

CHAPTER 914 SPECIFIC DEVELOPMENT REQUIREMENTS

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914.010 Adult Businesses**A. General Provisions:**

1. Activities classified as obscene as defined by Minnesota Statute 617.241 are not permitted and are prohibited.
2. Adult uses, either principal or accessory, shall be prohibited from locating in any building which is also utilized for residential purposes.

B. Adult Uses - Principal:

1. Adult use-principal shall be located at least five hundred (500) radial feet, as measured in a straight line from the closest point of the property line of the building upon which the adult use-principal is located to the property line of:
 - a. Residentially zoned property.
 - b. A licensed day care center.
 - c. A public or private educational facility classified as an elementary, junior high or senior high.
 - d. A public library.
 - e. A public park.
 - f. Public zoned property.
2. Adult use-principal shall be located at least five hundred (500) radial feet as measured from one another.
3. Adult use-principal activities, as defined by this ordinance, shall be classified as one use. No two adult uses-principal shall be located in the same building or upon the same property and each use shall be subject to Section 914.010.B.3. of this Ordinance.
4. Adult use-principal shall adhere to the following signing regulations
 - a. Sign messages shall be generic in nature and shall only identify the type of business which is being conducted; and
 - b. Shall not contain material classified as advertising; and
 - c. Shall comply with the requirements of size and number for the district in which they are located.

C. Adult Uses - Accessory:

1. Adult use-accessory shall comprise no more than ten (10) percent of the floor area of the establishment in which it is located.
2. Adult use-accessory shall be restricted from and prohibit access to minors by the physical separation of such items from areas of general public access:
 - a. Movie Rentals. Display areas shall be restricted from general view and shall be located within a separate room, the access of which is in clear view and under the control of the persons responsible for the operation.
 - b. Magazines. Publications classified or qualifying as adult uses shall not be accessible to minors and shall be covered with a wrapper or other means to prevent display of any materials other than the publication title.

- c. Other Use. Adult uses-accessory not specifically cited shall comply with the intent of this Section subject to the approval of the Zoning Administrator.
3. Adult use-accessory shall be prohibited from both internal and external advertising and signing of adult materials and products.

914.020 Animal Clinics

- A. Short-term boarding may be provided indoors for animals being treated.
- B. Outdoor kennels are not allowed unless approved by a Conditional Use Permit for a Kennel. Provisions must be made to mitigate potential noise of barking dogs, particularly to protect nearby residences.

914.030 Antennas and Towers

The general purpose of this ordinance is to regulate the placement, construction and modification of antennas and antenna structures in order to protect the health, safety, and welfare of the public, while at the same time not unreasonably interfering with the development of the competitive wireless telecommunications marketplace in Little Canada. Specifically, the objectives of this ordinance are:

- To direct the location of antennas and antenna structures in the City;
 - To protect residential areas and land uses from potential adverse impacts of antennas and antenna structures;
 - To minimize adverse visual impacts of antennas and antenna structures through careful design, siting, landscaping and visual mitigation;
 - To promote and encourage shared use or collocation of antenna structures as a primary option rather than construction of additional structures;
 - To avoid potential damage to adjacent properties caused by antennas and antenna structures by ensuring they are soundly and carefully designed, constructed, modified, maintained, and removed;
 - To the greatest extent feasible, ensure that antennas and antenna structures are compatible with surrounding land uses;
 - To the greatest extent feasible, ensure that proposed antennas and antenna structures are designed in harmony with natural settings and in a manner consistent with current development patterns.
- A. **Eligible Zoning Districts.** Antennas and towers, as defined in Section 919.030, Definitions, of this code, shall only be allowed in the zoning districts listed in the table found in this subsection below, with the following exceptions: co-locations of antennas on existing commercial towers and municipal towers shall be allowed by administrative permit; and, co-locations of antennas on existing public utility structures may be allowed by Conditional Use Permit.

Zoning District	Antennas-Commercial	Towers-Commercial	Towers Private (Accessory to Principal)
R-1	Prohibited	Prohibited	Conditional Use
R-2	Prohibited	Prohibited	Conditional Use
R-3	Conditional Use	Prohibited	Conditional Use
R-4	Prohibited	Prohibited	Conditional Use
R-C	Prohibited	Prohibited	Conditional Use
C-1	Conditional Use	Conditional Use	Conditional Use
C-2	Conditional Use	Conditional Use	Conditional Use
I-1	Conditional Use	Conditional Use	Conditional Use
I-2	Conditional Use	Conditional Use	Conditional Use
PUD	Conditional Use	Conditional Use	Conditional Use
Public	Accessory	Conditional Use	Conditional Use
FP	Conditional Use	Prohibited	Conditional Use
S	Conditional Use	Prohibited	Conditional Use
W	Conditional Use	Prohibited	Conditional Use

B. **Height Limitations.** The height of an antenna, satellite dish, or tower shall be measured from the ground at the base of the antenna or tower to the highest point of the antenna, satellite dish, or tower. No antenna, satellite dish, or tower shall exceed the following height limitations:

