

ORDINANCE 23-

Introduced by Councilor

**AN ORDINANCE AMENDING CHAPTER 50, ARTICLE VI – SEC. 50.0934 - PERFORMANCE,
LOCATIONAL AND SITE DEVELOPMENT STANDARDS**

THE CITY COUNCIL OF ALBERT LEA, MINNESOTA ORDAINS:

SECTION 1. Chapter 50, Article VI, Locational and Site Development Standards of the Code of Ordinance of the City of Albert Lea, Minnesota is hereby amended to read as follows:

Sec. 50.0934. Locational and site development standards.

- (a) The installation and location of above ground storage tanks containing hazardous combustible materials, including, but not limited to, flammable liquids or gases shall be in accordance with the state Fire Code and shall meet the following standards:
 - (1) Above ground storage tanks in business districts including B-1, B-2, B-3, B-4 and IDD shall not exceed four-thousand (4,000) gallons in size and shall be screened from public view with like building materials.
 - (2) Above ground storage tanks in industrial districts including I-1, I-2, and I-3 shall not exceed twenty-five thousand (25,000) gallons in size. No screening shall be required.
 - (3) Above ground storage tanks in residential districts including R-1, R-2, R-3, R-O as well as the DCD district are prohibited.
- (b) Sales areas and storage areas for automobiles, farm implement sales and services, manufactured homes and modular buildings, nurseries and garden centers, trailer lots, recreational vehicle sales, marine sales centers and other uses such as repair garages, body and fender shops, paint shops, bus and truck storage yards and terminals, contractors' yards, drive-in banks and restaurants shall be a minimum distance of fifty (50) feet from any residential district, and they shall be screened by a solid wall, fence or vegetative screening of at least ninety (90) percent opacity and not less than six (6) feet in height where such use adjoins in the rear or the side lot line or alley line of any residential district, public park, school or church.
- (c) Animal hospitals, veterinary clinics, kennels for display, boarding or treatment of pets and other domestic animals, including all structures, pens and exercise yards, shall be located at least one hundred (100) feet from any residential district, and such pens and exercise yards shall be enclosed on four (4) sides by a site-obscuring, unpierced fence or wall not less than six (6) feet in height.
- (d) All materials, supplies, merchandise, or other similar matter not on display for direct sales, rental or lease to the ultimate consumer or user shall be stored within a completely enclosed building or within the confines of a one hundred (100) percent opaque wall or fence not less than six (6) feet in height.
- (e) All raw materials, supplies, finished or semi-finished products and equipment shall be stored within a completely enclosed building or within the confines of a one hundred (100) percent opaque wall or fence not less than six (6) feet in height.
- (f) Merchandise which is offered for sale other than the sales and services listed in subsection (b) of this section may be displayed beyond the confines of a building in the B-2 community business district, B-

3 central business district, DCD Diversified Central District, I-1 limited industrial district, I-2 industrial district, and I-3 diversified industrial district, but the area occupied by such outdoor display shall not constitute a greater number of square feet than five (5) percent of the gross main floor area of the principal use. No sales or display shall take place upon the public right-of-way, except that in the B-3 central business district and the DCD Diversified Central District. The city council may grant permission for sidewalk sales. The B-3 and DCD zones may display merchandise within the public right-of-way an amount not to exceed five (5) percent of the main gross floor area of the principal use. The city council may grant permission for sidewalk sales that exceed this limit. In all districts a 3-foot discernable walkway shall be required.

- (g) All open areas of any site, lot, tract, or parcel shall be graded to provide proper drainage. All areas used for parking, drives, storage, display, or outdoor sales shall be surfaced according to the standards in section 50.0894. All other areas shall be landscaped with trees, shrubs, grass, or planted ground cover. All surfaced areas, landscaping and building exteriors shall be maintained in an attractive and non-deteriorating condition.
- (h) Exterior site lighting. All sites may be lighted to provide safety, utility, security, productivity, and enjoyment of a property after dark. Any such lighting shall minimize adverse offsite impacts, such as light trespass, obtrusive glare, and effects of light pollution. All lights shall be directed toward the site and away from the public right-of-way, adjacent properties, and residential districts with fully shielded cut off luminaires with the following exceptions:
 - (1) String lights having individual lamps (bulbs) that are no more than eleven (11) watts and one hundred sixty-five (165) lumens. Total lumens from string lights on any site shall not exceed eight thousand two hundred fifty (8,250) lumens.
 - (2) Low voltage landscape or architectural lighting powered at less than fifteen (15) volts and limited to luminaires having a rated initial luminaire lumen output of five hundred twenty-five (525) lumens or less which do not allow light trespass past the boundaries of the property on which it is located.
 - (3) The following exemptions also apply to the standards:
 - a. Lighting specified, required, identified, or allowed in a specific use permit (CUP or IUP) for the site.
 - b. Lighting required by other sections of this Code or state or federal laws, if different from those specified here, shall take precedence.
 - c. Code required lighting for steps, stairs, walkways, and building entrances.
 - d. Motion activated lighting.
 - e. Businesses that operate on a twenty-four (24) hour basis.
 - f. Repairs to existing luminaires not exceeding twenty-five (25) percent of total installed luminaires.
 - g. Temporary lighting for theatrical, television, performance areas and construction sites.
 - h. Lighting that is only used under emergency conditions.
 - i. Underwater lighting in swimming pools and other water features.
 - j. Temporary lighting and seasonal lighting provided that individual lamps are less than four (4) watts and sixty (60) lumens.

That the motion for the adoption of the foregoing resolution was duly seconded by Councilor , and upon a vote being taken thereon, the following voted in favor thereof: Councilors Christensen, Baker, Howland, S. Rasmussen, R. Rasmussen, Anderson, and Mayor Murray;

And the following voted against the same: None. Mayor Murray declared the resolution passed.

Introduced and passed the first time this 8th day of May, 2023

Mayor Rich Murray

Filed and attested this 9th day of May, 2023.

Secretary of the Council