground/Main Floor and Habitable Area: A single family dwelling shall have a minimum width for the main habitable portion of the structure of not less than 24'. No single family dwelling shall have a finished ground/main floor space of less than 800 square feet excluding a basement (*Ord No 12-10-2015-2*)
 - (1.3) Roof: Roofs shall be shingled with asphalt, wood, tiles or other comparable materials as allowed by the applicable building code. New metal shingles and metal roofing of new materials shall be allowed provided that they:
 - a) Be 26, 24 or heavier gauge steel
 - b) Be standing-seam profiled metal
 - c) Have concealed fasteners
 - d) Have a corrosion resistant coating such as zinc, aluminum, alloys of zinc-aluminum, copper, or tin if the material is non-galvanized painted steel, aluminized steel, zinc-aluminum-coated steel or terne-coated steel
 - e) If painted, have at least a 20-year paint warranty (*Ord No 12-10-2015-2*)
 - (1.4) Exterior Wall; Exposed Surfaces: The exterior walls shall look like wood or masonry, regardless of their actual composition. All metal and vinyl siding shall overlap in sections no wider than 12". Metal siding shall have concealed fasteners. Sheet metal siding is not permitted (*Ord No 12-10-2015-2*)

212. R-2 – Moderate Density Residential

.01 Intent

The intent in establishing the Moderate Density Residential District is to provide for the compatible residential expansion of the City according to current standards of development and to protect the desired quiet and attractive living environment from potential conflicting uses.

- .02 Permitted Uses
 - (1) All uses permitted in the R-1 District
 - (2) Single family attached dwellings provided that no more than six dwelling units are contained in any one structure (*Ord No 12-10-2015-2*)
 - .03 Permitted Accessory Uses
 - (1) All accessory uses permitted in the R-1 District
 - .04 Uses by Conditional Use Permit
 - (1) All conditional uses permitted in the R-1 District
 - .05 Townhouse Regulations (*Ord No 1995-D*)
 - (1) All townhouse regulations provided for in the R-1 District
 - .06 Dwelling Unit Guidelines
 - (1) All Dwelling Unit Guidelines provided for in the R-1 District shall apply to this District. (*Ord No 1-21-2010*)
213. R-3 – Multiple-Family Residential
- .01 Intent

The Multiple-Family Residential District is intended to provide housing at moderate densities to offer a full range of housing types while providing special amenities for individual and family living.
 - .02 Permitted Uses

Before issuance of any building permit, all permitted, accessory and conditional uses require submission and approval of a site plan by the Council after review of the Commission.

 - (1) Multiple-family residential from 3 to 24 units
 - (2) Licensed day care facilities providing services to less than 24 persons
 - .03 Permitted Accessory Uses
 - (1) Off-street parking spaces, lots and garages
 - (2) Enclosed or unenclosed swimming pools
 - (3) Tennis courts
 - (4) Home occupations as provided in the R-1 District
 - (5) Signs as regulated by Section 700
 - .04 Uses by Conditional Use Permit
 - (1) Single family residential
 - (2) All conditional uses permitted in the R-1 and R-2 Districts
 - (3) Multiple-family uses with more than 24 units
 - (4) Two-family residential
 - (5) State licensed community residential facilities providing for not more than 16 persons
 - .05 Townhouse Regulations (*Ord No 1995-D*)
 - (1) All townhouse regulations provided for in the R-1 District
 - .06 Floor Area Requirements for Multiple-Family Dwelling Units: (*Ord No 12-10-2015-2*)

Living units in stacked buildings containing more than two units shall have the following minimum floor areas per unit:

- (1) Efficiency apartments: 400 square feet
- (2) One bedroom apartments: 640 square feet
- (3) Two bedroom apartments: 720 square feet
- (4) More than two bedroom apartments: 120 square feet additional for each bedroom

220. Commercial Districts

221. C-1 – Commercial Downtown

.01 Intent (*Ord No 12-10-2015-2*)

The intent of the Commercial Downtown District to provide for the establishment of commercial and service activities which draw from and serve residents from the community and its surrounding areas within the “Downtown” area of the City. This district shall also support the historical downtown commercial center as a compact, unique, diverse, and attractive district, to promote pedestrian usage and amenities and to reinforce supporting district systems such as parking.

