

## MEMORANDUM

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*To:* City Planning Commission, Committee of the Whole  
*Prepared By:* Mei-Ling Smith, Senior City Planner, (612) 673-5342  
*Date:* May 16, 2019  
*Subject:* Text amendment: drive-through facilities

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### Background

An ordinance was introduced on February 9, 2018, to amend regulations for drive-through facilities. The following zoning code chapters were introduced:

- Chapter 520 relating to Introductory Provisions
- Chapter 521 relating to Zoning Districts and Maps Generally
- Chapter 530 relating to Site Plan Review
- Chapter 531 relating to Nonconforming Uses and Structures
- Chapter 541 relating to Off-Street Parking
- Chapter 543 relating to On-Premise Signs
- Chapter 548 relating to Commercial Districts
- Chapter 549 relating to Downtown Districts
- Chapter 550 relating to Industrial Districts
- Chapter 551 relating to Overlay Districts

Drive-through facilities are currently permitted in the following zoning districts:

- C2, Neighborhood Corridor Commercial district
- C3S, Community Shopping Center district
- C4, General Commercial district
- B4C, Downtown Commercial district
- I1, Light Industrial district
- I2, Medium Industrial district

Where the PO, Pedestrian Oriented Overlay District or WB, West Broadway Overlay District are present, drive-through facilities are not allowed. In terms of design standards, the only performance standards currently in the zoning code that are specific to drive-through facilities relate to stacking spaces and minimum lot area. There are also specific provisions within the West Broadway Overlay District that allow for drive-throughs where accessory to financial institutions and drug stores, provided the building is at least two stories and the drive-through is not visible from West Broadway. Additionally, fast food restaurants in new buildings are only permitted where the property is part of an area of at least six 660 feet of continuous industrial, C2, C3S or C4 zoning fronting along the same side of the street as the fast food restaurant, without interruption by a residence, office residence, C1, C3A or Pedestrian Oriented Overlay District.

The City Planning Commission Committee of the Whole reviewed four options for amending regulations at their meeting of March 23, 2017, including the option to ban all new drive-through facilities citywide. No draft text was reviewed at that time.

While a prohibition on new drive-through facilities can be supported using existing comprehensive plan policies, pending policies provide an even more explicit basis for adopting such a regulation. In 2018, a draft version of the *Minneapolis 2040* comprehensive plan was passed by the Minneapolis City Council, which includes policy language that calls for prohibiting the establishment of new drive-throughs and gas stations. The comprehensive plan is expected to be adopted later in 2019.

The attached draft ordinance would expand the prohibition of new drive-through facilities to all zoning districts citywide and add clarity to the existing definition of “drive-through facilities.”

## Recent Projects

A text amendment that specifically addresses drive-through regulations is timely given the number of proposals for new drive-through facilities that have been considered by the City Planning Commission in the last few years and the undesirable impacts these uses have. Said impacts include noise, extended idling, proliferation of curb cuts, conflicts with pedestrians and traffic generation. Recent projects that have included new drive-through facilities are as follows:

- 333 E Hennepin Avenue - US Bank (September 2015) - BZZ-7358
- 1505 W Lake Street - Wells Fargo (November 2015) - BZZ-7463
- 2650 Hennepin Avenue - Walgreens (March 2016) - BZZ-6383
- 3200 W Lake Street - Drugstore (June 2016) - BZZ-7716
- 608 Central Avenue NE - White Castle (August 2016) - BZZ-7791
- 4700 Cedar Avenue - Starbucks (February 2017) - BZZ-7986
- 4155 Hiawatha Ave NE – Starbucks/Dominos (June 2018) - PLAN6592

Of the projects noted above, only the Walgreens drive-through at 2650 Hennepin Avenue has become non-conforming due to the extension of the Pedestrian Oriented Overlay district. The drive-through at 1505 W Lake Street was non-conforming at the time it came before the Planning Commission but was able to be modified through an expansion/alteration of a legal nonconforming use.

