

ORDINANCE NO. 2157

AN ORDINANCE ADDING DEFINITIONS OF COMMON TERMS AND AMENDING ZONING TEXT ESTABLISHING REGULATIONS WHERE BREW PUBS, BREWERIES, TAPROOMS, DISTILLERIES AND COCKTAIL ROOMS CAN LOCATE WITHIN THE CITY AND THEREBY AMENDING REVISED CITY CODE – 1982 SECTIONS 11-201, 11-701.1, 11-801.1 AND 11-903.1(1)

The City of Coon Rapids does ordain:

Section 1. Revised City Code - 1982 Section 11-201 is hereby amended as follows by the addition of the following new definitions, which is to be inserted alphabetically and the numbering changed accordingly: (Additions double underlined)

11-201 Definitions. For the purposes of this Title the following definitions apply:

Abutting – Contiguous to, having a common border with.

Adult Oriented Business – “Adult oriented business” includes, but is not limited to,

(a) Adult body painting studios, adult bookstores, adult cabarets, adult conversation or rap parlors, adult entertainment centers, adult health or sports clubs, adult hotels or motels, adult massage parlors, adult modeling studios, adult motion picture theaters, adult novelty businesses, adult saunas, or steam rooms;

(b) any business that is conducted exclusively for the patronage of adults and that excludes minors from the premises, either by operation of law or by the owners of the business;

(c) any business that (i) derives 25 percent or more of its gross receipts during any calendar month from, or (ii) devotes 25 percent or more of its floor area (not including storerooms, stock areas, bathrooms, basements or any portion of the business not open to customers) to items, merchandise, devices, or other materials distinguished or characterized by an emphasis or material depicting, exposing, describing, discussing, or relating to specified sexual activities or specified anatomical areas;

(d) any premises to which public patrons or members are invited or admitted and which are so physically arranged as to provide booths, cubicles, rooms, compartments or stalls separated from the common areas of the premises for the purposes of viewing adult oriented motion pictures, or wherein an entertainer provides adult entertainment to a member of the public, a patron or a member, whether or not such adult entertainment is held, conducted, operated or maintained for a profit, direct or indirect. *From Sect 5-2202(1)*

Agricultural Use- The employment of land by raising, harvesting, and selling crops, or feeding (including grazing), breeding, managing, selling, or producing livestock, poultry, fur-bearing animals or honeybees, or by dairying and the sale of dairy products, by any other horticultural,

floricultural or viticultural use, by animal husbandry, or by any combination thereof. It also includes the current employment of land for the primary purpose of stabling or training equines including, but not limited to, providing riding lessons, training clinics and schooling shows.

Alley - A public or private right-of-way of at least 18 feet in width which is primarily designed to provide a secondary access to abutting property.

Animal Agricultural - Animals such as cows, sheep, pigs, potbellied pigs, bees, goats, swine, llamas, mules, horses or other hoofed animal, chickens, ducks, or other agricultural animals or domestic fowl.

Animal Domestic - Non-poisonous snakes or snakes not prohibited by this Chapter, birds kept indoors, non-poisonous spiders, turtles, lizards, hamsters, chinchillas, mice, rabbits, gerbils, white rats, guinea pigs, or similar small animals capable of being maintained continuously in cages and indoors.

Architecturally Decorated - An element, design, or motif, installed, attached, painted, or applied to the exterior of a building or structure for the purpose of ornamentation or artistic expression.

Automobile Rental Facility - A business whose primary purpose is the rental of automobiles, trucks of one ton or less, or passenger vans, to include associated office activities, parking and storage of rental vehicles, and minor service of those vehicles. "Minor service" for this purpose is limited to activities such as fluid top-off, tire inflation, cleaning, and bulb and fuse replacement, but does not include oil changes, mechanical work, or body work.

Automobile Repair, Major - General repair, rebuilding, or reconditioning of engines, motor vehicles, or trailers, including body work, framework, welding, and major painting service.

Automobile Repair, Minor - The replacement of any part or repair of any part that does not require removal of the engine head or pan, engine transmission or differential; incidental body and fender work, minor painting and upholstery service. Above stated is applied to passenger automobiles and trucks not in excess of 7,000 pounds gross weight.

Basement – That portion of a building between floor and ceiling which is partly below and partly above grade, but so located that the vertical distance from grade to the floor below is less than the vertical distance from grade to ceiling.

Block - A tract of land bounded by streets, public parks, cemeteries, railroad right-of-ways, shorelines, or boundary lines of the City.

Boarding House/Rooming House - A single-family dwelling where more than two, but fewer than six rooms are provided for lodging for definite periods of times. Meals may or may not be provided, but there is one common kitchen facility. No meals are provided to outside guests.

Brew pub - A facility for a brewer who also holds one or more retail on-sale licenses and who manufactures fewer than 3,500 barrels of malt liquor in a year, at any one licensed premises, the entire production of which is solely for consumption on tap on any licensed premises owned by the brewer, or for off-sale from those licensed premises as permitted in Minn. Stat. §340A.24, subd. 2.

Brewer – is a person or business who manufactures malt liquor for sale.

Brewery – A facility for a brewer who manufactures more than 15,000 barrels of malt liquor, as defined in Minn. Stat. §340A.101, subd. 16, for sale in a calendar year.

Building - Any structure having a roof built for the shelter or enclosure of persons, animals, or chattels.

Building Height - The vertical distance between the highest adjoining ground level at the building or ten feet above the lowest ground level, whichever is lower, and the highest point of a flat roof or average height of the highest gable of a pitched or hipped roof.

Business - Any establishment, occupation, employment, or enterprise wherein merchandise is manufactured, exhibited, stored, sold, or where services are offered for compensation.

Channel - That portion of the watercourse normally occupied by a stream under average annual flow conditions, having a natural depression of perceptible extent, with definite bed and banks to confine and conduct flowing water.

City Plans - All plans approved by the City Council.

Clinic, Medical and Dental - Those activities that are of, or connected with, the art of diagnosing, treating, curing, and preventing of disease, relieving pain, and improving or preserving the health of human beings.

Cocktail Room - An area on the premises of or adjacent to the distillery location owned by the distiller that allows the on-sale of distilled liquor produced by the distiller for consumption. Such use shall be accessory to the primary use of a distillery or microdistillery.

Commercial Speech - Speech advertising a business, profession, commodity, service or entertainment.

Commercial Use Antenna - A device used to transmit and/or receive radio or electromagnetic waves directly or indirectly related to commercial wireless telecommunication services and cellular services.

Commercial Use Antenna Tower - Any pole, spire, lattice, or similar structure or combination thereof, greater than 20 feet in height, whether free standing or mounted on a roof or other structure, to which a commercial use antenna is attached or which is designed for an antenna to be attached, and all supporting materials.

Commercial Wireless Telecommunications Service - Licensed wireless telecommunication services including cellular, personal communications services (PCS), specialized mobilized radio (SMR), enhanced specialized mobilized radio (ESMR), paging, and similar services that are marketed to the general public.