Zoning District	Satellite Dish	Antenna-Private, Mounted on Existing Structure	Antenna – Commercial, Mounted on Existing Structure (height of antenna structure shall not exceed 20 feet)	Towers – Commercial	Towers – Private
R-1	Ten (10) feet if ground mounted; eight (8) feet above the roof if roof mounted	Twenty (20) feet above the roof	Not Allowed	Not Allowed	75 feet
R-2	Same as R-1	Same as R-1	Not Allowed	Not Allowed	75 feet
R-3	Same as R-1	Same as R-1	Height of antenna above the structure	Not Allowed	75 feet
R-4	Same as R-1	Same as R-1	Not Allowed	Not Allowed	75 feet
R-C	Same as R-1	Same as R-1	Not Allowed	Not Allowed	75 feet
C-1	Same as R-1	Same as R-1	Height of antenna above the structure	150 feet	75 feet
C-2	Same as R-1	Same as R-1	Same as C-1	75 feet	75 feet
I-1	Same as R-1	Same as R-1	Same as C-1	150 feet	150 feet
I-2	Same as R-1	Same as R-1	Same as C-1	150 feet	150 feet
PUD	Same as R-1	Same as R-1	Same as C-1	75 feet	75 feet
Public	Same as R-1	Same as R-1	Same as C-1	75 feet	75 feet

Zoning District	Satellite Dish	Antenna-Private, Mounted on Existing Structure	Antenna – Commercial, Mounted on Existing Structure (height of antenna structure shall not exceed 20 feet)	Towers – Commercial	Towers – Private
Floodplain	Same as R-1	Same as R-1	Same as C-1	Not Allowed	75 feet
Shoreland	Same as R-1	Same as R-1	Same as C-1	Not Allowed	75 feet
Wetland	Same as R-1	Same as R-1	Same as C-1	Not Allowed	75 feet

- C. **Tower Setbacks.** All new towers shall comply with one of the following setback calculations options as measured from the base of the tower to the nearest property line:
1. Equal to the height of the tower, including any antenna attachments, plus 5 feet from any residential use, exclusive of the property in question, any residential, business, or public zoning district or any church or school.
 2. Equal to the specific “fall zone” of the proposed tower as determined and certified by a qualified and licensed professional engineer, but in no event less than the principal structure setback of the base zoning district from all public right-of-way and abutting property lines.
- D. **Use of City Tower Site Preferred.** Commercial antennas and towers, regardless of height or size with the exception of satellite dish antennas shall connect to and use the City Tower Site(s) if use of such facilities is technically feasible. Certification by a professional radio frequency engineer is required to demonstrate that a particular tower site is not technically feasible when antenna site is proposed.
- E. **General Standards.** The following standards shall apply to all cellular telephone, public utility, microwave, radio and television broadcast transmitting, radio and television receiving, satellite dish and short-wave radio transmitting and receiving antenna and towers:
1. All antennas and towers shall be in compliance with all City building and electrical code requirements and as applicable shall require related permits.
 2. Towers shall be certified by a qualified and licensed professional engineer to conform to the latest structural standards and wind loading requirements of the Uniform Building Code and the Electronics Industry Association.
 3. With the exception of necessary electric and telephone service and connection lines approved by the Issuing Authority, no part of any antenna or tower nor any lines, cable, equipment or wires or braces in connection with either shall at any time extend across or over any part of the right-of-way, public street, highway, sidewalk, or property line.
 4. All signal and remote-control conductors of low energy extending substantially horizontally above the ground between a tower or antenna and a structure, or between towers, shall be at least 8 feet above the ground at all points, unless buried underground.
 5. Every tower affixed to the ground shall be protected to discourage climbing of the tower by unauthorized persons.
 6. All towers shall be constructed to conform with the requirements of the Occupational Safety and Health Administration.

7. When applicable, written authorization for antenna and/or tower erection shall be provided by the property owner.
 8. No advertising message shall be affixed to the tower.
 9. The height of the antenna shall be the minimum necessary to function satisfactorily, as verified by a professional radio frequency engineer. Antennas and/or towers shall not be artificially illuminated unless required by law or by a governmental agency to protect the public's health and safety.
 10. When applicable, proposals to erect new antenna shall be accompanied by any required federal, state or local agency licenses.
 11. If a new tower is to be constructed, it shall be designed so as to accommodate other users including but not limited to other cellular or personal communication companies, local police, fire and ambulance companies. For towers up to 120 feet in height, one additional user must be provided for. For towers 120 feet in height or greater, two additional users must be provided for.
 12. Any proposals for the construction of a new commercial tower shall include a certification from a professional radio frequency engineer that existing tower sites within the City are not technically feasible for the application proposed.
 13. Towers shall be painted silver or have a galvanized finish to reduce visual impact. Another color may be used with approval of the City Council.
 14. Antennas and towers for federally licensed amateur radio stations and used in the amateur radio service are exempt from Sections E.2, E.9 and E.12, above, of this code.
 15. Amateur radio towers must be installed in accordance with the instructions furnished by the manufacturer of that tower model. Because of the experimental nature of the amateur radio service, antennas mounted on such a tower may be modified or changed at any time as long as the published allowable load on the tower is not exceeded and the structure of the tower remains in accordance with the manufacturer's specifications.
 16. Commercial towers in all business, public or PUD zoning districts must be of monopole design.
 17. Guy wires or guy wire anchors shall not be erected within public or private utility and drainage easements, and shall be set back a minimum of one foot from all lot lines.
 18. No more than one tower per property shall be permitted.
- F. **Accessory and Secondary Use Antennas.** The following standards shall apply to all accessory and secondary use antennas including radio and television receiving antennas, satellite dishes, short-wave radio dispatching antennas, or those necessary for the operation of electronic equipment including radio receivers, federally licensed amateur radio stations and television receivers:
1. Accessory or secondary use antennas shall not be erected in any required yard (except a rear yard) or within public or private utility and drainage easements, and shall be setback a minimum of three feet from all lot lines.
 2. Guy wires or guy wire anchors shall not be erected within public or private utility and drainage easements, and shall be set back a minimum of one foot from all lot lines.
- G. **Accessory Utility Buildings.** All utility buildings and structures accessory to a tower shall be architecturally designed to blend in within the surrounding environment to the maximum extent possible and shall meet the minimum accessory building setback