**AN ORDINANCE  
of the  
CITY OF  
MINNEAPOLIS**

**By Bender**

**Amending Title 20 of the Minneapolis Code of Ordinances relating to Zoning Code.**

The City Council of the City of Minneapolis do ordain as follows:

Section 1. That the definition for “drive-through facility” contained in Section 520.160 of Chapter 520, Introductory Provisions, be amended to read as follows:

**520.160. Definitions.** Unless otherwise expressly stated, or unless the context clearly indicates a different meaning, the words and phrases in the following list of definitions shall, for the purposes of this zoning ordinance, have the meanings indicated. Additional definitions may be found within specific chapters of this zoning ordinance. All words and phrases not defined shall have their common meaning.

*Drive-through facility.* A facility which accommodates automobiles and from which the occupants of the automobiles may make purchases or transact business, including the stacking spaces in which automobiles. Examples include but are not limited to drive-up windows, menu boards, order boards or boxes, drive-in restaurants and and drive-up banks and automated teller machines. Drive-through facilities shall not include the direct refueling of motor vehicles, ~~or a car washes,~~ parking spaces used for customer pick-up or loading of goods or products purchased on-site or prior to the customer’s arrival, or parking and loading spaces used for the donation of secondhand goods.

Section 2. That Section 530.30 of Chapter 530, Site Plan Review, be amended to read as follows:

**530.30. - Buildings and uses subject to site plan review.**

(a) *In general.* Table 530-1, Buildings and Uses Subject to Site Plan Review, lists all buildings and uses subject to site plan review. The site plan review requirements of this chapter shall apply to the establishment or expansion of any building, principal use or freestanding accessory parking garage listed on the table, except as otherwise provided by this section. Site plan review shall not be required where the property has received site plan approval and is in full compliance with such approval, and the establishment or expansion of the use does not alter the approved site plan. Any person with a legal or equitable interest in a property may choose to voluntarily file an application for site plan review for any building or use not listed in Table 530-1, Buildings and Uses Subject to Site Plan Review. Voluntary applications shall be subject to administrative site plan review.

(b) *Downtown districts.* Any building containing fifty thousand (50,000) square feet or more of gross floor area located in the Downtown districts shall be exempt from the general landscaping and screening requirements. The parking and loading landscaping and screening requirements shall apply.

**Table 530-1 Buildings and Uses Subject to Site Plan Review**

<p>Any new principal non-residential or mixed use building.</p> <p>The site plan review application may be reviewed administratively if both of the following apply:</p> <ol style="list-style-type: none"><li>(1) The project or proposal does not include any other land use application requiring a public hearing.</li><li>(2) The building contains less than twenty thousand (20,000) square feet of gross floor area. <sup>1</sup></li></ol>
<p>Any addition to a non-residential or mixed use building that would increase its gross floor area by two thousand five hundred (2,500) square feet or more.</p> <p>The site plan review application may be reviewed administratively if each of the following apply:</p> <ol style="list-style-type: none"><li>(1) The project or proposal does not include any other land use application requiring a public hearing.</li><li>(2) The building addition contains less than twenty thousand (20,000) square feet of gross floor area.</li></ol>
<p>Any building or use containing five (5) or more new or additional dwelling units or rooming units. <sup>2</sup></p> <p>The site plan review application may be reviewed administratively if both of the following apply:</p> <ol style="list-style-type: none"><li>(1) The project or proposal does not include any other land use application requiring a public hearing.</li><li>(2) The proposal includes fewer than ten (10) new or additional dwelling units or rooming units.</li></ol>
<p>Any use <u>that includes the intensification, expansion or reconstruction with of a legal nonconforming drive-through facility</u></p>
<p>Automobile services uses</p>
<p>Freestanding accessory parking garages containing thirty (30) or more new or additional parking spaces <sup>3</sup></p>
<p>Principal parking facilities containing ten (10) or more new or additional parking spaces <sup>4</sup></p>
<p>Public services and utilities uses</p>
<p>Recycling facility</p>
<p>Single and two-family dwellings and multiple-family dwellings having three (3) or four (4) dwelling units</p> <p>The site plan review application shall be reviewed administratively and shall be subject to the standards of Article VI, Single and two-family dwellings and multiple-family dwellings having three (3) or four (4) dwelling units.</p>