Common Open Space - Land, water, or a combination of land and water within a planned residential development which is designed and intended for the use and enjoyment of residents of the development. Common open space includes all land within a development, except for individual building lots and land accepted for public dedication

Community Correctional Facility – A facility where one or more persons reside on a 24 hours basis under the care and supervision of a program licensed by the Minnesota Department of Corrections, excluding prisons and jails.

Community Residential Facility –Any facility, public or private, which for gain or otherwise, regularly provides one or more persons with a 24 hour per day substitute for care, food, lodging, training, education, supervision, habilitation, rehabilitation, and treatment they need, but which for any reason cannot be furnished in the persons own home. Residential facilities include, but are not limited to: State institutions under the control of the Commissioner of Human Services, foster homes, residential treatment centers, maternity shelters, group homes, residential programs, supportive living residences for functionally impaired adults, or schools for handicapped children.

Compatible - Any uses that do not cause a:

- (a) Likeness to a degree to cause monotony.
- (b) Difference to a degree to cause incongruity.
- (c) Lower value so as to cause depreciation of neighborhood values.

(d) Nuisance; compared to existing or other proposed structures or uses. Types of nuisance characteristics include: noise, dust, odors, glare, unsightly building exterior, unsightly exterior storage, traffic generation signs, refuse, or lack of landscaping.

Convenience Store - A retail store having a maximum floor area of 5,500 square feet that offers for sale household and convenience items, food or other miscellaneous retail goods and gasoline.

Crawl Space - The portion of a building between the underside of the lowest finished floor and the ground under the building. This area may or may not be enclosed.

Curtain Wall - An exterior non-load bearing wall made up of panels of stone, glass, concrete, or masonry.

Day Care Facility - Any facility, public or private, which for gain or otherwise, regularly provides one or more persons with care, training, supervision, habilitation, rehabilitation, or developmental guidance on a regular basis, for periods of less than 24 hours per day, in a place other than the persons own home. Day care facilities include, but are not limited to: family day care homes, group family day care homes, day care centers, day nurseries, nursery schools, developmental achievement centers, day treatment programs, adult day care centers and day services.

Developer - Any person who owns or controls land which is to be developed.

Director - The Community Development Director for the City of Coon Rapids or designee.

Distillery - A facility that manufactures more than 40,000 proof gallons of distilled spirits, as defined in State Statute section 340A.101, subdivision 9, for sale in a calendar year

Dwelling - A building or part of a building, containing living, sleeping, cooking, housekeeping accommodations, and sanitary facilities for occupancy by one or more persons.

Dwelling, Duplex - A building designed as a single structure, containing two separate living units, each of which is designed to be occupied as a separate, independent permanent residence.

Dwelling, Multi-Family- A building or portion thereof containing three or more dwelling units.

Dwelling, Single Family Attached - A building designed for or used exclusively for residential purposes by one or more persons located on individual lots but joined along one or more lot lines.

Dwelling, Single Family Detached - A detached building designed for or used exclusively for residential purposes by one family located on an individual lot which is not attached to any other dwelling unit by any means.

Dwelling, Two Family – See Dwelling, Duplex

Easement - A grant by a property owner of the use of land for a specific purpose.

Expansion - (a) The enlargement or extension of a use or structure so that it occupies a greater area of land, building space, or floor area.

(b) A change that increases the intensity of a use, the useable floor area, or the height or volume of a structure.

(c) The movement of a use to another area within a lot or to another structure, or within another portion of a structure.

(d) The replacement of non-dynamic with dynamic signage, or the increase in frequency or visual intensity of dynamic signage.

(e) The replacement of more than 25percent of the structural components, including, but not limited to, beams, studs, joists, or rafters, or more than 25percent of a foundation of a structure.

Equal Degree of Encroachment - A method of determining the location of floodway boundaries so that floodplain lands of both sides of a stream are capable of conveying a proportionate share of flood flows. This is determined by considering the effect of encroachment on the hydraulic efficiency of the floodplain along both sides of a stream for a significant distance.

Educational Facility, College - An institution for post-secondary education, public or private, offering courses in general, technical, or religious education and not operated for profit. It operates in buildings owned or leased by the institution for administrative and faculty offices, classrooms, laboratories, chapels, auditoriums, lecture halls, libraries, student and faculty centers, athletic facilities, dormitories, fraternities, and sororities, but not including colleges or trade schools operated for profit.

Educational Facility, Elementary - A public, private, or parochial school offering instruction for grades K-6.

Educational Facility, High School – A public, private, or parochial school offering instruction for grades 9-12.

Educational Facility, Middle School - A public, private, or parochial school offering instruction for grades 6-9

Family - A family is:

(a) An individual, or a group of persons related by blood, marriage, or adoption, including foster children, living together as a single housekeeping unit.

(b) A group of not more than six persons who need not be related by blood, marriage, or adoption, living together as a single housekeeping unit.

Feedlot - The breeding or confining of animals, except domestic household pets.

Financial Institution - An institution established for the receiving, keeping, lending, or sometimes issuing of money and making easier the exchange of funds by checks, notes, etc. These include, but are not limited to, banks, mortgage bankers, savings and loan associations, and similar lending or banking institutions.

Finished Floor Area - The floor area of a dwelling or dwelling unit whose ceiling height is not less than seven feet. To qualify for finished floor area, the room's walls and ceiling must be covered with plaster, paneling, dry-wall, tile, or similar materials, and its floor must be covered with hardwood, carpeting, tiles, or some similar material in a completed and finished manner. Finished floor area includes, for rooms with sloped ceilings, the floor area beneath a ceiling height of at least five feet, provided at least 50 percent of the floor area of the room has a ceiling height of at least seven feet. No portion of finished floor area will consist of exposed concrete, concrete blocks, studs, or joists, whether painted or not. Finished floor area may include bedrooms, family rooms, dens, and similar areas, but will not include basements and areas devoted to uses accessory to the operation of the dwelling including, but not limited to, furnace rooms, laundry rooms, storage rooms, and workshops.

Flood, Regional - A flood which can be expected to occur on an average of once every 100 years.

Flood Fringe - That portion of the floodplain outside the floodway.

Flood Protection Elevation - A point 24 inches above the limit of the regional flood.

Floodplain - The beds proper and the areas adjoining a wetland, lake or a watercourse which have been or hereafter may be covered by the regional flood.

Floodway - The channel of the watercourse and those portions of the adjoining floodplain which are reasonably required to carry and discharge the regional flood.

Floor Area - The gross horizontal area of the main floor of a structure plus the horizontal area of any other floor level having a minimum vertical clearance or ceiling height of five feet.

Floor Area Ratio - The total square footage of the structure divided by the total square footage of the lot.

Foster Child - A child placed in a private home for care and maintenance by a parent, guardian or a duly accredited and established public or private welfare agency. A child shall mean anyone 17 years of age or under or a person 18 years of age or older if for reasons of mental or physical disability they still require the care and protection needed by person 17 years of age or under.

Frontage, Business - An exterior building wall that faces a public street or contains a public entrance.

Frontage, Street - The linear length in feet of the property line adjacent to public street(s). An interior lot has one street frontage and a corner lot has two or more street frontages.

