

TO: Cannon Falls City Council
FROM: Neil Jensen, City Administrator
SUBJECT: Consideration of an Ordinance of the City of Cannon Falls, Minnesota amending City Code 152 relating to Conditional Uses in the B-2 Highway Business District

BACKGROUND

A Planning Commission Public Hearing was held on Monday, November 8, 2021 for Consideration of an Ordinance of the City of Cannon Falls, Minnesota Amending City Code 152 relating to Conditional Uses in the B-2 Highway Business District.

The following exhibits are enclosed to further describe the proposal:

1. An ordinance of the City of Cannon Falls, Minnesota amending City Code 152 relating to Conditional Uses in the B-2 Highway Business District
2. Zoning Map indicating the B-2 Highway Business District

Review of preliminary draft of Ordinance amending City Code Chapter 152 relating to Conditional Uses in the B-2 Highway Business District.

A request has been made to amend the B-2 Highway Business District Code to include Truck Terminals and Outdoor Automobile Sales. This is due to more than one potential business contacting the City interested in opening a new business in the south corridor, (B-2 Highway Business District). Many neighboring cities currently have both truck terminals as well as outdoor automobile sales along their highway corridors.

REQUESTED COUNCIL ACTION

Staff respectfully requests the approval of the Introduction and First Reading of Ordinance 381, an Ordinance of the City of Cannon Falls, Minnesota Amending City Code 152 Relating to Conditional Uses in the B-2 Highway Business District.

**CITY OF CANNON FALLS
GOODHUE COUNTY, MINNESOTA**

ORDINANCE NUMBER 381

**AN ORDINANCE OF THE CITY OF CANNON FALLS, MINNESOTA AMENDING
CITY CODE CHAPTER 152 RELATING TO CONDITIONAL USES IN THE B-2
HIGHWAY BUSINESS DISTRICT**

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF CANNON FALLS HEREBY ORDAINS AS FOLLOWS:

Section 1. City Code Section 152.648 is amended by inserting a new provision (W) to read as follows:

(W) Truck terminals provided that:

- (1) Vehicular access points shall be located along arterial streets and shall be limited and designed and constructed to create a minimum of conflict with through traffic movement and shall be subject to approval of the City Engineer;
- (2) A drainage system subject to the approval of the City Engineer shall be installed;
- (3) Storage areas are landscaped, fenced and screened from view of neighboring uses, abutting residential zoning districts and public rights-of-way in compliance with § 152.278 of this chapter;
- (4) At the boundaries of the lot, the following landscape area shall be required:
 - (a) From side and rear property lines, an area of not less than ten feet wide shall be landscaped in compliance with § 152.278 of this chapter;
 - (b) From all road rights-of-way, an area of not less than 15 feet wide shall be landscaped in compliance with § 152.278 of this chapter;
 - (c) Where lots abut residential zoned property, a buffer yard of not less than 20 feet wide shall be landscaped and screened in accordance with § 152.278 of this chapter; and
 - (d) The property owner shall be responsible for maintenance of all landscaping, including within the boulevard.
- (5) Traffic sight visibility shall be maintained in compliance with § 152.186 of this chapter;
- (6) Provisions are made to control and minimize noise, air and water pollution;
- (7) Crude oil, gasoline or other liquid storage tanks as an accessory use (not for providing service to the general public) provided that:
 - (a) all applicable State Pollution Control Agency requirements are satisfactorily met;
 - (b) All crude oil, gasoline or other liquid storage tanks shall be located in the rear yard not less than 25 feet from any property boundary lines and set

back 150 feet from any adjoining residential zoning district. No tanks shall be permitted in the front yard or side yard abutting public rights-of-way;

- (c) Storage tanks shall be surrounded by 25 feet of open area. Approved parking must be setback ten feet from any storage tank;
- (d) Storage tanks shall be set back from existing structures, as outlined in the Fire Code, based on tank size;
- (e) Storage tanks shall not interfere with site circulation, including, but not limited to, parking, driveway, curb cuts and loading area;
- (f) A wire weave/chain link security fence shall be required around all storage tanks. The location of the fence shall be as per the Uniform Fire Code;
- (g) Storage sites shall be accessible by service and emergency vehicles;
- (h) All filling valves of the storage tanks shall be enclosed and have locking devices;
- (i) A warning sign shall be required for every tank and shall be placed in a conspicuous location, directly on the tank indicating a supplier's name, address, phone number, that highly flammable and dangerous material is stored therein and that no smoking requirements shall be observed or a sufficient warning to that effect. The signage may not exceed four square feet nor may it be used for advertising purposes;

(8) All storage and parking areas are blacktopped or concrete surfaced unless specifically approved by the City Council;

(9) All lighting shall be in compliance with § 152.187 of this chapter or other lighting standards in place at the time of project approval. A comprehensive lighting plan shall be submitted as part of the conditional use permit application. Maximum site illumination shall not exceed four-tenths foot candle at ground level when measured at any boundary line with an adjoining residential property or any public property;

and

(10) All conditions pertaining to a specific site are subject to change when the Council, upon investigation in relation to a formal request, finds that the general welfare or public betterment can be served as well or better by modifying the conditions.

Section 2. City Code Section 152.648 is amended by inserting a new provision (X) to read as follows:

(X) Automobile sales; outdoor; provided that:

(1) Vehicular access points shall be located along arterial streets and shall be limited and designed and constructed to create a minimum of conflict with through traffic movement and shall be subject to approval of the City Engineer;

(2) A drainage system subject to the approval of the City Engineer shall be installed;

(3) Storage areas are landscaped, fenced and screened from view of neighboring uses, abutting residential zoning districts and public rights-of-way in compliance with § 152.278 of this chapter;

- (4) Traffic sight visibility shall be maintained in compliance with § 152.186 of this chapter;
- (5) Provisions are made to control and minimize noise, air and water pollution;
- (6) All storage and parking areas are blacktopped or concrete surfaced unless specifically approved by the City Council;
- (7) Parking or automobile storage space shall be screened from view of abutting residential districts in compliance with §§ 152.275 through 152.281 of this chapter;
- (8) At the boundaries of the lot, the following landscape area shall be required:
 - (a) From side and rear property lines, an area of not less than ten feet wide shall be landscaped in compliance with § 152.278 of this chapter;
 - (b) From all road rights-of-way, an area of not less than 15 feet wide shall be landscaped in compliance with § 152.278 of this chapter;
 - (c) Where lots abut residential zoned property, a buffer yard of not less than 20 feet wide shall be landscaped and screened in accordance with § 152.278 of this chapter; and
 - (d) The property owner shall be responsible for maintenance of all landscaping, including within the boulevard.
- (9) All lighting shall be in compliance with § 152.187 of this chapter or other lighting standards in place at the time of project approval. A comprehensive lighting plan shall be submitted as part of the conditional use permit application. Maximum site illumination shall not exceed four-tenths foot candle at ground level when measured at any boundary line with an adjoining residential property or any public property;
 - and
 - (10) All conditions pertaining to a specific site are subject to change when the Council, upon investigation in relation to a formal request, finds that the general welfare or public betterment can be served as well or better by modifying the conditions.

Section 3. This ordinance shall become effective upon its passage and publication.

PASSED AND ADOPTED by the City Council of the City of Cannon Falls, Minnesota, this _____ day of _____, 2021.

John O. Althoff, Mayor

ATTEST:

Neil L. Jensen, City Administrator