Transportation uses

Section 3. That Section 541.390 of Chapter 541, Off-Street Parking and Loading, be amended to read as follows:

**541.390. - Stacking spaces.**

(a) *Number required for drive-through facilities.* In addition to the parking required for such use, an establishment with a legal nonconforming drive-through facility shall provide a minimum number of stacking spaces for each drive-through station as specified in Table 541-7, Minimum Stacking Spaces.

**Table 541-7 Minimum Stacking Spaces**

<b>Use</b>	<b>Minimum spaces</b>	<b>Measured from</b>
Bank teller lane	4	Teller or window
Automated teller machine	3	Teller
Restaurant drive-through	4	Pick-up window
Car wash	2 per 20 ft. of washing line or area for principal use car wash; 1 per 20 ft. of washing line or area for accessory use car wash	Entrance
Drug store	3	Pick-up window
Other	As determined by the zoning administrator	

- (b) *Dimensions.* Each lane of stacking spaces shall be a minimum of eight (8) feet in width and shall be delineated with pavement markings. Each stacking space shall be a minimum of eighteen (18) feet in length, however, individual spaces within the lane shall not be delineated with pavement markings.
- (c) *No conflict of use.* Stacking lanes shall not be located within required driveways, internal circulation driveways, loading areas, or parking aisles, and shall not interfere with access to parking and ingress and egress from a public street.
- (d) *Pedestrian access to facility.* The principal pedestrian access to the entrance of the facility from a public street or sidewalk shall not cross the drive-through facility stacking lane.

Section 4. That Section 548.120 of Chapter 548, Commercial Districts, be amended to read as follows:

**548.120. - Lot dimension and building bulk requirements.**

(a) *Maximum floor area ratio.* The maximum floor area ratio of all structures located in the commercial districts shall be as set forth within each commercial district. The maximum floor area ratio (F.A.R.) may not be attainable without obtaining conditional use permit approval for increasing maximum height.

(b) *Minimum lot dimension requirements.* Lot dimension requirements for all uses located in the commercial districts, except residential uses, shall be as specified in Table 548-2, Lot Dimension Requirements in the Commercial Districts. Lot dimension requirements for residential uses shall be as set forth in each commercial district.

**Table 548-2 Lot Dimension Requirements in the Commercial Districts**

Use	Minimum Lot Area (Square Feet)	Minimum Lot Width (Feet)
<b>COMMERCIAL USES</b>		
<b>Retail Sales and Services</b>	None	None
<del>With drive-through facility</del>	<del>12,000</del>	<del>100</del>
<b>Offices</b>	None	None
<b>Automobile Services</b>	None	None
With car wash or fuel pump	12,000	100
Automobile sales	12,000	100
<b>Food and Beverages</b>	None	None
<del>With drive-through facility</del>	<del>12,000</del>	<del>100</del>
<b>Commercial Recreation, Entertainment and Lodging</b>	None	None
<b>Medical Facilities</b>	None	None

<b>Planned Unit Development</b>	1 acre	None
<b>Transportation</b>	12,000	100
<b>PARKING FACILITIES</b>	5,000	40
<b>Institutional and Public Uses</b>		
<b>Educational Facilities</b>		
Early childhood learning center	20,000	100
Preschool	None	None
School, grades K—12	20,000	100
School, vocational or business	None	None
<b>Social, Cultural, Charitable and Recreational Facilities</b>		
Athletic field	20,000	100
Club or lodge	None	None
Community center	None	None
Community garden	None	None
Developmental achievement center	None	None
Library	None	None
Mission	None	None
Museum	None	None
Park, public	None	None
<b>Religious Institutions</b>		

Convent, monastery or religious retreat center	As required for congregate living in each commercial district	40
Place of assembly	None	None
<b>Production, Processing, and Storage</b>	None	None
<b>Public Services and Utilities</b>	As approved by C.U.P.	As approved by C.U.P.