Functionally Impaired - For the purposes of residential facilities and day care facilities, means having a condition that includes having substantial difficulty in carrying out one or more of the

essential major activities of daily living, such as caring for one's self, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning, working, or having a disorder of thought or mood that significantly impairs judgment, behavior, capacity to recognize reality, or ability to cope with the ordinary demands of life and requiring support to maintain independence in the community.

Garage/Storage Structure, Private - An accessory structure or accessory portion of the principal structure which is used by a resident of the property to store motor vehicles, major recreational equipment, or other personal property.

Garden Center/Nursery, Retail - The retail sales of any article, substance, or commodity related to the planting, maintenance, or harvesting of garden plants, shrubs, trees, packaged fertilizers, soils, chemicals, or other nursery goods and related products in small quantities to the consumer.

Governmental Buildings and Facilities - Any building, structure, serving certain governmental functions. These uses are intended to include uses that are supportive of governmental functions such as public works facilities, fire stations, police stations and holding facilities, correctional facilities, jails, wells, water towers and water treatment facilities and waste handling or processing facilities. These uses are intended to be distinguished from governmental offices and essential services.

Governmental Offices - Any facility, building, and structure for the purpose of providing governmental services to the general public. Uses are generally compatible with office and residential uses and include city offices, county offices, courthouses, jail cells operated exclusively in conjunction with and incidental to Anoka County or City courtroom functions, libraries, and post offices. These uses are intended for the direct provision of governmental services to the public as distinguished from governmental buildings and facilities.

Grade - The slope specified in percent of the feet of vertical change in elevation for each 100 feet horizontally.

Grade Landing - The grade required on all streets intersecting with collector or arterial streets.

Ground Level Storage Container - Any container similar in design to a semitrailer, but not equipped with wheels for travel on a public roadway and which is delivered to the site preassembled, and with or without a ground-level entrance, excluding containers designed and used for the storage of garbage, trash, rubbish, recycling, and similar materials in conformance with the City Code.

Highway Corridor - That strip of land 175 feet in width as measured on a line perpendicular to the rights-of-way for U.S. Highway 10, Trunk Highway 610 and Trunk Highway 47. "Highway corridor" excludes the following areas:

- (a) any land within the Mississippi River Corridor as described in Section 11-1001;
- (b) Trunk Highway 610 between its Coon Rapids Boulevard interchange and its terminus in the City;

(c) U.S. Highway 10 between its University Avenue interchange and its Foley Boulevard interchange; and

(d) Trunk Highway 47 between its Coon Rapids Boulevard interchange and its Foley Boulevard interchange.

Home Based Retail Sale - The incidental selling at retail of new and used goods and products from a residential unit, a structure accessory to a residential unit, or outside on the same property as the residential unit including, but not limited to, a garage sale, yard sale, sample sale, estate sale, moving sale, craft sale, or boutique, as those terms are commonly understood. Home Based Retail Sale shall not include the incidental and occasional sale of an individual item from a residential unit unless the item is displayed for sale outside of a structure.

Home Occupation - A gainful occupation engaged in on residential property by a resident of that property. Home Based Retail Sales is not considered a home occupation. Neither are the activities of a foster parent, a live-in child care provider, a live-in domestic worker or attendant, or similar caregiver be considered a home occupation.

Hotel - An establishment containing rooming units providing temporary lodging accommodations to the general public, and customary lodging services, including maid service, the furnishing and upkeep of furniture and bed linens, and which may provide additional services such as restaurants, meeting rooms, entertainment, and recreational facilities

Improvement - A repair that provides newer, longer-lasting, or more efficient materials.

Interchange - That area where a roadway or highway intersects with the highway corridor and includes any portion of an interchange located within the City of Coon Rapids. An “interchange” is measured from the beginning of the highway exit ramp to the end of the entrance ramp, or, in the event of designated exit and entrance lanes, from the point of divergency through convergence with the main lanes of travel.

Interim Use - A temporary use of property until a particular date, until the occurrence of a particular event, or until zoning regulations no longer permit it.

Impervious Surface - Any hard-surfaced, man-made area that does not readily absorb or retain water, including but not limited to building roofs, parking and driveway areas, graveled areas, sidewalks, patios and paved recreation areas.

Industry, Light - A use that involves the manufacturing, production, processing, fabrication, assembly, treatment, repair, or packaging of finished products or parts, predominantly from previously manufactured, prepared or refined materials (or from raw materials that do not need refining), but excluding basic industrial processing. Warehousing, wholesaling, and distribution of the finished products produced at the site is allowed as part of this use.

Junk Vehicle - Includes any motor vehicle or trailer which is not in an operable condition; or which is partially dismantled; or which is used for the sale of parts; or as a source of repair and replacement parts for other vehicles; or which is kept for scrapping, dismantling, or salvage; or is

unlicensed or does not display current registration; or is parked off an improved surface in a front or side yard or any combination therein. The following vehicles are not considered junk vehicles:

- (a) An unlicensed vehicle for sale in an automobile sales lot.
- (b) A collector vehicle registered as a pioneer, classic, collector or street vehicle, as defined in M.S.A. 168.10, if actively being restored.
- (c) Vehicles owned by and being actively repaired by a resident of the premise, inside a building, garage or accessory structure.

Junkyard - An open area where waste and used materials are bought, sold, exchanged, stored, packed, disassembled, or handled, including, but not limited to, scrap iron and other metals, paper, rags, rubber, wires, and bottles. A junkyard includes an auto wrecking yard, but does not include uses that are entirely within enclosed buildings or City Council-approved recycling centers. [Revised 4/1/14, Ordinance 2120]

Kennel - A business where three or more dogs, cats, or any combination thereof, are kept, boarded, bred, or offered for sale. The term kennel does not include animal hospitals, veterinary clinics, or pet stores.

Licensed Engineer - An engineer licensed by the Minnesota Board of Architecture, Engineering, Land Surveying, Landscape Architecture, and Interior Design.

Live/Work Unit - A live/work unit is a single family dwelling unit, part of which may be used as business.

Lodging Room - A room rented as sleeping and living quarters, but without cooking facilities. In a suite of rooms without cooking facilities, each room which provides sleeping accommodation shall be counted as one lodging room.

Lot - A parcel of land intended for transfer of ownership or for building development.

Lot, Corner - A lot within a plat which is bounded on two sides by intersecting streets.

Lot, Double Frontage or Through Lot - A lot which has a front line abutting on a street and a back or rear line abutting another. A corner lot shall not be considered as a double frontage lot.

Lot, Flag - A lot so shaped and designed that the main building site area is set back from the street on which it fronts and includes a narrow access strip connecting the main building site with the frontage street.

Lot Depth - The shortest distance between the front and rear lot lines, measured at the side yard setback line of the shortest side lot line.

Lot Grade - Lot grade for purposes of this Section means the lowest point of elevation of the finished surface of the ground, paving, or sidewalk within the area between the building and a line five feet from the sidewall of the building.

Lot Line - The lines bounding a lot.

Lot Line, Front - The boundary of a lot abutting a public street right-of-way. In the case of a corner lot, the front shall be the lot side having the shortest dimension on a public street. If the dimensions

of a corner lot are within 10 percent of being equal, the owner may select either street lot line as the front lot line.

