

## **SECTION 8.          COMMERCIAL (C) & INDUSTRIAL (I)**

*(AS AMENDED 19 APRIL 2022)*

### **8.1    COMMERCIAL (C)**

#### **8.1.1    Purpose:**

The purpose of this district is to provide a location for commercial uses along a federal, state, county or local road or in locations consistent with those indicated in the Pope County Comprehensive Land Use Plan which may be incompatible with other land uses elsewhere in the county.

All uses are subject to the submittal of a site Stormwater Management Plan, see section 8.3.4. and 10.24 for required performance standards.

#### **8.1.2    Permitted Uses:**

##### **A.    Commercial, Group I-Retail and Service Establishments:**

1.    Agricultural related equipment sales and service.
2.    Automotive sales and sales lots.
3.    Auction Facilities, vehicle and equipment.
4.    Building materials sales.
5.    Equipment rental, sales and service.
6.    Convenience stores.
7.    Florist shops, plant nurseries and garden supplies sales.
8.    Manufactured homes and travel trailer sales.
9.    Motor or appliance repair shops and showrooms.
10.   Seed, fertilizer, feed and petroleum products sales.
11.   Retail sales.
12.   Wholesale businesses with no outdoor storage.
13.   Any similar commercial use not specifically stated, implied or regulated elsewhere in this section, deemed by the Planning Advisory Commission to be of the same general character, as those permitted uses listed in this section.

##### **B.    Commercial, Group II-Professional Facilities and Services:**

1.    Athletic clubs, fitness centers, martial arts studios.
2.    Contractor's offices, shop and showroom.
3.    Daycare, commercial.
4.    Hotels, motels, motor lodges and resorts.
5.    Mini or seasonal storage facility, subject to performance standards in Section 10.6.
6.    Office buildings.
7.    Veterinary clinics or offices with no outside kennels.

8. Any similar commercial use not specifically stated, implied or regulated elsewhere in this section, deemed by the Planning Advisory Commission to be of the same general character, as those permitted uses listed in this section.
- C. **Commercial, Group III-Recreational Facilities:**
1. Indoor- Ballrooms, Billiard halls, Ice/Roller Skating facilities, etc.
  2. Outdoor-Miniature golf courses, driving ranges, go-cart tracks, water slides, etc.
  3. Any similar commercial use not specifically stated, implied or regulated elsewhere in this section, deemed by the Planning Advisory Commission to be of the same general character, as those permitted uses listed in this section.
- D. **Commercial, Group IV-Other Uses:**
1. Agriculture, including farm dwellings and agricultural structures, but not including agricultural or commercial feedlots.
  2. Essential services, subject to performance standards in Section 10.7.
  3. Hobbyist Wind Energy Conversion Systems, subject to performance standards in Section 10.12.
  4. Signage structures, subject to performance standards in Section 8.3.7.
  5. Any similar commercial use not specifically stated, implied or regulated elsewhere in this section, deemed by the Planning Advisory Commission to be of the same general character, as those permitted uses listed in this section.
- E. Expansion, alteration or replacement of existing residential dwellings.

### **8.1.3 Conditional Uses:**

- A. Restaurants, Bars, lounges, clubs, lodges, and dance halls (public or private).
- B. Car washes (when separate from Auto Service).
- C. Gas stations, vehicle service garages and facilities.
- D. Kennels.
- E. New residential dwellings.
- F. Recycling Center in accordance with the Pope County Solid Waste Disposal Ordinance No. 4.
- G. Shopping and entertainment malls.
- H. Towers, subject to performance standards in Section 10.5.
- I. Any similar commercial use not specifically stated, implied or regulated elsewhere in this section, deemed by the Planning Advisory Commission to be of the same general character, as those permitted and conditional uses listed in this section.

**8.1.4 Interim Uses:**

- A. Contractor's storage yards (not to be confused with scrap/dismantling yards).
- B. Mining and extraction, subject to performance standards in Section 10.2.
- C. Solar Energy Systems: Solar Garden or Farm, subject to performance standards in Section 10.12.
- D. Wind Energy Conversion Systems, subject to performance standards in Section 10.12.
- E. Any similar commercial use not specifically stated, implied or regulated elsewhere in this section, deemed by the Planning Advisory Commission to be of the same general character, as those permitted uses listed in this section.

## **8.2 INDUSTRIAL (I)**

### **8.2.1 Purpose:**

The purpose of this district is to provide a location for commercial/industrial uses along a federal, state, county or local road or in locations consistent with those indicated in the Pope County Comprehensive Land Use Plan which may be incompatible with other land uses elsewhere in the county.