Section 5. That Section 548.180 of Chapter 548, Commercial Districts, be amended to read as follows:

**548.180. - Enclosed building requirement.**

(a) *In general.* All production, processing, storage, sales, display or other business activity shall be conducted within a completely enclosed building, except as otherwise provided in sections (b) and (c) below or elsewhere in this ordinance.

(b) *Outdoor dining.* Outdoor dining shall be allowed, provided the following conditions are met:

- (1) The outdoor dining area shall be no closer than twenty (20) feet from an adjacent residence or office residence district boundary or from an adjacent ground floor permitted or conditional residential use, and shall be screened from such district boundary or residential use, as specified in Chapter 530, Site Plan Review.
- (2) Sidewalk cafés shall comply with the requirements contained in Chapter 265 of the Minneapolis Code of Ordinances, Special Permits for Specific Businesses and Uses.

(c) *Outdoor sales and display.* The following may include outdoor sales and display provided such outdoor sales and display area shall be no closer than twenty (20) feet from an adjacent residence or office residence district boundary or from an adjacent ground floor permitted or conditional residential use, and shall be screened from such district boundary or residential use, as specified in Chapter 530, Site Plan Review:

- (1) Automobile sales.
- (2) Direct refueling of motor vehicles.
- (3) Lawn and garden sales, provided the outdoor sales and display area shall be included in the maximum gross floor area of such use, as regulated in each district.
- (4) ~~Permitted~~ Legal nonconforming drive-through facilities.
- (5) Building material sales located in the C4 District only.
- (6) Truck, trailer, boat or recreational vehicle sales, service or rental, subject to the regulations of the C4 District governing the outdoor parking of trucks and other commercial vehicles.
- (7) Businesses with merchandise for sale on the premises, provided that the outdoor sales and display be limited to the following locations:



- a. On the public sidewalk adjacent to a ground level retail space, as provided by Title 17, Streets and Sidewalks, of the Minneapolis Code of Ordinances.
- b. On property adjacent to the public right-of-way, within the thirty (30) inch wide portion extending from the business's primary building wall along the lineal storefront area, provided that all products are sold within the principal use, all merchandise and related fixtures are removed outside of the business's hours of operation, and the use does not encroach on door openings, drive aisles, parking areas, loading zones, fire lanes, or a sixty (60) inch unobstructed, straight pedestrian way.
  1. Merchandise may only be displayed and sold pursuant to section 427.130(b) between the hours of 8:00 a.m. and 10:00 p.m.
  2. All merchandise, fixtures, tables, racks, shelving and other related materials must be completely removed when not in use or during restricted hours of operation.
  3. Protruding objects shall not reduce the clear width of an accessible route or maneuvering space.
  4. Liquor, tobacco, tobacco-related products, and sexually oriented images and merchandise, and any merchandise otherwise prohibited from being sold outdoors shall be prohibited from being displayed and sold under this ordinance.

Section 6. That Section 548.300 of Chapter 548, Commercial Districts, be amended to read as follows:

**548.300. - General district regulations.**

The following conditions govern uses in the C2 District:

- (1) *Maximum floor area.* All commercial uses, including shopping centers, shall be limited to a maximum gross floor area of thirty thousand (30,000) square feet per use, except for planned unit developments.
- (2) *Wholesale and off-premise sales.* Wholesale and off-premise sales accessory to retail sales shall be limited to four thousand (4,000) square feet of gross floor area or forty-five (45) percent of gross floor area, whichever is less, provided that the main entrance opens to the retail component of the establishment, except as otherwise provided in this ordinance.
- (3) *Drive-through facilities prohibited.* ~~Drive-through facilities shall be permitted, subject to the standards of Chapter 530, Site Plan Review and Chapter 541, Off Street Parking and Loading, except as otherwise prohibited by this article.~~ Drive-through facilities shall be prohibited.
- (4) *Outdoor speakers permitted.* Outdoor speakers shall be permitted, provided that speaker boxes shall not be audible from a residence or office residence district boundary or from a permitted or conditional residential use.
- (5) *Fast food restaurants.* Fast food restaurants established after the effective date of this ordinance shall be located only in storefront buildings existing on the effective date of this ordinance, provided further that no significant changes shall be made to the exterior of the structure and freestanding signs shall be prohibited, except where the property is part of an area of at least six hundred sixty (660) feet of continuous C2, C3S, C4 or industrial zoning fronting along the same side of the street as the fast food restaurant, without interruption by a residence, office residence, C1, C3A or Pedestrian Oriented Overlay District.

- (6) *Automobile sales.* Automobile sales shall be limited to new and vintage passenger automobiles only, except that leased automobiles and used automobiles received in trade may be sold as an accessory use.
- (7) *Production, processing and storage.* Production, processing, and storage uses shall be limited to five thousand (5,000) square feet of gross floor area.

Section 7. That Section 548.420 of Chapter 548, Commercial Districts, be amended to read as follows:

**548.420. - General district regulations.**

The following conditions govern uses in the C3S District:

- (1) *Wholesale and off-premise sales.* Wholesale and off-premise sales accessory to retail sales shall be limited to four thousand (4,000) square feet of floor area or forty-five (45) percent of gross floor area, whichever is less, provided that the main entrance opens to the retail component of the establishment, except as otherwise provided in this ordinance.
- (2) ~~*Drive-through facilities permitted prohibited.* Drive-through facilities shall be permitted, subject to the standards of Chapter 530, Site Plan Review and Chapter 541, Off Street Parking and Loading.~~ Drive-through facilities shall be prohibited.
- (3) *Outdoor speakers permitted.* Outdoor speakers shall be permitted, provided speaker boxes shall not be audible from a residence or office residence district boundary or from a permitted or conditional residential use.
- (4) *Automobile sales.* Automobile sales shall be limited to new and vintage passenger automobiles only, except that leased automobiles and used automobiles received in trade may be sold as an accessory use.
- (5) *Community residential facilities.* Community residential facilities serving six (6) or fewer persons shall be located in structures existing on the effective date of this ordinance.

Section 8. That Section 548.480 of Chapter 548, Commercial Districts, be amended to read as follows:

**548.480. - General district regulations.**

The following conditions govern uses in the C4 District:

- (1) *Wholesale and off-premise sales.* Wholesale and off-premise sales shall be allowed.
- (2) ~~*Drive-through facilities permitted prohibited.* Drive-through facilities shall be permitted, subject to the standards of Chapter 530, Site Plan Review and Chapter 541, Off Street Parking and Loading.~~ Drive-through facilities shall be prohibited.
- (3) *Outdoor speakers permitted.* Outdoor speakers shall be permitted, provided speaker boxes shall not be audible from a residence or office residence district boundary or from a permitted or conditional residential use.
- (4) *Production, processing and storage.*

- a. *In general.* Production, processing and storage uses shall be limited to thirty thousand (30,000) square feet of gross floor area.
  - b. *Hazardous materials.* Warehousing and distribution uses shall not include the storage of hazardous materials in excess of consumer commodities which are packaged for consumption by individuals for personal care or household use, except as provided in Chapter 535, Regulations of General Applicability, regarding the storage of Class I flammable liquids, flammable gases and flammable liquefied gases.
- (5) *Community residential facilities.* Community residential facilities serving six (6) or fewer persons shall be located in structures existing on the effective date of this ordinance.