requirements of the underlying zoning district. All utility buildings and ground mounted equipment shall be screened from view by the use of suitable vegetation, except where the City finds that a design for non-vegetative screening better reflects and compliments the architectural character of the surrounding neighborhood. Lighting on accessory utility buildings shall be limited only to that which is needed for security purposes. All exterior lighting shall be diffused or directed away from all property lines and public right-of-way. The direct source of light shall not be visible from any abutting property or the public right-of-way.

- H. **Obsolete or Unused Towers and Antennas.** All obsolete or unused towers or portions thereof and accompanying accessory facilities shall be removed within 12 months of the cessation of operations at the site unless a time extension is approved by the City Council.

To ensure the removal of obsolete and unused towers or portions thereof and antennas, the applicant shall, prior to the issuance of a building permit, submit a performance bond or letter of credit in an amount sufficient to cover the removal costs of the tower, antennas and accessory facilities.

After the removal of the facilities, the site shall be restored to its original or an improved state. If the underlying property has sufficient value as determined in the sole discretion of the City Council, the applicant may substitute the following for the performance bond/letter of credit requirement: An agreement in recordable form between the property owner and the City whereby the property owner acknowledges that in the event the applicant, its successors or assigns does not remove obsolete or unused towers and/or antennas within the affected time frame, then the existence of same will be considered a nuisance by the City.

Abatement will occur pursuant to Little Canada ordinance requirements with all costs of removal of the facilities in question to be assessed to the property owner. Property owner must further agree to waive any and all rights to contest or appeal this proceeding.

- I. **Conditional Use Permits.** Commercial antennas may be located on existing public utility structures by Conditional Use Permit in all zoning districts, as regulated by Chapter 917 of this Ordinance, provided that:

1. The existing public utility structure is no less than fifty (50) feet in height.
2. Equipment buildings are located within the perimeter footprint of the existing utility structure.
3. Equipment buildings, if not located within the perimeter footprint to the existing utility structure, are located in no required yard of any lot other than the required rear yard, and are fully screened with evergreen landscape materials.
4. Equipment buildings, if located in a residential district, shall also be constructed in such a way as to resemble residential accessory buildings in the immediate area which meet residential building materials standards, and are either white or natural in exterior color
5. The proposed use and structures are found to be compatible architecturally and functionally with the neighborhood in which they are located.
6. The proposed use complies with the General Standards of Sub-Section E, above.

(Source: Ordinance 661. Amended 688, 696, 700, 704, 744, 756, 762, 789, 802, 830, 832)

914.040 Attached Housing Design Standards

The standards in this Section are applicable to all structures that contain three or more units. Their intent is to encourage multi-family building design that respects its context, incorporates some of the features of one-family dwellings from the surrounding neighborhood, and imparts a sense of individuality rather than uniformity.

The following standards apply to new buildings and major expansions, those that constitute 50 percent or more of building floor area. Design standards apply only to the portion of the building or site that is undergoing alteration.

- A. **Orientation of Buildings to Streets:** It is requested but not mandatory that buildings be oriented so that a primary entrance faces one of the abutting streets. In the case of corner lots, a primary entrance should face the street from which the building is addressed. Primary entrances shall be defined by scale and design.
- B. **Surface Parking:** Surface parking shall not be located between a principal building front and the abutting primary street except for drive/circulation lanes and/or handicapped parking spaces. Surface parking adjacent to the primary street shall occupy a maximum of 40 percent of the primary street frontage and shall be landscaped according to Chapter 915, General Development Requirements
- C. **Street-Facing Facade Design:** No blank walls are permitted to face public streets, walkways, or public open space. Street-facing facades shall incorporate offsets in the form of projections and/or recesses in the facade plane at least every 40 feet of façade frontage. Wall offsets shall have a minimum depth of 2 feet. Open porches or balconies are encouraged on building fronts and may extend up to 8 feet into the required setbacks.