All uses are subject to the submittal of a site Stormwater Management Plan, see section 8.3.4. and 10.24 for required performance standards.

### **8.2.2 Permitted Uses:**

#### **A. Industrial, Group I-Retail and Service Establishments:**

1. Agricultural related equipment sales and service.
2. Automotive sales and sales lots.
3. Auction Facilities, vehicle and equipment.
4. Building materials sales.
5. Equipment rental, sales and service.
6. Convenience stores.
7. Florist shops, plant nurseries and garden supplies sales.
8. Manufactured homes and travel trailer sales.
9. Motor or appliance repair shops and showrooms.
10. Seed, fertilizer, feed and petroleum products sales.
11. Retail sales.
12. Wholesale businesses with no outdoor storage.
13. Any similar industrial use not specifically stated, implied or regulated elsewhere in this section, deemed by the Planning Advisory Commission to be of the same general character, as those permitted uses listed in this section.

#### **B. Industrial, Group II-Professional Facilities and Services:**

1. Athletic clubs, fitness centers, martial arts studios.
2. Contractor's offices, shop, showroom and storage yards less than 50,000 square feet per storage yard.
3. Daycare, commercial.
4. Hotels, motels, motor lodges and resorts.
5. Office.
6. Veterinary clinics or offices with no outside kennels.
7. Any similar industrial use not specifically stated, implied or regulated elsewhere in this section, deemed by the Planning Advisory Commission to be of the same general character, as those permitted uses listed in this section.

**C. Industrial, Group III-Manufacturing, Processing and Storage Facilities:**

1. Manufacturing/Processing-light.
2. Mini or seasonal storage facility, subject to performance standards in Section 10.6.
3. Warehouse.
4. Feed storage/Grain elevators.
5. Transportation or freight terminal.
6. Any similar industrial use not specifically stated, implied or regulated elsewhere in this section, deemed by the Planning Advisory Commission to be of the same general character, as those permitted uses listed in this section.

**D. Industrial, Group IV-Other:**

1. Accessory Solar Energy Systems: Industrial facility/on-site use, subject to performance standards in Section 10.12. *(AS AMENDED 7 July 2020)*
2. Agriculture, including farm dwellings and agricultural structures, but not including agricultural or commercial feedlots.
3. Antennae when mounted on a rooftop or along a building or other structure.
4. Experimental Wind Energy Conversion Systems, subject to performance standards in Section 10.12.
5. Signage structures, subject to performance standards in Section 10.XX.
6. Essential services, subject to performance standards in Section 10.7.
7. Recycling Center in accordance with the Pope County Solid Waste Disposal Ordinance No. 4.
8. Any similar industrial use not specifically stated, implied or regulated elsewhere in this section, deemed by the Planning Advisory Commission to be of the same general character, as those permitted uses listed in this section.

**8.2.3 Conditional Uses:**

- A. Agricultural products processing.
- B. Alcohol fuel plants.
- C. Animal hospitals.
- D. Bulk liquid storage.
- E. Car washes (when separate from Auto Service).
- F. Contractor's offices and storage yards greater than 50,000 square feet per storage yard.
- G. Kennels.
- H. Manufacturing/Processing:
  1. Heavy.
  2. Intensive.
- I. Motor vehicle salvage facilities, subject to performance standards in Section 10.14.

- J. Pawn broker.
- K. Restaurants, cafes, bars and taverns.
- L. Sewage treatment plants.
- M. Single-family housing.
- N. Solid waste management facilities in accordance with the Pope County Solid Waste Disposal Ordinance No. 4.
- O. Towers, subject to performance standards in Section 10.5.
- P. Transfer station.
- Q. Truck stops, gas stations, vehicle service garages and facilities.
- R. Any similar industrial use not specifically stated, implied or regulated elsewhere in this section, deemed by the Planning Advisory Commission to be of the same general character, as those permitted uses listed in this section, provided they are not incompatible with existing adjacent uses.

#### **8.2.4 Interim Uses:**

- A. Asphalt and concrete mixing plants, portable.
- B. Dwelling units for security persons and their families located on the premises where they are employed.
- C. Mining and extraction, subject to performance standards in Section 10.2.
- D. Solar Energy Systems: Solar Garden or Farm, subject to performance standards in Section 10.12.
- E. Wind Energy Conversion Systems, subject to performance standards in Section 10.12.
- F. Any similar industrial use not specifically stated, implied or regulated elsewhere in this section, deemed by the Planning Advisory Commission to be of the same general character, as those permitted uses listed in this section, provided they are not incompatible with existing adjacent uses.