Lot Line, Rear - Any boundary of a lot which is opposite the front lot line. If the rear lot line is less than 10 feet in length, or if the lot forms a point at the rear, the rear lot line shall be a line 10 feet in length within the lot, connecting the side lot lines and parallel to the front lot line.

Lot Line, Side - Any boundary of a lot which is not a front lot line or a rear lot line.

Lot Split - A subdivision of a parcel of land into two lots along an existing public street not involving the opening, widening, or extension of any public street.

Lot Width - The shortest distance between the side lot lines, measured within the first 30 feet of lot depth, commencing at the front yard setback line.

Major Recreation Equipment – Major recreational equipment includes, but is not limited to: travel trailers, boats, converted busses, coaches, pickup campers, campers, motorized dwellings, race cars, and dune buggies. It does not include vehicles used predominantly for domestic or employment-related transportation.

Maintenance - A Repair that remedies only normal wear and tear, or cleans surfaces.

Manufacturing Uses - All manufacturing, compounding, processing, packaging, treatment, or assembly of products and materials.

Measured Distance - All measured distances shall be to the nearest integral foot. If a fraction is one-half foot or less, the integral foot next below shall be used. Measurements between or up to buildings shall be taken to the nearest point of the vertical building wall.

Metes and Bounds - A method of property description whereby properties are described by means of their direction and distance from an easily identifiable location.

Microbrewery - A brewery with a capacity to manufacture less than 15,000 barrels of alcoholic and nonalcoholic malt liquor in a calendar year. This definition does not include a brewpub.

Microdistillery - A distillery operated within the state producing premium, distilled spirits in total quantity not to exceed 40,000 proof gallons in a calendar year.

Mobile Home - A factory-built structure equipped with the necessary service connections and made so as to be readily movable as a unit on its own running gear and designed to be a relocatable structure used for any occupancy without a permanent foundation, but shall not include motor vehicles as defined in Minn. Stat. §169.011, subd. 42, or recreational camping vehicles as defined in Minn. Stat. §327.14, subd. 7. The phrase "without a permanent foundation" indicates that the support system is constructed with the intent that the mobile home placed thereon will be moved from time to time at the convenience of the owner.

Mobile Home Lot - A parcel of land for the placement of a single mobile home and the exclusive use of its occupants.

Mobile Home Park - Any site or tract of land upon which two or more occupied mobile homes are set.

Multiple Pet Location - A place not constituting a kennel where three or more dogs, cats, or any combination thereof, over six months of age are kept.

Multiple Tenant Building - A building that has more than one tenant, and each tenant has a separate ground level exterior public entrance.

Noncommercial Speech - Dissemination of messages not classified as Commercial Speech which include, but are not limited to, messages concerning political, religious, social, ideological, public service and informational topics.

Nonconforming Use - The lawful use or occupation of land or of a structure existing at the time the City Code is adopted or amended so as to create a nonconformity under Minn. Stat. §462.357, subd.1e.

Nursing Home - A State-licensed facility used to provide care for aged or infirm persons who require nursing care and related services in accordance with these regulations. Examples of nursing care: bedside care, including administration of medications, irrigations, and catheterizations; applications of dressings or bandages; rehabilitative nursing techniques; and other treatments prescribed by a physician which require technical knowledge, skill, and judgment as possessed by a registered nurse.

Office Use - Those commercial activities that take place in office buildings, where goods are not produced, sold, or repaired. These include, but are not limited to: general offices; governmental offices; insurance offices; personal loan agencies; professional offices; real estate offices; travel agency or transportation ticket offices; or telephone exchange offices.

Off Drive Parking Area – An off street, improved surface area connected to a driveway intended for the parking of vehicles.

Off Street Loading Space - A space accessible from a street, alley, or driveway for use while loading or unloading merchandise or materials.

Outdoor Living Room - A structure, attached to an accessory structure or freestanding, containing a hard-surfaced floor on ground level covered by a roof and containing no more than 50 percent permanent, solid walls.

Outdoor Storage - The exterior stockpiling or safekeeping of materials, machinery, equipment, tools, products, vehicles, special mobile equipment, trailers, ground level storage containers, shopping carts and accessories thereto.

Outlot - A parcel of land on a plat which has not been designated as a buildable lot, due to insufficient size or frontage, peculiar site characteristics, topographical problems; or one which is not ready for development due to lack of public improvements.

Parking Space, Common - A townhouse or multiple dwelling parking space designed and located to be clearly available to all residents and guests alike.

Parking Space, Tandem - The single unstacked parking spaces immediately in front of an attached garage door.

Patio - A hard-surfaced area not covered nor designed or intended to be covered by a roof, excluding sidewalks, walkways around swimming pools, or driveways.

Persons - For the purposes of residential facilities and day care facilities, means an adult who is handicapped by reason of mental retardation, mental illness, chemical dependency, or physical handicap; a child, whether handicapped or not; and, for purposes of adult day care, adult foster care, and supportive living residences, an adult who is functionally impaired.

Phase - A specified portion of a planned unit development that may be developed as an independent entity as delineated in the preliminary development plan and specified within the phasing schedule.

Physical Fitness Center – A facility, other than those defined and regulated by Chapter 5-2200 (Adult Oriented Businesses), whose primary purpose is the on-site provision of physical fitness services or equipment, such as: physical fitness training; exercise, aerobics, and similar classes; weight lifting and similar apparatus; running tracks; treadmills and similar apparatus; courts or areas for sports or play; and swimming pools.

Personal Service Establishment - A place where, for a fee, personal care and appearance services are provided to individuals on the premises. Such uses traditionally include beauty parlors, barber shops, nail salons, day spas and tanning salons, tattoo and body piercing parlors and therapeutic massage establishments when operated by a certified, licensed (by the City) massage therapist.

Place of Assembly – A facility that has organized services, meetings, or programs to benefit, educate, entertain, or promote discourse amongst the residents of the community in a public or private setting. Assembly includes such uses as a community center, theaters, and private clubs and lodges.

Place of Worship - A building or place, together with its accessory buildings and uses, where persons regularly assemble for religious worship and which is maintained and controlled by a religious body organized to sustain public worship.

Planned Unit Development - An area of land, controlled by a single entity, the plan for which does not correspond in lot size, bulk, or type of dwelling, density, lot coverage, or required open space to the regulations in any conventional zoning district.

Plat - A method of land subdivision.

Plat, Final - The map or plan of record of a subdivision, and any accompanying material required by the City Council.

Plat, Preliminary – The preliminary map or drawing indicating the proposed layout of the subdivision to be submitted to the city for consideration by the planning commission and city council.

Porch - A covered unheated area adjoining an entrance to a building and usually having a separate roof, not more than 60 percent enclosed by walls and attached to the main building for the purpose of sheltering from the rays of the sun and from rain and weather.

Port or Port District – A Preservation or Renovation Tract is a defined zoning district within the City, created with the intent of encouraging development or redevelopment according to a defined theme, within a defined framework of public and private improvements and amenities.