In addition, at least one of the following design features shall be applied on a street-facing facade to create visual interest:

- Dormer windows or cupola
 - Recessed entrances
 - Covered porches or stoops;
 - Bay windows with a minimum 12-inch projection from the facade plane
 - Eaves with a minimum 6-inch projection from the facade plane or
 - Changes in materials, textures or colors.
- D. **Four-Sided Design:** Building design shall provide consistent architectural treatment on all building walls. All sides of a building must display compatible materials, although decorative elements and materials may be concentrated on street-facing facades. All facades shall contain window openings.
 - E. **Maximum Length:** Building length parallel to the primary abutting street shall not exceed 160 feet without a visual break such as a courtyard or recessed entry.
 - F. **Landscaping of Yards:** Front yards must be landscaped according to Chapter 915, General Development Requirements.
 - G. **Detached Garages:** The exterior materials, design features, and roof forms of garages shall be compatible with the principal building served.
 - H. **Attached Garages:** Garages shall be set back and defer to the primary building face. Front loading garages (toward the front street), if provided, shall be set back a minimum of 5 feet from the predominant portion of the principal use.

- I. All exterior wall finishes on any building must be a combination of the following materials: face brick, natural or cultured stone, textured concrete block, stucco, wood, vinyl siding, fiber-reinforced cement board and prefinished metal, or similar materials approved by the Community Development Department.

914.050 Bars or Taverns; Sale of Intoxicating Liquors

All applicable regulations established in Chapter 703 of the City Code, Intoxicating Liquor, and Chapter 704, Special On-Sale Win License, shall be met.

914.060 Bed and Breakfast Homes

- A. The owner shall reside in the bed and breakfast home and manage the premises.
- B. The establishment shall comply at all times with all applicable city, county, state and federal ordinances, statutes and laws.
- C. The only meal served to bed and breakfast guests shall be breakfast, between the hours of 5:00 a.m. and 11:00 a.m.
- D. No cooking or cooking facilities shall be allowed or provided in the guest rooms.
- E. The establishment shall be limited to four guest rooms or a maximum guest capacity of eight.
- F. Each guest shall be limited to staying not more than seven days within any 30-day period.
- G. The owner shall maintain a guest register showing the name, address, motor vehicle license number and inclusive dates of visits of all guests.
- H. A minimum of one off-street parking space for each guest room and two off-street parking spaces for the resident owner shall be provided.
- I. Signs shall be limited to one non-illuminated wall sign near the entrance door not exceeding two square feet.
- J. There shall be no external vending machines.
- K. All trash and recycling must be contained and screened from view from other residential properties with a fence and/or coniferous shrubs.
- L. The entire front yard shall be landscaped with grass or other natural materials, with the exception of areas needed for access drives and sidewalks to required parking areas.
- M. Each property shall maintain an exterior residential appearance and character, meaning an exterior facade that is compatible with the nearby houses, and is of an appearance that would be found in a structure designed for and occupied by a family as a detached one- or two-family residence.
- N. The minimum distance between bed-and-breakfast homes shall be 500 feet.

914.070 Car Washes

- A. The car wash shall not be within 100 feet of a Residential zoning district.
- B. The vehicle entry or exit doors shall not face directly toward a property in a Residential zoning district.

914.080 Child Care, Drop-In Programs

A drop-in child care program must be licensed under Minnesota Rules governing non-residential child care centers. Refer also to use definition under the Rules and Definitions chapter of this ordinance.

914.090 Convenience Stores

- A. The gasoline dispensing pumps must maintain the appropriate license from the State.
- B. The lights under the gasoline area canopy must be shielded from direct view from the public street or other properties.
- C. Trash handling and lighting must comply with the requirements in Chapter 915, General Development Requirements.

914.100 Day Care Facilities, Child, Commercial

- A. Children shall be delivered and removed daily.
- B. The regulations and conditions are met for the Minnesota Department of Public Welfare, Public Welfare Manual 11-31-30 as adopted or amended.

914.110 Drive-Up Window Service

- A. Any business that dispenses merchandise through an exterior window that customers in automobiles drive to shall provide a stacking lane that accommodates forecast traffic and does not hinder other circulation or parking.
- B. Drive-up lanes shall conform to the setbacks required for parking lots and circulation aisles.
- C. The service window and stacking lanes shall not be located in the front setback area.
- D. The stacking lanes shall be screened from any adjacent residential use by a 90 percent opaque fence.

914.120 Garages, Residential

Requirements for setback and height are found in the Residential zoning districts chapter of this zoning ordinance.

914.130 Group Home or Residential Care Facility, Child or Adult

- A. Any residential care facility, group home or in-home day care business for children or adults must maintain the appropriate license from the State.
- B. Parking requirements are presented in Section 915, General Development Requirements, Parking Requirements, Off-Street.

914.140 Home Occupations**A. Purpose**

The purpose of this subdivision is to prevent competition with business districts and to provide a means through the establishment of specific standards and procedures by which home occupations can be conducted in residential neighborhoods without jeopardizing the health, safety and general welfare of the surrounding neighborhood. In addition, this subdivision is intended to provide a mechanism enabling the distinction between permitted home occupations and special or customarily "more sensitive" home occupations. While permitted home occupations may be allowed as a matter of right, special home occupations shall require a permit in accordance with the terms of this subdivision.

B. Application

Subject to the non-conforming use provision of this Section, all occupations conducted in the home shall comply with the provisions of this subdivision. This subdivision shall not be construed, however, to apply to home occupations accessory to farming.

C. Permitted Home Occupations

Home occupations meeting the requirements of Sections 903.120.D.1 and 903.120.D.2, below, of this Ordinance shall not require a permit. However, in the event a permitted home occupation becomes a nuisance, the Council may require it to be licensed under the provisions for special home occupations.

D. Requirements - General Provisions

All home occupations shall comply with the following general provisions and according to definition, the applicable requirement provisions.

1. General Provisions

- a. No home occupation shall produce light glare, noise, odor or vibration that will in any way have an objectionable effect upon adjacent or nearby property.
- b. No equipment or machinery shall be used in the home occupation which will create electrical interference to surrounding properties.
- c. Any home occupation shall be clearly incidental and secondary to the residential use of the premises, should not change the residential character thereof, and shall result in no incompatibility or disturbance to the surrounding residential uses.
- d. No home occupation shall require internal or external alterations or involve construction features not customarily found in dwellings except where required to comply with local and state fire and police recommendations.
- e. There shall be no exterior storage of equipment or materials used in the home occupation, except personal automobiles used in the home occupation may be parked on the site.
- f. The home occupation shall meet all applicable fire and building codes.
- g. There shall be no exterior display or exterior signs or interior display or interior signs which are visible from outside the dwelling.
- h. All home occupations shall comply with the provisions of the City Nuisance Ordinance.
- i. No home occupation shall be conducted between the hours of 10:00 p.m. and 7:00

a.m. unless said occupation is contained entirely within the principal building and will not require any on-street parking facilities

2. Requirements for Permitted Home Occupations

- a. No person other than those who customarily reside on the premises shall be employed in the Home Occupation.
- b. All permitted home occupations shall be conducted entirely within the principal dwelling and may not be conducted in accessory buildings.
- c. Permitted home occupations shall not create a parking demand in excess of that which can be accommodated in an existing driveway, where no vehicle is parked closer than 10 feet from the curb line or edge of paved surface.
- d. Examples of permitted home occupations include: art studio, dressmaking, secretarial services, professional offices and teaching with musical, dancing and other instructions which consist of no more than one pupil at a time.
- e. The home occupation shall not involve any of the following: repair service or manufacturing which utilizes equipment or machinery so as to violate Sections 903.120.D.1.a and 903.120.D.1.b of this Ordinance; teaching which customarily consists of more than one (1) pupil at a time; over-the-counter sale of merchandise produced off the premises, except for those brand name products that are not marketed and sold in a wholesale or retail outlet.

E. Special Home Occupation - Permit Procedure

1. Permit

Any home occupation which does not meet the specific requirements for a permitted home occupation as defined in this subdivision shall require a "special home occupation permit" which shall be applied for and reviewed in accordance with the provisions of Section 917 of this Ordinance.

2. Declaration of Conditions.

The Planning Commission and City Council may impose such conditions on the granting of a special home occupation permit as may be necessary to carry out the purpose and provisions of this subdivision.

3. Effect of Permit.

A "special home occupation permit" may be issued for a period of one year, after which the permit may be reissued for periods of up to three (3) years each. Each application for permit renewal shall be reviewed and subject to approval of the Zoning Administrator. In consideration of an application for license renewal where written complaints have been received or where there has been a change in conditions or violation, the Zoning Administrator shall have the discretion to process the application in accordance with the procedural requirements of the initial special home occupation license.

4. Transferability

Permits shall not run with the land and shall not be transferable.

5. Lapse of Special Home Occupation Permit by Non-Use.

Whenever within one year after granting a permit the use as permitted by the permit shall not have been initiated, then such permit shall become null and void unless a

petition for extension of time in which to complete the work has been granted by the City Council. Such extension shall be requested in writing and filed with the Zoning Administrator at least 30 days before the expiration of the original permit. There shall be no charge for filing of such petition. The request for extension shall state facts showing a good faith attempt to initiate the use. Such petition shall be presented to the Planning Commission for a recommendation and to the City Council for a decision.

6. Reconsideration

Whenever an application for a permit has been considered and denied by the City Council, a similar application for a permit affecting substantially the same property shall not be considered again by the Planning Commission or City Council for at least six months from the date of its denial unless a decision to reconsider such matter is made by not less than four-fifths vote of the full City Council.

7. Renewal of Permits

An applicant shall not have a vested right to a permit renewal by reason of having obtained a previous permit. In applying for and accepting a permit, the permit holder agrees that his monetary investment in the home occupation will be fully amortized over the life of the permit and that a permit renewal will not be needed to amortize the investment. Each application for the renewal of a permit will be considered as a new permit without taking into consideration that a previous permit has been granted. The previous granting or renewal of a permit shall not constitute a precedent or basis for the renewal of a permit.

8. Additional Requirements for Special Home Occupations

- a. No person other than a resident shall conduct the home occupation, except where the applicant can satisfactorily prove unusual or unique conditions or need for non-residential assistance and that this exception would not compromise the intent of this Ordinance.
- b. Examples of special home occupations include: barber and beauty services, photography studio, group lessons, saw sharpening, small appliance and small engine repair and the like.
- c. The home occupation may involve any of the following: stock-in-trade incidental to the performance of the service, repair or manufacturing which requires equipment other than customarily found in a home, the teaching with musical, dancing and other instruction of more than one pupil at a time.
- d. Special home occupations may be allowed to accommodate their parking demand through utilization of on-street parking. In such cases where on-street parking facilities are necessary, however, the City Council shall maintain the right to establish the maximum number of on-street spaces permitted and increase or decrease the maximum number when and where changing conditions require additional review.

F. Non-Conforming Use

Existing home occupations lawfully existing on the date of this Ordinance may continue as non-conforming uses. They shall, however, be required to obtain permits for their continued operation. Any existing home occupation that is discontinued for a period of more than 30 days, or is in violation of the Ordinance provisions under which it was initially established, shall be brought into conformity with the provisions of this subdivision.

G. Inspection

The City of Little Canada hereby reserves the right upon issuing any home occupation permit to inspect the premises in which the occupation is being conducted to insure compliance with the provisions of this subdivision or any conditions additionally imposed

914.150 Manufactured Home Communities**A. General Provisions:**

1. All land area shall be:
 - a. Adequately drained.
 - b. Landscaped to control dust.
 - c. Clean and free from refuse, garbage, rubbish or debris.
2. No tents shall be used for other than recreational purposes in a mobile home park.
3. There shall be no outdoor camping anywhere in a mobile home park.
4. Access to mobile home parks shall be as approved by the City.
5. All structures (fences, storage, cabana, etc.) shall require a building permit from the Building Official.
6. The area beneath a mobile home coach shall be enclosed except that such enclosure must have access for inspection.
7. Laundry and clothing shall be hung out to dry only on lines located in City approved areas established and maintained exclusively for that purpose, as identified on the mobile home park site plan.
8. A mobile home park shall have an adequate central community building with the following features:
 - a. Laundry drying areas and machines.
 - b. Laundry washing machines.
 - c. Public toilets and lavatories.

Such buildings shall have adequate heating in all areas and be maintained in a safe, clean and sanitary condition.

B. Site Plan Requirements:

1. Legal description and size in acres of the proposed mobile home park.
2. Location and size of all mobile home sites, dead storage areas, recreation areas, laundry drying areas, roadways, parking sites, and all setback dimensions (parking spaces, exact mobile home sites, etc.).
3. Detailed landscaping plans and specifications.
4. Location and width of sidewalks.
5. Plans for sanitary sewage disposal, surface drainage, water systems, electrical service, and gas service.
6. Location and size of all streets abutting the mobile home park and all driveways from such streets to the mobile home park.

7. Road construction plans and specifications.
 8. Plans for any and all structures.
 9. Such other information as required or implied by these mobile home park standards or requested by public officials.
 10. Name and address of developer or developers.
 11. Description of the method of disposing of garbage and refuse.
 12. Detailed description of maintenance procedures and grounds supervision.
 13. Details as to whether all of the area will be developed a portion at a time.
- C. Design Standards:
1. Park Size: The minimum area required for a mobile home park designation shall be five (5) acres.
 2. Individual mobile home sites (homes 14 feet wide or less):
 - a. Each mobile home site shall contain at least 5,000 square feet of land area for the exclusive use of the occupant:
 - (1) Width: No less than 50 feet.
 - (2) Depth: No less than 100 feet.
 - b. Each mobile home site shall have frontage on an approved roadway and the corner of each mobile home site shall be marked and each site shall be numbered.
 3. Individual mobile home site (homes over 14 feet in width):
 - a. Each mobile home site shall contain at least six thousand 500 square feet of land area for the exclusive use of the occupant:
 - (1) Width: No less than 65 feet.
 - (2) Depth: No less than 100 feet.
 - b. Each mobile home site shall have frontage on an approved roadway and the corner of each mobile home site shall be marked and each site shall be numbered.
 4. Individual Mobile Home Unit Site Setbacks: No unit shall be parked closer than 10 feet to its side lot lines nor closer than 30 feet to its front lot line, or within 10 feet of its rear lot line.
 5. Building Requirements: No structure shall exceed one story or 15 feet whichever is least.
 6. Parking:
 - a. Each mobile home site shall have off-street parking space for two automobiles.
 - b. Each mobile home park shall maintain a hard-surfaced off-street parking lot for guests of occupants in the amount of one space for each five-unit sites.
 - c. Access drives off roads to all parking spaces and coach sites shall be hard surfaced according to specifications established by the City.
 7. Utilities:
 - a. All mobile homes shall be connected to a public water and sanitary sewer system