Section 9. That Section 549.100 of Chapter 549, Downtown Districts, be amended to read as follows:

**549.100. - Lot dimension and building bulk requirements.**

(a) *Maximum floor area ratio.* The maximum floor area ratio of all structures located in the downtown districts shall be as set forth within each downtown district

(b) *Minimum lot dimension requirements.* Lot dimension requirements for all uses located in the downtown districts shall be as specified in Table 549-2, Lot Dimension Requirements in the Downtown Districts.

**Table 549-2 Lot Dimension Requirements in the Downtown Districts**

Use	Minimum Lot Area (Square Feet)	Minimum Lot Width (Feet)
<b>COMMERCIAL USES</b>		
<b>Retail Sales and Services</b>	None	None
With drive-through facility	12,000	100
<b>Offices</b>	None	None
<b>Automobile Services</b>	None	None
With car wash or fuel pump	12,000	100
Automobile sales	12,000	100
<b>Food and Beverages</b>	None	None

With drive-through facility	12,000	100
<b>Downtown Recreation, Entertainment and Lodging</b>	None	None
<b>Medical Facilities</b>	None	None
<b>Planned Unit Development</b>	1 acre	None
<b>Transportation</b>	12,000	100
<b>PARKING FACILITIES</b>	5,000	40
<b>RESIDENTIAL USES</b>		
<b>Dwellings</b>	5,000	40
Planned Unit Development	1 acre	As approved by C.U.P.
<b>Congregate Living</b>	5,000	40
<b>Institutional and Public Uses</b>	None	None
<b>PRODUCTION, PROCESSING, AND STORAGE</b>		
<b>PUBLIC SERVICES AND UTILITIES</b>	As approved by C.U.P.	As approved by C.U.P.

Section 10. That Section 549.160 of Chapter 549, Downtown Districts, be amended to read as follows:

**549.160. - Enclosed building requirement.**

(a) *In general.* All production, processing, storage, sales, display or other business activity shall be conducted within a completely enclosed building, except as otherwise provided in subsections (b) and (c) below or elsewhere in this ordinance.

(b) *Outdoor dining.* Outdoor dining shall be allowed, provided the following conditions are met:

- (1) The outdoor dining area shall be no closer than twenty (20) feet from an adjacent residence or office residence district boundary or from an adjacent ground floor permitted or conditional residential use, and shall be screened from such district boundary, as specified in Chapter 530, Site Plan Review.
- (2) Sidewalk cafés shall comply with the requirements contained in Chapter 265 of the Minneapolis Code of Ordinances, Special Permits for Specific Businesses and Uses.

(c) *Outdoor sales and display.* The following may include outdoor sales and display provided such outdoor sales and display area shall be no closer than twenty (20) feet from an adjacent residence or office residence district boundary or from an adjacent ground floor permitted or conditional residential use, and shall be screened from such district boundary or residential use, as specified in Chapter 530, Site Plan Review:

- (1) Automobile sales in the B4C District only.
- (2) Direct refueling of motor vehicles.
- (3) Lawn and garden sales in the B4C District only.
- (4) ~~Permitted~~ Legal nonconforming drive-through facilities.
- (5) Building material sales in the B4C District only.
- (6) Truck, trailer, boat or recreational vehicle sales, service or rental, subject to the regulations of the B4C District governing the outdoor parking of trucks and other commercial vehicles.
- (7) Businesses with merchandise for sale on the premises, provided that the outdoor sales and display be limited to the following locations:
  - a. On the public sidewalk adjacent to a ground level retail space, as provided by Title 17, Streets and Sidewalks, of the Minneapolis Code of Ordinances.
  - b. On property adjacent to the public right-of-way, within the thirty (30) inch wide portion extending from the business's primary building wall along the lineal storefront area, provided that all products are sold within the principal use, all merchandise and related fixtures are removed outside of the business's hours of operation, and the use does not encroach on door openings, drive aisles, parking areas, required landscaped areas, loading zones, fire lanes, or a sixty (60) inch unobstructed, straight pedestrian way.
    1. