

**1325.02 Accessory Uses.**

Subd. 1 Accessory Retail Sales, Processing, and Storage. Accessory retail sales shall be permitted in industrial districts, and accessory processing, assembly, repair, and storage of materials shall be permitted in business districts when such uses are directly associated with the principal use, and when such accessory uses are clearly incidental.

Subd. 2 Day Care Facilities for Houses of Worship and Schools. Day care facilities for over ten (10) persons shall be considered as accessory uses for houses of worship and schools within all residential districts if located in the principal building.

**Subd. 3 Home Occupations.** Home occupations are allowed as either accessory uses or conditional uses depending on the characteristics of the operation.

A. All home occupations shall comply with the following conditions:

1. It shall not result in traffic, parking, noise, light, fumes and odors to such an extent that it is noticeable that the property is being used for non-residential purposes.
2. It shall be conducted entirely within the dwelling.
3. There is no exterior evidence of the home occupation.
4. It does not require any special entrances to the dwelling.

B. Class I Accessory Home Occupations.

1. Home Occupations will be permitted as accessory uses if they meet the conditions stipulated in the home occupation definition and following conditions:

- a) The business is engaged only by the occupants of the premises;
- b) The business activity does not occupy more than twenty-five (25) percent of the gross floor area of the dwelling;
- c) There will be no patrons visiting the premises;
- d) It requires no delivery of products other than those delivered by private passenger vehicle.

2. Applicants for Class I Accessory Home Occupations shall be required to obtain an Accessory Home Occupation Permit from the City prior to engaging the activity. Review by the Planning Commission and City Council is not required. Application forms as prescribed by the Administrator shall be accompanied by the following information:

- a) A photograph of the residence;
- b) A floor plan indicating the floor area to be used by the home occupation along with a tabulation of the total floor area and the floor area to be used for the home occupation;
- c) A statement describing the home occupation and the compliance with the required conditions; and,
- d) A copy of the state or county license or permit if such a license or permit is required by the state or county for the proposed home occupation.

C. Class II Conditional Accessory Home Occupations.

1. Home occupations may be allowed by Conditional Use Permit as regulated in Section 1355.04 Subd 3 if they meet the conditions stipulated above for all Home Occupations and the following conditions:

- a) The primary business activity shall be conducted by an occupant of the residence;
- b) One person not residing in the residence may be employed to assist in the business activity;
- c) It does not occupy more than thirty-three (33) percent of the floor area of the dwelling;
- d) It has a limited number of patrons visiting the premises;
- e) Off-street parking for no more than two (2) additional vehicles other than those required by the occupants shall be permitted. On-street parking shall not be used to satisfy required parking; and,
- f) It requires delivery of products to the premises no more than once per day.

2. Applicants for Class II Conditional Accessory Home Occupations shall follow the procedures prescribed in the Conditional Use Permit section of Appendix A, Procedure Manual. The application shall be accompanied by the information required for Class I Home Occupations in Section 1325.02 above and a site plan showing any additional parking or other modifications to the site required to accommodate the home occupation. A copy of any required State or County license or permit as discussed in Class I Home Occupations shall be submitted prior to the issuance of a Conditional Use Permit, however, evidence that the proposed Home Occupation meets all the requirements for State or County licenses or permits shall be submitted with the Conditional Use Permit application.

3. In reviewing applications for Class II Conditional Accessory Use Permits for Home Occupations the City shall consider criteria which affect the appropriateness of a particular use in the location proposed, as discussed in Section 1355.04 Subd 3 and Appendix A, Procedural Manual.

#### Subd. 4 Accessory Outdoor Display and Sales.

A. Outdoor display and sales shall only be permitted as an accessory use on a property where the principal use is either Retail Sales and Services or Service Station.

B. Outdoor display and sales shall only be permitted in the following Zoning Districts: B-2, B-3, B-4, NB, and GB.

C. An Administrative Permit shall be required from the Community Development Department to allow outdoor display and sales of goods. The Community Development Department shall review a site plan and specifics of the proposed outdoor display and sales area and may issue the permit, subject to, but not limited to, the following requirements:

1. The total display and sales area shall be determined based on the following formula:
  - a. For properties with a principal building of 15,000 square feet or less in size, the permitted display and sales area shall be a maximum of 300 square feet.
  - b. For properties with a principal building greater than 15,000 square feet in size, the permitted display and sales area shall be two percent of the base area of the principal building, but not to exceed 1,000 square feet.
2. Merchandise shall be stacked and/or arranged neatly on a hard surface and may be up to six feet in height.
3. The display and sales area shall be located adjacent to the principal building and on the side of the principal building with the main entrance. No merchandise shall be permitted to be displayed on Service Station islands.
4. The display and sales area shall not obstruct pedestrian access on the site, whether from parking areas to the building entrance or from the public street to the building entrance.
5. The display and sales area shall not occupy or obstruct on-site parking spaces.

6. The type of merchandise displayed shall be limited to items which require an outdoor location, such as plants or fuel, and any items which because of large volume or weight are housed outdoors, such as vending machines, salt, or landscaping materials.

7. Outdoor display and sales areas shall be screened when located within 200 feet of a residentially zoned property. (**added 3/28/16**)