.02 Permitted Uses

- (1) Commercial retail and service establishments including, but not limited to the following:
 - (1.1) Retail establishments such as grocery, hardware, drug, clothing and furniture stores; eating and drinking places; and automobile service stations (*Ord No 12-10-2015-2*)
 - (1.2) Personal services such as laundry, hair styling salons, shoe repair shops and photography studios
 - (1.3) Professional services such as medical and dental clinics and attorney offices
 - (1.4) Repair services such as automobile, jewelry and radio and television repair shops
 - (1.5) Entertainment and amusement services such as motion picture theatres and bowling alleys
 - (1.6) Lodging services such as hotels and motels
 - (1.7) Finance, insurance and real estate services
- (2) Public and semi-public buildings such as post offices, fire stations, libraries, museums, community centers and city offices
- (3) Private clubs
- (4) Apartments provided they are located above the first floor level
- (5) Licensed day care facilities provided that: (*Ord No 12-10-2015-2*)
 - (5.1) The structure and operation are in compliance with State of Minnesota Department of Human Services regulations and shall be licensed accordingly meeting all State licensing requirements pursuant to Minnesota Statutes 245A.02 and 245A.11, as amended

- (5.2) The facility shall provide screening along the shared boundary where outdoor play areas abut commercial or industrial uses or zones, or public right-of-way
- (5.3) Loading and unloading areas are located so that children do not cross traffic to reach the facility. The loading and unloading areas must be designed to minimize interference with traffic and promote safety of the children
- (5.4) Parking is located separately from any outdoor play area.

- .03 Permitted Accessory Uses
 - (1) Automobile parking lots
 - (2) Loading and unloading areas
 - (3) Automobile garages
 - (4) Warehousing, assembly, and manufacturing when incidental to the principal use and conducted entirely within the building
(Ord No 12-10-2015-2)
 - (5) Signs as regulated by Section 700
- .04 Uses by Conditional Use Permit
 - (1) High performance manufacturing and assembly determined upon recommendation of the Commission and defined as that which produces no exterior noise, vibrations, odors, or emissions
 - (2) Other uses similar in nature to the above uses and which, in the opinion of the Council, after review and recommendation by the Commission, will not be detrimental to the integrity of this District

222. C-2 – Commercial Highway

- .01 Intent *(Ord No 12-10-2015-2)*
The intent of the Commercial Highway District is to provide for the establishment of service and limited retail businesses primarily oriented toward motorists and requiring high volumes of traffic and visibility from major roads.
- .02 Permitted Uses *(Ord No 12-10-2015-2)*
 - (1) Restaurant, café with no drive-through service
 - (2) Private clubs or lodges serving food and beverages
 - (3) Motels and hotels provided that the lot area contains not less than 500 square feet of lot area per unit
 - (4) Motor vehicle, implement and recreation equipment sales and service with no outdoor storage or display
 - (5) Offices, banks (with no drive-through service), personal and professional services
 - (6) General retail sales and service uses
- .03 Permitted Accessory Uses
 - (1) Off-street parking
 - (2) Signs as regulated by Section 700

.04 Uses by Conditional Use Permit

- (1) Commercial establishments requiring large sites for outdoor display and sales such as farm implement sales, mobile home sales, automobile sales, garden and landscaping sales, marine and recreational vehicle sales subject to the following: *(Ord No 12-10-2015-2)*
 - (1.1) Off-street parking and loading areas are provided where required
 - (1.2) No public address system shall be used
 - (1.3) The display areas shall be surfaced with a durable surface approved equivalent to control dust and erosion. The display area shall be architecturally compatible with the principal structure of the site through use of similar building materials or fencing around the perimeter of the display areas
- (2) Facilities with drive-through subject to the following: *(Ord No 12-10-2015-2)*
 - (2.1) Litter Control. The operation shall be responsible for litter control within 300 feet of the premises and litter control is to occur on a daily basis. Trash receptacles must be provided at a convenient location on-site to facilitate litter control
 - (2.2) These facilities shall be located only on sites having direct access to a minor arterial street, collector or service road
 - (2.3) The applicant shall demonstrate that such use will not significantly lower the existing level of service on streets and intersections
 - (2.4) The location of the drive-through shall accommodate parking lot stacking of at least four vehicles
 - (2.5) Hours of operation of the drive-through shall be limited to 7:00 a.m. to 10:00 p.m. where abutting or adjacent to a residential zoning district
- (3) Off-sale liquor store *(Ord No 12-10-2015-2)*
- (4) Commercial recreational facilities such as roller rinks, racquet ball courts, bowling alleys, etc. *(Ord No 12-10-2015-2)*
- (5) Convenience grocery stores provided that total floor space is 3,200 *(Ord No 1999-F)* square feet or less, and provided further that it is operated in conjunction with a motor fuel facility which is a part of said business subject to the following: *(Ord No 12-10-2015-2)*

- (5.1) Motor fuel facilities shall be installed in accordance with State and City standards. Additionally, adequate space shall be provided to access gas pumps and to allow maneuverability around the pumps. Underground storage tanks are to be positioned to allow adequate access by motor fuel transports and unloading operations which do not conflict with circulation, access and other activities on site. Fuel pumps shall be installed on pump islands
- (5.2) The total height of any overhead canopy or weather protection shall not exceed 20' in height
- (5.3) No sales or rental of motor vehicles, trailers or campers shall be permitted
- (5.4) Each motor fuel station shall be compatible with the area in which it is located
- (5.5) A minimum eight foot landscaped yard shall be planted and maintained behind the property line along all public streets
- (5.6) Motor fuel dispensers shall be located at least 30' from a property line, and 100' from any Residential District property lines
- (5.7) All canopy lighting for motor fuel station pump islands shall be recessed or fully shielded
- (5.8) Litter Control. The operation shall be responsible for litter control within 300' of the premises and litter control is to occur on a daily basis. Trash receptacles must be provided at a convenient location on-site to facilitate litter control
- (6) Grocery stores provided that total floor space is 10,000 square feet or more. (*Ord No 1990-1-A*)
- (7) Billboards and advertising signs as regulated by Section 700
- (8) Public and semi-public buildings such as post offices, fire stations, libraries, museums, community centers and city offices
- (9) Vehicle services such as repair, body work, fuel and truck stops subject to the following standards: (*Ord No 12-10-2015-2*)
 - (9.1) The use shall be designed to ensure proper functioning of the site as related to vehicle stacking, circulation and turning movements
 - (9.2) Temporary outdoor vehicle storage may be allowed in outdoor storage areas that are not larger than 25% of the buildable lot area, are located behind the front building line, and are 100% screened
 - (9.3) Vehicles not being repaired but used as a source of parts shall be prohibited unless fully enclosed within the building

- (9.4) Vehicles that are repaired and are awaiting removal shall not be stored or parked for more than 30 consecutive days
- (10) Motor vehicle and recreational vehicle sales including parts, supplies and vehicles subject to the following standards: *(Ord No 12-10-2015-2)*
 - (10.1) Shall have permanent structure on parcel
 - (10.2) Headlights shall be 100% screened from adjacent property lines
 - (10.3) Open service, sales, display or rental areas shall not encroach on the required off street parking, loading area or traffic maneuvering area required by this chapter
- (11) Commercial car washes (drive-through, mechanical and self-service as a principal or accessory use) with one or more bays subject to the following standards: *(Ord No 12-10-2015-2)*
 - (11.1) Stacking space is provided to accommodate an appropriate number of vehicles and shall be subject to the approval of the Council
 - (11.2) The entire area shall have a drainage system which is subject to the approval of the City and gives special consideration to the prevention of ice build-up during winter months
- (12) Other uses similar in nature to the above uses and which, in the opinion of the Council and after review and recommendation by the Commission, will not be detrimental to the integrity of this District

223. C-3 – Commercial Limited *(Ord No 1995-F)*

.01 Intent

The intent of the Commercial Limited District is to provide areas which are related to and may adjoin residential districts for the location and development of businesses permitted in this Section. These uses are subject to restrictive controls to assure compatibility with surrounding properties, traffic facilities and other environmental factors. No exterior display or retail sales shall be made to the general public.

.02 Permitted Uses

- (1) Public and semi-public buildings such as post offices, fire stations, libraries, museums, community centers and city offices
- (2) Schools
- (3) Radio and television studios
- (4) Telemarketing offices
- (5) Apartments provided they are located above the first floor level
- (6) Licensed day care facilities

- .03 Permitted Accessory Uses
 - (1) Off-street parking
 - (2) Signs as regulated by Section 700
 - .04 Uses by Conditional Use Permit
 - (1) Service establishments, including but not limited to, the following:
 - (1.1) Personal services such as laundry, hair styling salons, shoe repair shops and photography studios
 - (1.2) Professional services such as medical and dental clinics and attorney offices
 - (1.3) Public professional services such as community health and social services
 - (1.4) Finance, insurance and real estate services
 - (2) Other uses similar in nature to the above uses and which in the opinion of the Council, after review and recommendation by the Commission, will not be detrimental to the integrity of this District
224. C-4 Commercial/ Residential (*Ord No 12-10-2015-2*)
- .01 Intent

The intent of the Commercial/Residential is to support additional opportunities for commercial/retail development along 2nd Avenue SE that essentially connects traffic from Interstate 94 to the downtown. Uses are limited to less intense retail or more walkable retail that supports and will be compatible with the downtown. Conversion of an existing home to a commercial use shall be permanent.
 - .02 Permitted Uses
 - (1) Single and two-family dwellings
 - (2) Live/work units, subject to the following standards:
 - (2.1) Any space that will be used by walk-in customers of the business must be accessible from an exterior entrance that is not used to access other residential units
 - (2.2) Off-street parking shall be provided for employees
 - (3) Commercial retail and service establishments including, but not limited to the following:
 - (3.1) Retail establishments such as book, stationary, gift or novelty shops; hobby or craft store
 - (3.2) Personal services such as laundry, hair styling salons, shoe repair shops and photography studios, tailoring
 - (3.3) Professional services such as medical and dental clinics and attorney offices

- (4) Prohibited uses include but are not limited to the following: uses classified as industrial; appliance, small engine repair; motor vehicle sales or repair; pawnshop; animal handling; food service including catering, restaurant, café or tavern type; private entertainment and sexually oriented businesses.
- .03 Permitted Accessory Uses
 - (1) Automobile parking lots
 - (2) Loading and unloading areas
- .04 Uses by Conditional Use Permit
 - (1) Adult Day care
 - (2) Licensed day care facilities provided that:
 - (2.1) The structure and operation are in compliance with State of Minnesota Department of Human Services regulations and shall be licensed accordingly meeting all State licensing requirements pursuant to Minnesota Statutes 245A.02 and 245A.11, as amended
 - (2.2) The facility shall provide screening along the shared boundary where outdoor play areas abut commercial or industrial uses or zones, or public right-of-way
 - (2.3) The facility has two parking spaces per employee on largest shift (designated); in addition, three parking spaces must be provided solely for the loading and unloading of children. Loading and unloading spaces must be clearly marked
 - (2.4) Loading and unloading areas are located so that children do not cross traffic to reach the facility. The loading and unloading areas must be designed to minimize interference with traffic and promote safety of the children
 - (2.5) Parking is located separately from any outdoor play area
 - (3) Bed and Breakfast subject to the following standards:
 - (3.1) Off-street parking shall be provided for owner/operator plus one space per guest room
 - (4) Other uses similar in nature to the above uses and which, in the opinion of the Council, after review and recommendation by the Commission, will not be detrimental to the integrity of this District
 - (5) Upon conversion of an existing residential structure to a commercial use, as permitted by this section, the structure shall not covert back to a residential use