## 8.3 PERFORMANCE STANDARDS

### 8.3.1 Setbacks:

- A. **Side and Rear Yard Setback:**
  - 1. Abutting residential district: 80 Feet
  - 2. Abutting non-residential district: 20 Feet
- B. **Unplatted cemetery:** 50 Feet
- C. **From centerline of public roadways classified as Arterials, Major and Minor Collectors:** 125 Feet
- D. **From centerline of town roads, public streets, and all other legal roads or streets not classified as an arterial or collector:** 100 Feet
- E. No parking or loading space shall be located within ten (10) feet of any property line that abuts a highway right-of-way line, or any residential, special protection, or agriculture district except railroad loading areas.

### 8.3.2 Minimum Lot Area and Width:

- Area = Two (2) acres when utilizing an on-site sewage treatment system; or  
One (1) acre if connected to a public sewer system.
- Width = 200 feet
- Depth = 330 feet

### 8.3.3 Lots of Record:

- A. Lots located in an area zoned commercial or industrial which were of record in the County Recorder's office prior to the date on which an area was zoned commercial or industrial and which do not meet the requirements of this section may be allowed as building sites provided:
  - 1. Such use is permitted in the zoning district;
  - 2. The lot was in separate ownership from abutting lots or lands prior to the date on which the area was zoned commercial or industrial; and
  - 3. All sanitary, dimensional, and setback requirements of this ordinance are complied with.

### 8.3.4 Stormwater Management for Commercial or Industrial Zoned Areas

Activities in commercial or industrial areas shall conform to the Stormwater Management standards in Section 10.24 as well as the following additional standards:

- A. A stormwater management plan must be submitted for all uses in both Commercial and Industrial Districts.
- B. Industrial stormwater should be managed in compliance with the Minnesota Pollution Control Agency *Industrial Stormwater, Best Management Practices Guidebook (current version)*.

- C. A facility Stormwater Pollution Prevention Plan (SWPPP) must be implemented and maintained where required by the Pope County Board of Commissioners.

### **8.3.5 Screening Requirements**

- A. Any industrial development that abuts any existing residential development or abuts any parcel planned or zoned for housing development shall be screened from view from the housing site using a combination of fencing, plantings and/or berming to the satisfaction of the Planning Advisory Commission.
- B. If an industrial development occurs prior to an adjacent residential development, it shall be the responsibility of the residential development to provide screening using a combination of fencing, plantings and/or berming to the satisfaction of the Planning Advisory Commission.
- C. Any outdoor storage or display of goods, materials, or damaged vehicles awaiting body repair shall be screened from view from any non-industrial zones (except farm fields) to the satisfaction of the Planning Advisory Commission using a combination of fencing, coniferous and deciduous plantings and/or berming.

### **8.3.6 Signs**

- A. Advertising devices must be located outside of the road right-of-way, and be 300 feet from the intersection of any primary highway at grade with another highway, or with a railroad; provided that advertising may be affixed to or located adjacent to a building at such intersection in such a manner as not to cause any greater obstruction of vision than that caused by the building itself.
- B. A sign face, whether a single sign face or each face of two back-to-back or V-type signs, shall not exceed five hundred (500) square feet including border and trim, but excluding base and apron supports and other structural members, except as provided under this ordinance. The maximum size limitation stated in this subdivision shall apply to each side of a sign structure and signs may be placed back-to-back, side by side, or in a V-type construction, but not more than two displays to each facing and such sign structure shall be considered as one sign.
- C. Advertising devices shall not be erected or maintained which are not effectively shielded so as to prevent beams or rays of light from being directed at any portion of the traveled way of a primary highway, of such intensity or brilliance as to cause glare or impair the vision of the operator of any motor vehicle; or which otherwise interfere with any driver's operation of a motor vehicle are prohibited.
- D. No sign shall extend in height above the parapet wall of any principal building, except that one (1) free standing sign shall be allowed not exceeding thirty (30) feet in height above the average grade.
- E. No sign shall be mounted on a structure on or above the roof line.
- F. One temporary sign not to exceed one hundred thirty (130) square feet with no more than two (2) surfaces, may be displayed on a parcel during the time that the parcel is for sale, available for lease, or under construction.