Port Elements Plan – A city-developed plan, adopted by resolution, to promote Port continuity and theme that may prescribe, in both graphic and verbal form, public and private improvements including, but not limited to, site architecture, landscape materials and treatments, lighting design, building treatments and colors, signage, fences, walls, railings, seating, litter receptacles, and other street furniture and structures.

Port Master Plan – A conceptual plan for an entire Port that includes, but is not limited to, proposed uses and use relationships, densities or Floor Area Ratios for each use classification, site circulation, pedestrian systems, parking plans, open space locations, and examples of proposed building types. A Port Master Plan may be developed by the City or by a private developer, landowner, or other applicant.

Pre-application - A preliminary consultation between a subdivider or developer and administrative officials of the City, in order to discuss the person's intent to subdivide or develop a piece of land. Pre-application is advised to give direction to developers.

Public Improvement - Any facility for which the City of Coon Rapids or other governmental agency may ultimately assume the responsibility for maintenance and operation.

Recreational Equipment - Equipment used as an accessory use by residents of the lot where located. Such equipment shall include swing sets, volleyball sets, tennis courts, horseshoes, and similar equipment.

Repair - A change to a property that restores by replacing a part or putting together what is broken or damaged.

Replacement - A Repair that exactly conforms to the original state or condition of the structure.

Research - Medical, chemical, electrical, metallurgical, or other scientific research.

Reserve Strip - A narrow strip of land between property and a public street right-of-way that acts as a buffer for the property.

Residential Area - An area of the City zoned for residential uses (LDR-1, LDR-2, MDR, HDR, MH) or guided for residential uses under the City's Comprehensive Development Plan, whether or not currently developed, or an area developed for residential uses under a Planned Unit Development, and areas of the City located within 500 feet of such residential uses as measured by a straight, perpendicular line.

Residential Floor Area – The gross horizontal area of the main floor of a structure plus the horizontal area of any other floor level having a minimum vertical clearance or ceiling height of five feet.

Residential Living Space – Includes, but is not limited to, all areas of a dwelling suitable and intended for living such as areas for sleeping, eating, or cooking as well as adjunct areas such as

bathrooms, closets, halls, storage and utility space, and attached garages, but shall exclude three season porches and similar, unheated appurtenant structures.

Residential Property – All properties zoned or primarily used for residential purposes.

Restaurant, Fast Food - An establishment whose principal business is the sale of food and/or beverages in a ready-to-consume state for consumption either on the premises or off the premises as carry-out or delivered orders, but not including delicatessens within grocery stores or catering businesses.

Restoration - The process of the renewal and refurbishment to the original state or condition of the structure.

Right-of-Way - A strip of land occupied or intended to be occupied by a street, crosswalk, railroad, electric transmission line, oil or gas pipeline, water main, sanitary or storm sewer main, or for other conditional use.

Roadway - The portion of a right-of-way used for vehicular traffic.

Semitrailer – Semitrailer” means a vehicle of the truck type so designed and used in conjunction with the truck-tractor that a considerable part of its own weight or that of its load rests upon and is carried by the truck-tractor and shall include a trailer drawn by a truck-tractor, semitrailer combination.

Service Business - An establishment providing non-personal care or appearance services to individuals on the premises. Such uses traditionally include dry-cleaning (direct customer service; plants servicing more than one retail outlet are not permitted), interior decorating/upholstery, locksmith, mailing and packaging services, repair and/or servicing of carry-in items, tailor shop, picture framing and self serve laundromat.

Setback - The minimum required distance between a sign, parking lot, or the vertical wall of a building and a lot line.

Shopping Center - An integrated grouping of commercial stores, under single ownership or control.

Sidewalk - A paved surface for pedestrian use. A walkway.

Sight Triangle –The minimum sight triangle shall be defined as a triangle located at the corner of intersecting streets. The adjacent sides shall be located along the curb line, or gutter line of streets without curb and gutter, of the intersecting streets and shall be 50 feet in length. The third side shall be a straight line joining the end points of the adjacent sides.

Sign - Any name, identification, description, display, illustration, structure, emblem, or device which is affixed to, painted, or represented upon a building, bench, or other outdoor structure, vehicle, or piece of land, or which is located indoors in such manner so as to attract notice from outside the building, and which directs or is intended to direct attention to an object, product, place, activity, person, organization, or business. The structure supporting or intended to support a sign shall be considered part of that sign.

Sign, Above Roof - A sign which is attached to a building and projects above the roof line.

Sign, Area Identification - A ground sign that identifies a commercial, residential, institutional or industrial complex, unified development or shopping center. An area identification sign shall include the name of the complex development or center and/or its major tenant(s). If the area identification signs do not include the name of the complex or center, they shall be identical in copy.

Sign, Directory - A ground sign which provides space for the names of all tenants of a building.

Sign, Dynamic Display - Any portion of a sign that contains alphanumeric characters, graphics or symbols defined by a small number of matrix elements using different combinations of light emitting diodes (LEDs), fiber optics, light bulbs or other illumination device within the display area, including computer programmable, microprocessor controlled electronic displays or any other method or technology that allows the sign face to present a series of images or display.

Sign, Ground - A free-standing sign, including whatever structure is needed to support such sign.

Sign, Ground – Monument - A ground sign that contains a solid or enclosed base and where the sign support brace(s) is/are not visible. The monument sign base must be constructed of materials similar in appearance to those of the principal structure and consist of brick, natural stone, stucco, textured cast stone, or integrally colored concrete masonry units. The structure surrounding the face of the sign from the base to the top of the sign must be solid, continuous, and consist of the base materials or complementary materials that match the appearance and color of the principal building.

Sign, Ground – Pylon - A ground sign supported by visible upright braces placed in the ground.

Sign, Marquee, Awning and Canopy - Any message or identification which is affixed to or part of a marquee, awning, or canopy.

Sign, Municipal Entry Monuments - Signs or monuments located at street or highway entry points to the City which indicate, exclusive of any commercial message, that one is entering the City.

Sign, Off Premise - A sign which directs attention to a business, profession, commodity, service or entertainment which is conducted, offered, sold or manufactured elsewhere than on the premises upon which the sign is placed. "Off-premises sign" does not include the following:

- (a) municipal entry monuments as described in Section 11-1203; and
- (b) area identification signs for unified developments as described in Section 11-1203.

Sign, On Premise - A sign which advertises the business, commodity, service, or entertainment offered upon the same premises as those upon which the sign is built.

Sign, Portable - A sign constructed to be movable from one location to another and not permanently attached to the ground or to any immobile structure. Such sign consists of a mobile structure such as a semi-trailer, carriage, van, sled, or other device whose primary function during a specific time is to serve as a sign.

Sign, Readerboard - A permanent sign which is ancillary to and a part of the same sign structure as an on-premises ground sign, the message of which consists solely of manually changeable words, numbers or symbols. Such a sign is typically used to advertise events or sales rather than the business itself.

Sign, Real Estate - A sign advertising the sale, rental, or development of the premises upon which it stands, or directing attention to the opening or location of a new residential development.

Sign, Temporary - Any sign, banner, pennant, poster, or advertising display which is intended to be displayed for a limited period of time, and is not permanently affixed to the ground or a structure. Signs other than temporary signs will be considered permanent signs.