- .05 Minimum Building Design Requirements
 - (1) Existing residential structures converted to a business use shall maintain the residential character of the home. Any building entry, additions or renovations shall be of similar materials, colors and roof pitch of the primary structure
 - (2) New construction for a permitted commercial use shall be designed to be compatible with surrounding residential structures including similar architectural style, materials and roof pitch
 - (3) Signage shall be permitted only in the form of a projecting sign. Nameplate, projecting, wall or window signs with a maximum area of 40 square feet. Projecting signs shall not exceed eight feet in length (includes extension arm and sign length) or five feet in height. The projecting sign shall not extend higher than 20' from grade. Such signs shall have a minimum clearance of eight feet to grade

225. M-1 – Medical Services (*Ord No 1999-G*)

- .01 Intent

The intent of the Medical Services District is to provide areas which are related to and may adjoin residential districts for the location and development of medical services businesses permitted in this Section. These uses are to meet the needs of the community.
- .02 Permitted Uses
 - (1) Hospitals and medical clinics
 - (2) Nursing homes, assisted living facilities, congregate care facilities
 - (3) Pharmacies, dental clinics, eye clinics, chiropractic clinics
 - (4) Public professional services such as community health and social services
 - (5) Chapels related to principal uses
 - (6) Gift or floral services, and medical supply dispensaries provided that such store or shop be operated subordinate to principal use
 - (7) Temporary lodging facilities for medical staff, outpatients, and patient guests (*Ord No 12-10-2015-2*)
- .03 Permitted Accessory Uses
 - (1) Off-street parking
 - (2) Signs as regulated by Section 700
- .04 Uses by Conditional Use Permit
 - (1) Other uses similar in nature to the above uses and which, in the opinion of the Council, after review and recommendation by the Commission, will not be detrimental to the integrity of this District

230. Industrial Districts

231. I – Industry

.01 Intent

The intent of the Industrial District is in recognition of existing industrial development within the community and of the desirability of reserving additional land for possible new, expanded or relocated industries of a similar nature.

.02 Permitted Uses

All permitted uses shall be undertaken within completely enclosed buildings. Storage of raw materials or finished products shall be enclosed.

- (1) Fabricating, manufacturing, production, storage, or processing of materials, goods, and products
- (2) Wholesaling, all commodities except live animals
- (3) Sexually Oriented Businesses as defined in Section 115.03 of the Melrose City Code (*Ord No 5-04-2006-2*) Regulations outlined in Section 233

.03 Permitted Accessory Uses

- (1) Off-street parking
- (2) Off-street loading and unloading areas
- (3) Signs as regulated by Section 700

.04 Uses by Conditional Use Permit

- (1) Manufacture of acid, cement, lime, gypsum or plaster of paris with no outdoor storage (*Ord No 12-10-2015-2*)
- (2) Distillation of bones, coal, tar, petroleum, fertilizer, refuse, grain, or wood with no outdoor storage (*Ord No 12-10-2015-2*)
- (3) Manufacture or storage of explosives with no outdoor storage (*Ord No 12-10-2015-2*)
- (4) Reduction or dumping of garbage, offal, dead animals or fish or any activity involving the slaughter of animals subject to the following standards: (*Ord No 12-10-2015-2*)
 - (4.1) The site shall not be any closer than 500 feet from any residentially zoned property.
 - (4.2) The area where slaughtering and related activities take place must be completely screened from all adjacent properties, streets and highways.
- (5) Repealed (*Ord No 12-10-2015-2*)
- (6) Excavation, crushing, washing and/or grading of rock, gravel or sand provided the site is completely screened from all adjacent properties, streets and highways (*Ord No 12-10-2015-2*)
- (7) Billboards and advertising signs as regulated by Section 700
- (8) Repealed (*Ord No 12-10-2015-2*)
- (9) Repealed (*Ord No 10-16-2008*)
- (10) Repealed (*Ord No 12-10-2015-2*)
- (11) Other uses similar in nature to the above uses and which, in the opinion of the Council, after review and recommendation by the Commission, will not be detrimental to the integrity this District