- or a private water and sewer system approved by the State Department of Health.
- b. All installations for disposal of surface storm water must be approved by the City.
 - c. All utility connections shall be as approved by the City.
 - d. The source of fuel for cooking, heating, or other purposes at each mobile home site shall be as approved by the City.
 - e. All utilities shall be underground; there shall be no overhead wires or supporting poles except those essential for street or other lighting purposes.
 - f. No obstruction shall be permitted that impedes the inspection of plumbing, electrical facilities, and related mobile home equipment.
 - g. The method of garbage, waste, and trash disposal must be approved by the City.
 - h. The owner shall pay any required sewer connection fees to the City.
 - i. The owner shall pay inspection and testing fees for utility service to the City.
8. Internal roads and streets:
- a. Roads shall be hard surfaced as approved by the City.
 - b. All roads shall have a concrete (mountable, roll type) curb and gutter.
 - c. All streets shall be developed with a roadbed of not less than 24 feet in width. If parking is permitted on the street then the roadbed shall be at least 36 feet in width.
 - d. The park shall have a street lighting plan approved by the City.
9. Recreation:
- a. All mobile home courts shall have at least 10 percent of the land area developed for recreational use (tennis courts, children's play equipment, swimming pool, golf green, etc.) developed and maintained at the owner/operator's expense.
 - b. In lieu of land dedication for public purposes, a cash contribution as established by the Little Canada Subdivision Ordinance as may be amended, shall be paid to the City.
10. Landscaping:
- a. Each site shall be properly landscaped with trees, hedges, grass, fences, windbreaks, and the like.
 - b. A compact hedge, redwood fence, or landscaped area shall be installed around each mobile home park and be maintained in first class condition at all times as approved.
 - c. All areas shall be landscaped in accordance with landscaping plan approved by the City Council.
11. Lighting:
- a. Artificial light shall be maintained during all hours of darkness in all buildings containing public toilets, laundry equipment, and the like.
 - b. The mobile home park grounds shall be lighted as approved by the City from sunset to sunrise.
12. Storage

Enclosed storage lockers (when provided) shall be located either adjacent to the mobile home in a mobile home park or at such other place in the park as to be convenient to the unit for which it is provided. Storage of large items such as boats, boat trailers, etc., shall be accommodated in a separate secured and screened area of the park.

13. General: For those items not specifically referenced, the design standards as established by the City Council shall be utilized as general development guidelines.

D. Registration:

1. It shall be the duty of the operator of the mobile home park to keep a record of all mobile home owners and occupants located within the park. The register shall contain the following information:
 - a. The name and address of each mobile home occupant.
 - b. The name and address of the owner of each mobile home.
 - c. The make, model, year and license number of each mobile home.
 - d. The state, territory or county issuing such license.
 - e. The date of arrival and departure of each mobile home.
 - f. The number and type of motor vehicles of residents in the park.
2. The park operator shall keep the register available for inspection at all times by authorized City, State and County officials, Public Health officials and other public offices whose duty necessitates acquisition of the information contained in the register. The register shall not be destroyed until after a period of three years following the date of departure of the registrant from the park.

E. Maintenance

The operator of any mobile home park, or a duly authorized attendant and/or caretaker shall be responsible at all times for keeping the mobile home park, its facilities and equipment, in a clean, orderly, operable, and sanitary condition. The attendant or caretaker shall be answerable, along with said operator, for the violation of any provisions of these regulations to which said operator is subject.

914.160 Manufacturing Potentially Hazardous Materials, Products or Emissions

- A. Any materials, products or emissions that are regulated by the state or federal governments must obtain and maintain the appropriate approvals or licenses from those jurisdictions.
- B. The building(s) and its operations must conform to the requirements of the Minnesota Building Code and the Minnesota Fire Code.
- C. Reasonable assurance must be made that the public, residents and other businesses will not be endangered.
- D. City requirements must be met for site planning, plantings, buffering, access, parking, truck docks, outdoor storage and so on.

914.170 Manufacturing Products from Stone, Clay or Concrete

- A. Emissions into the air or water, either direct or indirect, must be contained below levels prescribed by federal, state, watershed or municipal jurisdictions.
- B. The operation must conform to City standards for surface water management.

914.180 Residential Care Facility

See Group Home.

914.190 Restaurant with Outdoor Seating or Auto Service (Drive-In or -Through)

- A. Restaurants with outdoor loudspeakers, automobile service order devices, drive-in theater car speakers or similar devices shall not be located within 200 feet of any residential dwelling unit.
- B. The hours of operation shall be set forth as a condition of any building permit for drive-in business.
- C. See also Drive-Up Window Service in Section 914.110.

914.200 Schools, K-12, Public or Private

- A. The site plan shall provide for safe and convenient access by bicyclists, pedestrians, auto and buses.
- B. Other normal requirements apply for site planning, screening, lighting, drainage, setbacks and so on.

914.210 Solar Energy Systems

Solar energy conversion systems shall be allowed as an Accessory Use in any zoning district under these conditions:

- A. In Residential zoning districts, the device must be attached to a Principal or Accessory structure so as to appear integral to the structure. That is, flat against a wall, flat against a sloped roof or mounted at an angle on a flat roof. Solar devices on a flat roof must be set back so they are not visible from the public street. Setbacks normally applied to Accessory structures do not apply.
- B. In Commercial or Industrial zoning districts, solar devices may be mounted on a wall, a roof or on the ground. Setbacks normally applied to Accessory structures apply.

914.220 Swimming Pools, Spas and Hot Tubs

All private swimming pools, both above the ground and in the ground, whirlpool spas, hot tubs and similar features that are capable of holding water at a depth of more than 30 inches are subject to the following standards:

- A. The pool, spa or hot tub shall not be operated as a business or private club except when allowed as a permitted home occupation.
- B. The pool, spa or hot tub including any related walks, paved areas or other structures, shall not be located in a front yard, and must be set back at least 5 feet from any property line.
- C. The pool, spa or hot tub, the rear yard or the entire property shall be enclosed by a wall or fence or combination thereof which is at least 4 feet tall with a self-closing gate capable of being secured with a lock so as to prevent uncontrolled access by children from the street or adjacent properties. A cover capable of being locked but not easily penetrated when the subject is not in use may be substituted for fencing.
- D. If the only access to a pool, spa or hot tub is through a principal or accessory structure, all points of access shall be made lockable.
- E. Required fencing shall be of durable wood, masonry or metal, and shall be so designed as to discourage climbing. Building walls may contribute to enclosure requirements.

- F. In the case of above-ground pools, spas or hot tubs, sides that are vertical or slanted outward may contribute to required fencing, provided that all points of access are controlled to prevent access by children, including the removal of all ladders and/or stairs whenever the pool is not in use. A cover capable of being locked but not easily penetrated when the subject is not in use may be substituted for fencing.
- G. Any pool, spa or hot tub with drain must be equipped with anti-entrapment drain covers or related safety equipment.
- H. Existing pools, spas or hot tubs as defined by this ordinance, shall comply with all provisions of this ordinance within one year of the effective date of this ordinance.

914.230 Vehicle Fuel and Service Stations

- A. No vehicles shall be parked on the premises other than those used by employees or awaiting service. No vehicle shall be parked or be waiting service longer than 30 days.
- B. The exterior storage of trash, merchandise, spare parts, etc., not including customers' vehicles awaiting service, shall conform to the requirements of Chapter 915, General Development Requirements, Landscaping, Screening and Fencing.
- C. Exterior storage other than vehicles shall be limited to service equipment and items offered for sale. Exterior storage of items offered for sale (merchandise) shall be within the parking setback requirements and shall be located in containers such as the racks, metal trays and similar structures designed to display merchandise.
- D. All areas for the temporary storage of trash, recycling or discarded parts shall be fully screened from view. All structures and grounds shall be maintained in an orderly, clean and safe manner.
- E. Lights shall be designed and placed in such a manner as to shield the light away from the public street or another site.
- F. Business activities not listed in the definition of Automobile Service Stations and not incidental to the business are not permitted on the premises unless a separate development application is submitted. These include but are not limited to:
 - 1. Automatic car or truck wash;
 - 2. Rental of vehicles, equipment or trailers.
- G. Gasoline dispensing pumps located at and a part of other types of businesses shall require a Conditional Use Permit.

914.240 Vehicle Repair, Mechanical

- A. All repairs shall be conducted in a building.
- B. No vehicles shall be parked on the premises other than those used by customers, employees or those awaiting service. No vehicle shall be parked or be waiting service longer than 30 days.
- C. The exterior storage of trash, merchandise, spare parts, etc., not including customers' vehicles awaiting service, shall conform to the requirements of Chapter 915, General Development Requirements, Landscaping, Screening and Fencing. All areas for the temporary storage of trash, recycling or discarded parts shall be fully screened. All structures and grounds shall be maintained in an orderly, clean and safe manner.
- D. Exterior storage other than vehicles shall be limited to service equipment and items offered for sale. Exterior storage of items offered for sale shall be within parking setback

requirements and shall be located in containers such as the racks, metal trays and similar structures designed to display merchandise.

914.250 Vehicle Repair, Body

- A. All of the requirements for Vehicle Repair, Mechanical, shall apply.
- B. All damaged vehicles awaiting repair shall be screened from view by a fence not less than 75 percent opaque and plantings. Such vehicles shall be stored in the interior side or rear yard of the site.

914.260 Vehicle Sales, New or Used Autos, Light Trucks, Motorcycles, Boats or All-Terrain Vehicles.

- A. No vehicle shall be parked or displayed within a required parking or driveway setback or buffer area.
- B. All repair shall be conducted in a building;
- C. There shall be a standard building on the site for office or vehicle display.
- D. Unloading of vehicles must occur on-site and not in the public road right-of-way.
- E. The facility must conform to the City's requirements for landscaping, lighting, signs, trash handling and surface water management.
- F. Permitted Accessory Uses include:
 - 1. Repair of automobiles, light trucks, heavy trucks, motorcycles, boats or all-terrain vehicles;
 - 2. Car washes subject to the requirements in this ordinance for Car Washes;
 - 3. Rental of automobiles;
 - 4. Sale of rental automobiles.

914.270 Wood Chip Pile, Municipal

Open and outdoor storage of materials as an accessory use to a municipal maintenance facility provided that:

- A. The storage area is fenced and screened from view of neighboring residential uses and/or local public street right-of-way in compliance with Chapter 915 of this code. Screening materials may include chain-link fence with slats when abutting an "I-1" Light Industrial District.
- B. Materials must be necessary for the health, safety and general welfare of the community. The maximum amount of stockpiled materials must be indicated on the approved site plan in cubic yards and approved by the City Council.
- C. The storage area must be surfaced with asphalt, concrete or material approved by the Council. The surfacing should be compatible with materials being stored upon the area.
- D. All lighting shall be hooded and so directed that the light source shall not be visible from the public right-of-way or from neighboring residences and shall be in compliance with Chapter 915 of this code.
- E. The storage area must not take up required parking spaces as required for conformity to this Ordinance.