Sign, Wall - A sign affixed to a part of the exterior wall of a building and flush against it.

Sign Area - The area calculated from a figure formed by a line connecting the extreme points of the first and last letter or emblem of each line or the outline differentiating the sign from its background, whichever is larger. However, the area between a readerboard and the permanent message portion of an on-premises ground sign will not be calculated as part of the total sign area provided that the bottom of the readerboard is not more than 10 feet above the unaltered grade immediately below the sign. For a sign with two faces, only the area of one side will be used in computing the sign area.

Special Assistance Shelter - A facility providing temporary housing to indigent, needy, homeless, or transient persons; may also provide ancillary services such as counseling, vocational training, etc.

Special Mobile Equipment - Every vehicle not designed or used primarily for the transportation of persons or property and only incidentally operated or moved over a highway, including, but not limited to: ditch digging apparatus, moving dollies, and other machinery such as asphalt spreaders, bituminous mixers, bucket loaders, tractors, other than truck-tractors, ditchers, leveling graders, finishing machines, motor graders, road rollers, scarifiers, earth-moving carryalls, scrapers, power shovels, draglines, self-propelled cranes, and earth-moving equipment.

Street - A public or private right-of-way which permits access by vehicles to abutting properties.

Street, Arterial - A street designed primarily for intercommunication between large land use units.

Street, Collector - A street designed to carry traffic from local streets to the system of major streets, arterials, and highways.

Street, Cul-de-sac - A local street with only one outlet and having an appropriate terminal for the safe and convenient reversal of traffic movement.

Street, Local - A street of limited continuity used primarily for access to the abutting properties and higher order streets.

Street, Marginal Access - A service drive or local street that is parallel and adjacent to a thoroughfare and which provides access to abutting properties and protection from through traffic.

Street Width - The shortest distance from back-of-curb to back-of-curb.

Structure - Anything constructed or erected that requires location on the ground or attached to something having location on the ground.

Structure, Accessory - A subordinate structure which is clearly and customarily incidental to the principal structure and which is located on the same lot as the principal structure.

Structure, Principal - A structure in which is conducted the principal use of the lot on which it is located.

Subdivision - The separation of an area, parcel, or tract of land under single ownership into two or more parcels, tracts, lots, or long-term leasehold interests where the creation of the leasehold interest necessitates the creation of streets, roads, or alleys, for residential, commercial, industrial, or other use or any combination thereof, except those separations:

(a) where all the resulting parcels, tracts, lots, or interests will be 20 acres or larger in size and 500 feet in width for residential uses and five acres or larger in size for commercial and industrial uses;

(b) creating cemetery lots;

(c) resulting from court orders, or the adjustment of a lot line by the relocation of a common boundary.

Taproom - An area on the premises of or adjacent to the brewery location owned by the brewer that allows the on-sale of malt liquor produced by the brewer for consumption. Such use shall be accessory to the primary use of a brewery or microbrewery.

Three Season Porch - An enclosed attached entrance to the primary structure or an enclosed attached room on the outside of the structure which entrance or room is so constructed as not to be intended for habitation during the winter months.

Townhouse Group - A structure containing two or more contiguous Townhouse Units.

Townhouse Unit - One of a group of two or more single-family attached dwellings, in an association established by covenant to regulate common areas, having a wall or walls in common with other dwellings, but separate from any other structure except accessory buildings.

Townhouse Unit Lot - The lot upon which there is built or is proposed to be built one (1) townhouse unit.

Trade or Convention Center - A structure capable of accommodating in excess of 750 persons for purposes such as, but not limited to, concerts, short-term retail or wholesale activities, the large scale marketing, buying, or selling of goods or services, or sporting events.

Truck - Any motor vehicle designed, used, or maintained primarily for the transportation of property and not for the carrying of passengers.

Truck-tractor - Any motor vehicle designed and used primarily for drawing other vehicles and not so constructed as to carry a load other than a part of the weight of the vehicle and load so drawn.

Unified Development - A development of three or more principal buildings with common characteristics as determined by the Planning Commission. Common characteristics may include shared access, similar architecture, single ownership or history of site plan review approval.

Urgent Care Center - A medical facility, other than an emergency room, that provides only for the delivery of non-routine and non-scheduled medical care and triage of emergent illnesses and injuries.

Usable Open Space - Land which is not occupied by buildings, streets, or parking, or which is not part of the land required for building setbacks. Usable open space shall be suitable for recreational or scenic use and enjoyment by all the residents in the development.

Use, Accessory - A subordinate use which is clearly and customarily incidental to the principal use of a building or premises and which is located on the same lot as the principal building or use.

Use, Principal - The primary or predominant use of any lot, building, or structure.

Utilities, major – Electric power substations, high voltage transmission lines, railroads and gas pipelines,

Utility Uses - Transmission facilities and structures for electric power, oil, liquid and non-liquid fuel, gas, water, sewer, telephone, railroads, radio, or television.

Vehicle –A device used to transport passengers, goods or equipment that is subject to state registration.

Walkway - A paved surface for pedestrian use. A sidewalk.

Wall Graphics - A graphic design or decorative mural not intended for advertising purposes, which is painted directly on an exterior wall surface.

Warehousing - The storage of materials or equipment within an enclosed building.

Waterway - Any natural passageway in the surface of the earth through which, because of location and topography, surface water flows from other areas before reaching a final ponding area. The term “water way” includes all drainage structures that are constructed to conduct water from one place to another.

Wholesale Business - The selling of goods, equipment, and materials in bulk to another business which sells them to the final customer.

Yard – Open space between buildings and adjoining lot lines.

Yard, Front - A yard extending between the side lot lines across the front of a lot from the principal structure to the street right-of-way.

Yard, Rear - A yard extending between the side yard lines across the rear of the lot from the principal structure to the rear lot line.

Yard, Side - A yard extending between the principal structure and the side lot lines and the front and rear yards.

Yard, Street Side Yard – A yard extending between principal structure and the side street right-of-way and the front and rear yards.

Zoning - A plan implementation tool designed to reserve specified areas within the City for specific types of land uses. Limitations may be placed on the land, structures, or use, as specified in this Title.

Section 2. Revised City Code - 1982 Section 11-701.1 is hereby amended as follows:

(deletions in brackets, additions double underlined>)

11-701.1 Uses

COMMERCIAL USES					
Retail Sales and Service	O	NC	CC	GC	RS
General retail sales	NP	NP	P	P	P
General retail sales less than 15,000 square feet total building size	P	P	P	P	P
Art gallery or studio	NP	P	P	P	P
Bank or financial institution	P	NP	P	P	P
Building material sales or lumber yard	NP	NP	P	P	NP
Child care center, state licensed	P	P	P	P	P
Commercial self storage with no outdoor storage	NP	NP	NP	C	NP
Contractors office	NP	NP	NP	P	NP
Dry cleaning establishment	NP	NP	NP	C	NP
Farmers market	NP	P	P	P	NP
Firearms dealer	NP	NP	P	P	P
Funeral home	C	NP	P	P	NP
Greenhouse, lawn and garden supply store	NP	NP	P	P	NP
Laundry, self service	NP	P	P	P	NP
No adult oriented business, as defined by Section 5-2202, is permitted, except adult book stores, adult cabarets, adult conversation parlors, adult motion picture theaters, and adult novelty businesses, subject to regulation under Chapter 5-2200 and Section 11-1208, or state or federal law.	NP	NP	NP	P	NP
Non-on-premises	NP	NP	P	NP	NP

consumption adult bookstores and adult novelty stores, as defined by Revised City Code 1982 Section 5-2202, subject to regulation under Revised City Code 1982 Chapter 5-2200 and Section 11-1208					
Pawnbroker	NP	NP	P	P	NP
Performing, visual or martial arts school	NP	NP	P	P	NP
Personal service establishment	P	P	P	P	P
Pet grooming shops, provided no animal is kept overnight or outside and no noise is audible outside of the building or bay occupied by the grooming shop	NP	P	P	P	P
Pet store	NP	P	P	P	P
Photocopying, duplicating services	P	P	P	P	NP
Precious Metal Dealers defined and regulated by Title 5	NP	P	P	p	NP
Printing and publishing	NP	NP	C	C	NP
Rental business – no outdoor storage	NP	NP	P	P	NP
Rental business – with outdoor storage	NP	NP	NP	C	NP
Secondhand Dealers or Antique Dealers defined and regulated by Title 5	NP	P	P	P	P
Self storage facility with no outdoor storage	NP	NP	NP	C	NP
Service Business	P	P	P	P	NP
Transient Merchants, Solicitors, and Canvassers,	NP	P	P	P	NP

defined and regulated by Title 5					
Veterinary clinic, animal hospital, kennel – no outdoor runs	P	NP	p	P	NP
Video store	P	P	P	P	P
Automobile Services	O	NC	CC	GC	RS
Automobile rental facility	NP	NP	C	C	NP
Automobile repair, major	NP	NP	NP	C	NP
Automobile repair, minor	NP	NP	P	P	NP
Automobile sales provided that: a) Must have minimum of 40,000 square foot building; b) Indoor display area, and c) The building meets the development guidelines found in subsection 11-701.2.	NP	NP	C	P	NP
Car wash	NP	NP	P	P	NP
Convenience store	NP	NP	P	P	NP
Convenience store provided that: (a) The fuel sales are incidental to a retail store; (b) No separate building, structure, or store is used as part of the fuel sales; (c) No more than four dispensing hoses may be operable simultaneously per neighborhood shopping center, and (continued on next page) (d) The fuel sales shall be	NP	C	P	P	NP

accessible from off the parcel of property on which it is located by way of at least two in and out vehicular accesses.					
Major recreational equipment sales, service and rental	NP	NP	NP	C	NP
Food and Beverage	O	NC	CC	GC	RS
<u>Brew pub</u>	<u>NP</u>	<u>C</u>	<u>P</u>	<u>P</u>	<u>P</u>
Catering	NP	P	P	P	NP
Coffee shop	P	P	P	P	P
Liquor, off sale	NP	NP	P	P	P
<u>Microbrewery with taproom</u>	<u>NP</u>	<u>NP</u>	<u>P</u>	<u>P</u>	<u>P</u>
<u>Microdistillery with cocktail</u>	<u>NP</u>	<u>NP</u>	<u>P</u>	<u>P</u>	<u>P</u>
Restaurant, delicatessen	P	P	P	P	P
Restaurant, fast food	NP	NP	P	P	P
Restaurant, sit down including the serving of alcohol beverages provided they occupy no more than 25 percent of a building and have no drive up facility	P	P	P	P	P
Restaurant, sit down including the serving of alcohol beverages	C	C	P	P	P
Tavern or bars	NP	NP	P	P	NP
Commercial Recreation, Entertainment and Lodging	O	NC	CC	GC	RS
Amusement centers	NP	NP	NP	P	NP
Hotel	NP	NP	P	P	P
Indoor recreation	NP	NP	P	P	NP
Outdoor recreation	NP	NP	C	C	NP
Physical fitness center	NP	NP	P	P	P
Physical fitness center 3,000	NP	P	P	P	P

square feet floor area or less					
Radio or television station	NP	NP	P	P	NP
Reception or meeting hall	NP	C	P	P	NP
Theater	NP	NP	P	P	NP
Office and Medical Facilities	O	NC	CC	GC	RS
Blood/ plasma collection facility	NP	NP	NP	P	NP
Clinic, medical or dental	P	NP	P	P	P
Clinic, medical or dental less than 15,000 square feet total building size	P	P	P	P	P
General Office	P	NP	P	P	P
General Office less than 15,000 square feet total building size	P	P	P	P	P
Hospital	NP	NP	C	C	NP
Laboratory, medical or dental	P	NP	P	P	NP
Transportation	O	NC	CC	GC	RS
Ambulance service	NP	NP	NP	C	NP
Limousine service	NP	NP	NP	C	NP
Package delivery service	NP	NP	NP	C	NP
Taxi cab service	NP	NP	NP	C	NP
INSTITUTIONAL AND PUBLIC USES					
Educational Facilities	O	NC	CC	GC	RS
Non-classroom, personalized instructional services for students in grades K-12. The total floor area of all such uses shall not exceed 4,000 square feet of the total gross lease area of the regional	NP	NP	P	P	P

shopping center where they are located					
Social, Cultural, Charitable and Recreation Facilities	O	NC	CC	GC	RS
Club, lodge or hall	C	C	C	P	NP
Community Center	NP	NP	C	C	NP
Community Garden	P	P	P	P	P
Library	P	P	P	P	NP
Museum	C	C	P	P	NP
Public parks and their incidental structures	P	P	P	P	NP
Place of Worship	C	C	C	P	NP
Public Services and Utilities	O	NC	CC	GC	RS
Electric or gas substation	C	C	C	C	C
Governmental buildings and facilities	C	C	C	C	C
Governmental offices	C	C	C	C	C
ACCESSORY USES	O	NC	CC	GC	RS
In building primarily used for office or medical purposes: (a) Restaurants provided they occupy no more than ten percent of the building (b) Retail sales of drugs and other medical supplies	P	P	P	P	P
Medical and dental laboratories in conjunction with medical and dental clinics	NP	P	NP	NP	NP
Outdoor sales area of materials available for active sales as shown on an approved site plan	NP	NP	P	P	NP

Section 3. Revised City Code - 1982 Section 11-701.1 is hereby amended as follows:

(deletions in brackets, additions double underlined)