232. I-2 – Light Industrial (*Ord No 2003-D*)
- .01 Intent

The intent of the Light Industrial District is to provide for industrial and commercial uses that may be suitably located in areas which are in relatively close proximity to non-industrial areas. Any facility which is noxious or hazardous or which would violate any Minnesota Statute will be restricted from this District.
 - .02 Permitted Uses
 - (1) Light manufacturing
 - (2) Motor vehicle sales and service. No vehicle repairs may be undertaken outside of roofed structures
 - (3) Motor vehicle washing facilities
 - (4) Motor vehicle fuel stations
 - (5) Warehousing, storage, distribution, and wholesale facilities excluding live animals
 - (6) Animal clinics
 - (7) Printing and publishing
 - (8) Mini or self-storage facilities
 - (9) Bulk fuel storage
 - (10) Municipal service buildings
 - .03 Permitted Accessory Uses
 - (1) Off-street parking
 - (2) Signs as regulated by Section 700
 - .04 Uses by Conditional Use Permit
 - (1) Commercial and public radio and television transmitting antennas and public utility microwave antennas
 - (2) Farm implement sales and service
 - (3) Contracting businesses with outdoor storage
 - (4) Trucking and freight terminals
 - (5) Other uses similar in nature to the above uses and which, in the opinion of the Council, after review and recommendation by the Commission, will not be detrimental to the integrity of this District
 - .05 Special District Regulations

All property must be landscaped. Site plans must accompany building permit requests. No visible, unfenced, or unenclosed outside storage of waste, debris, recyclables, and excess materials, supplies, non-useable products, or equipment shall be permitted.
233. Sexually Oriented Businesses (*Ord No 5-4-2006-2*)
- .01 Location Requirements for Sexually Oriented Businesses

Sexually Oriented Businesses as defined in Section 115.03 of the Melrose City Code (*Ord No 12-10-2015-2*) are permitted uses in Industrial Districts, subject to the following location requirements:

 - (1) A Sexually Oriented Business shall not be located within 1,000' of an existing Sexually Oriented Business

- (2) A Sexually Oriented Business shall not be located within 1,000' of any existing school or place of worship
- (3) A Sexually Oriented Business shall not be located within 400' of any PUD District, Residential District, or residential property
- (4) A Sexually Oriented Business shall not be located within 400' of any property being used as a park
- (5) A Sexually Oriented Business shall not be located within 400' of any premises licensed under Chapter 113, Liquor Regulations, of the Melrose City Code
- (6) For purposes of this Ordinance, the 400' and 1,000' distances shall be the shortest horizontal measurement from the property line of any Residential District, residential property, PUD property, school, place of worship, park, licensed premises, or a Sexually Oriented Business to the property line where the proposed Sexually Oriented Business is to be located

.02 Findings

The City Council makes the following findings regarding the effect sexually oriented businesses have on the character of the City's neighborhoods. In making these findings, the City Council accepts the recommendation of the *Report of the Attorney General's Working Group on the Regulation of Sexually Oriented Businesses* dated June 6, 1989, a copy of which is adopted by reference and included in Appendix II of Chapter 115 of the Melrose City Code. This ordinance shall have no force and effect until the City Council accepts these recommendations by resolution of a majority of its members.

- (1) Sexually Oriented Businesses have an impact on the neighborhoods surrounding them which is distinct from the impact caused by other uses.
- (2) Residential and commercial neighborhoods located within close proximity to sexually oriented businesses experience the following negative impacts:
 - (2.1) Increased crime rates, particularly in sex-related crimes such as rapes, prostitution, indecent exposure and other lewd and lascivious behavior;
 - (2.2) Property values which are either diminished or fail to appreciate at the rate of other comparable properties not located in proximity of sexually oriented businesses;
 - (2.3) Increased transiency and decreased stability of ownership;
 - (2.4) Deteriorated neighborhood appearance from litter and graffiti;

- (2.5) Sex-related harassment of residents and customers by motorists and pedestrians;
 - (2.6) A perception that the area is “unsafe;” and
 - (2.7) Difficulty in attracting and retaining customers, employees, and desirable tenants.
- (3) The adverse impacts which Sexually Oriented Businesses have on surrounding areas diminish as the distance from the sexually oriented business increases.
 - (4) The adverse impacts of Sexually Oriented Businesses are exacerbated when the uses are located near each other.
 - (5) The presence of liquor establishments in the immediate vicinity of Sexually Oriented Businesses also compounds the adverse impacts on the neighborhood.
 - (6) Sexually Oriented Businesses can exert a dehumanizing influence on persons attending places of worship, children attending day care centers or schools, and people using public parks and libraries.
 - (7) Sexually Oriented Businesses can significantly contribute to the deterioration of residential neighborhoods and can impair the character and quality of the residential housing in the area where they are located, thereby exacerbating the shortage of affordable and habitable housing for city residents.
 - (8) The concentration of Sexually Oriented Businesses in an area can have a substantially detrimental effect on that area and on the overall quality of urban life. A cycle of decay can result from the influx and concentration of Sexually Oriented Businesses. The presence of such businesses is perceived by others as an indication that the area is deteriorating and the result can be devastating; other businesses move out of the vicinity and residents flee from the area. The resulting decline in real estate values erodes the City’s tax base and contributes to overall urban blight.
 - (9) Land use regulations are appropriate to minimize the detrimental effects that Sexually Oriented Businesses have on adjacent land uses.

234. Commercial and Industrial Minimum Design Standards (*Ord No 12-10-2015-2*)

- .01 In the C-1, C-2 and M-1 districts all new construction or when an existing building is expanded at or over 50% of the existing square footage or building value (based on latest assessed value), whichever is less, the entire building including the existing façade and new expansion shall meet the building design requirements as required in Subds. 1, 2, 3 and 4.

- (1) Within the C-1, C-2 and M-1 zoning districts, buildings shall maintain a high standard of architectural and aesthetic compatibility with surrounding properties to ensure that they will not adversely impact the property values of the abutting properties or adversely impact the public health, safety, and general welfare. Exterior building finishes shall consist of durable finish-type materials of a high grade and quality
- (2) The use of various textures, colors and accents is encouraged. The following are acceptable exterior materials:
 - (2.1) Brick or face brick
 - (2.2) Decorative architectural precast concrete masonry units. Concrete masonry units shall have an indented, hammered, split-face finish or other similar architectural finish and be integrally colored. Light weight concrete block or cinder block construction is prohibited
 - (2.3) Specially designed, precast or tilt wall concrete panel units if the surfaces have been integrally treated with an applied decorative material or texture (excluding raw concrete block painted or unpainted)
 - (2.4) Wood
 - (2.5) Natural or cut stone such as granite, marble, limestone, slate, river rock and other durable naturally occurring all weather stone
 - (2.6) Stucco (plaster) Exterior Insulated Finishing System (EIFS)
 - (2.7) Glass curtain walls provided they are designed as non-load bearing exterior walls supported in a metal framework
 - (2.8) Within the C-1 and M-1 zoning districts, colored steel with concealed fasteners provided it does not exceed more than 75% of the total exterior materials on any street facing elevation. Street facing elevations shall incorporate brick, stone, or concrete masonry units (integrally colored) as the primary material at the base of the building
 - (2.9) Within the C-2 zoning districts, colored steel, provided it does not exceed more than 75% of the total exterior materials on any street facing elevation. Street facing elevations shall incorporate brick, stone, or concrete masonry units (integrally colored) as the primary material at the base of the building
 - (2.10) Decorative synthetic material approved by the Commission
 - (2.11) Any combination of the materials identified herein

- (2.12) Any other material approved by the Commission, including but not limited to hardy plank or other concrete composite materials found to be of comparable or superior durability which mimics the appearance of other approved materials
- (3) Concrete block or masonry framing systems are preferred. Tilt-up, post frame wood and/or steel framing are allowed as long as any structure has a contiguous masonry frost-free foundation
- (4) Existing brick facades in the C-1 District shall not be covered with other façade materials or painted
- (5) Architectural design alternatives that meet the objectives of Subd. 2 may be considered for approval by the Commission and Council
- (6) All roofs which are exposed to a view or are an integral part of a building's aesthetics:
 - (6.1) Within the C-1 and M-1 zoning districts will be constructed only of commercial grade asphalt shingles, wood shingles, metal shingles, standing seam metal (with concealed fasteners), slate, tile, copper or membrane
 - (6.2) Within the C-2 zoning district will be constructed only of commercial grade asphalt shingles, wood shingles, metal shingles, standing seam metal, slate, tile, copper, metal roofs with exposed fasteners, or membrane

Within the C-1, C-2 and M-1 zoning districts only new roofing materials shall be allowed. The Commission may consider green roof options that reduce storm water runoff and improve water quality

.02 Industrial Districts:

- (1) For new construction in the I and I-2 districts or when an existing building is expanded at or over 50% of the existing square footage or building value (based on latest assessed value), whichever is less, the entire building including the existing façade and new expansion shall meet the following building design requirements:
 - (1.1) Permitted Materials:
 - a) Any approved commercial materials
 - b) Standard smooth-faced concrete masonry units
 - c) Unfinished panel formed precast or cast-in-place concrete panels
 - d) Colored steel

- (2) All roofs which are exposed to a view or are an integral part of a building's aesthetics will be constructed only of commercial grade asphalt shingles, wood shingles, metal shingles, standing seam metal, slate, tile, copper or metal roofs with exposed fasteners. Only new materials shall be allowed. The Commission may consider green roof options that reduce storm water runoff and improve water quality
- (3) Commercial and Industrial Accessory Structures. Accessory structures and outbuildings must be of similar materials, quality and architectural and aesthetic appearance and conformance as the principal building or structure and must be approved by the Commission. Accessory structures may only be built after the principal structure has been completed on that lot. Accessory structures may not exceed the height of the principal building

240. Public-Institutional Districts

241. P – Public-Institutional

.01 Intent

The intent of the Public-Institutional District is in recognition of the substantial amount of land within the City now devoted to public use, and the need to provide land for expansion of existing facilities and/or sites for new facilities.

.02 Permitted Uses

- (1) Hospitals, rest homes, nursing homes, assisted living facilities, schools, churches and similar uses of an institutional nature (*Ord No 12-10-2015-2*)
- (2) Athletic fields, parks, fairgrounds, golf courses, camping areas and similar uses of a recreational open space nature
- (3) Public and semi-public buildings such as post offices, fire stations, libraries, museums, community centers and city offices

.03 Permitted Accessory uses

- (1) Off-street parking
- (2) Signs as regulated by Section 700

.04 Public Facilities Financed by Third Parties

- (1) In recognition of the City's need to obtain financing for the development of public facilities from third parties (herein "Lender"), this subsection recognizes the possibility of a transfer, voluntarily or involuntarily, by operation of law or otherwise, of the public facility to the Lender. If such a transfer occurs, then the Lender or third party to whom such facility is later transferred, may continue to use the facility for such purposes as may constitute uses permitted under Subsection 2 of this Section 241, or uses described in Subsection 5 of Section 241.

In the circumstances described in this subsection, the Lender or its transferee shall not be required to obtain a Conditional Use Permit under any Section of this Ordinance for such continued use of the facility, and such a use shall be deemed not to be in violation of this Ordinance.

.05 Uses by Conditional Use Permit

- (1) Public buildings such as Wastewater Treatment Facilities
- (2) Other uses similar or allied to the above uses but of a private nature, and any other uses in the opinion of the Council, and after review and recommendation by the Commission will not be detrimental to the integrity of this District

250. Reserve Districts

251. FDD – Future Development District

.01 Intent

The Future Development District is intended for areas where public utilities are not presently available. A density of not more than one lot per 40 acres will retain these lands in their natural state and in agricultural uses pending the proper timing for the economical provision of utilities, streets, parks, storm drainage and other public facilities and services so that orderly development will occur. Rezoning to proposed Comprehensive Plan uses will be considered when the required public utilities and services are scheduled to be extended or provided, or upon determining that such extensions are not feasible, the provision of these services privately.