11-801.1 Uses

PRINCIPLE USES	
INDUSTRIAL USES	
Manufacturing	I
<u>Brewery</u>	<u>P</u>
<u>Distillery</u>	<u>P</u>
<u>Microbrewery</u>	<u>P</u>
<u>Microdistillery</u>	<u>P</u>
Light Industry	P
Vehicle Service and Transportation	I
Vehicle repair major and minor, including the sales of parts in conjunction therewith, but not including a junk yard or salvage business.	C
Sales or rental of vehicles licensed for more than 9,000 pounds gross vehicle weight and special mobile equipment as defined in Section 9-121 of the Revised City Code-1982, except for recreational vehicles. Such use may include the sale of parts in conjunction therewith.	C
Truck rental.	C
Wholesale businesses, warehouses, or freight terminals except for storage of bulk petroleum, scrap or waste material as a primary use.	P
Catalog order facilities, provided there is no direct pickup of orders by customers.	P
Office and Research	I
Office uses	P
Research and development activities, experimental or testing laboratories.	P
Medical and dental clinics and laboratories.	P
Services	I
Service business	P
Animal hospitals, and kennels, duly licensed under Chapter 6-200,	P
Printing, blue-printing, duplicating, mailing and graphic arts.	P
Self service storage facility.	P
Outdoor storage accessory to self service storage.	C
Repair, servicing or parts sales businesses, except for	P

businesses related to vehicles.	
Physical fitness centers	P
Child care center, state licensed	P
Public Services and Utilities	I
Public parks and their incidental structures.	P
Governmental buildings and facilities	C
Governmental offices	C
Electric or gas substation	C
ACCESSORY USES	I
Any accessory use that is permitted in the (O) Office District.	P
Retail sales incidental to the manufacture, processing or wholesaling of products manufactured on, processed on, or wholesaled from the premises.	P
<u>Cocktail room accessory to a microdistillery or distillery</u>	<u>P</u>
<u>Taproom accessory to a microbrewery or brewery</u>	<u>P</u>

Section 4. Revised City Code - 1982 Section 11-903.3(1) is hereby amended as follows:

(deletions in brackets, additions double underlined)

11-903.3 Uses.

(1) Use Table. Permitted, conditional, and accessory uses are specified in the following table as “P,” “C,” and “A,” respectively. Uses not permitted in some Port Districts are specified as “NP” and uses not listed in the table are not permitted in any Port District. [Revised 8/20/13 Ordinance 2107]

Use	Port District			
	River-walk	Campus Square	Evergreen	Wellness
Residential Uses				
Dwellings				
Townhouse/single-family attached dwelling	P	P	NP	P
Multiple-family dwelling (more than four units)	P	P	P	P
Live-work unit	P	P	P	P

Use	Port District			
	River-walk	Campus Square	Evergreen	Wellness
Congregate Living				
Community residential facility serving up to 16 residents	P	P	NP	P
Community residential facility serving more than 16 residents	C	C	NP	C
Dormitories	NP	C	NP	C
Nursing homes, boarding care, assisted living	P	P	P	P
Institutional and Civic Uses				
Educational Facilities				
Group family day care, family day care, group day care	P	P	P	P
Public or private grades K-12 schools	C ¹	NP	NP	NP
College, university, seminary, etc.	C	C	C	C
Trade school, arts school, dance school, etc.	C	C	C	C
Social, Cultural, Religious and Recreational Facilities				
Public library	P	P	P	P
Community center, art center, museum	P	P	P	P
Public and private park, playground	P	P	P	P
Private nonprofit recreation center, pool	P	P	P	P
Place of worship and place of assembly	P	P	P	P
Public Service and Utilities				
Governmental buildings and structures without outdoor storage	C	C	C	C
Public utility buildings and structures without outdoor storage	C	C	C	C
Commercial and Office Uses				
Offices	P	P	P	P
Medical and dental clinics and offices	P	P	P	P
Bed and breakfast residence (up to six rooms)	C	C	NP	C
Parking – principal use	C	C	C	C

Use	Port District			
	River-walk	Campus Square	Evergreen	Wellness
Service businesses ²	P	P	P	P
Bank, financial institution	P	P	P	P
Food and related goods ³	P	P	P ⁷	P ⁷
General retail ⁴	P	P	P	P
Eating places ⁵	P	P	P	P
<u>Brew pub</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
<u>Microbrewery with taproom</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
<u>Microdistillery with cocktail room</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
Day care center	P	P	P	P
Funeral home, mortuary	P	P	P	P
Laundromat (self-service)	P	P	P	P
Hospital	NP	NP	NP	P
Motel, hotel, inn	C	C	P	C
Photocopying	P	P	P	P
Veterinary clinic (no exterior animal runs)	P	P	NP	NP
Printing and publishing	C	C	C	C
Studios of artists or craftspeople	P	P	P	
Service businesses with showroom or workshop, including office - warehouses (contractor, painter, etc.)	C	C	C	C
Small appliance repair (excluding internal combustion engines)	P	P	NP	NP
Theaters, assembly halls	C	C	NP	NP
Health clubs and fitness centers	C	C	C	C
Indoor recreation (bowling, billiards, etc.)	C	C	NP	P
Commercial outdoor recreation (swim club, miniature golf, etc.)	C	C	NP	NP
Limited production and processing ⁶	C	C	C	
Vehicle Services				

Use	Port District			
	River-walk	Campus Square	Evergreen	Wellness
Convenience stores with accessory car washes and/or fuel sales, provided no more than eight dispensing hoses may be operable simultaneously	C	C	C	NP
Convenience stores with accessory car washes and/or fuel sales, provided no more than 16 dispensing hoses may be operable simultaneously	NP	NP	C	NP
Auto repair, detailing or servicing with or without fuel sales	C	C	NP	NP

¹ May not occupy more than five percent of the total development area in Port Riverwalk.

² Service businesses: Service businesses include provision of services to the general public that produce minimal off-site impacts. Service businesses include but are not limited to the following:

- barber and beauty shops
- dry-cleaning (direct customer service; plants servicing more than one retail outlet are not permitted)
- interior decorating/upholstery
- locksmith
- mailing and packaging services
- radio and television service and repair
- shoe repair
- tailor shop
- watch repair, other small goods repair
- picture framing

³ Food and related goods: These uses include the following uses, characterized by the sale of food and related goods to the public for consumption off the premises.

- grocery store, supermarket
- butcher shops
- bakeries
- candy
- greengrocer, other specialty food
- catering

⁴ General retail: General retail sales include the retail sale of products, sometimes with provision of related services, to the general public that produce minimal off-site impacts. General retail sales include but are not limited to the following:

- antiques and collectibles store
- art gallery
- bicycle sales and repair
- book store, music store
- clothing and accessories
- drugstore, pharmacy
- electronics sales and repair
- florists
- jewelry store
- hardware store
- liquor store
- news stands, magazine sales
- photographic equipment; film developing
- stationery store
- picture framing

⁵ Eating places:
restaurants with or without liquor sales,
delis, take-out establishments
cafés, coffee shops

⁶ Limited production and processing. These uses produce minimal off-site impacts due to their limited nature and scale, and are considered compatible with office, retail and service uses. Limited production and processing may include wholesale and off-premises sales. Limited production and processing includes:

- apparel and other finished products made from fabrics
- computers and accessories, including circuit boards and software
- electronic components and accessories
- film, video and audio production
- food and beverage products, except no live slaughter, grain milling, cereal, vegetable oil or vinegar processing
- precision medical and optical goods
- signs, including electric and neon signs
- watches and clocks
- wood crafting and carving
- wood furniture and upholstery

⁷ Can occupy no more than 20,000 square feet of a building.

Introduced this 19th day of January, 2016.

Adopted this ____ day of _____, 2016.

Jerry Koch, Mayor

ATTEST:

Joan Lenzmeier, City Clerk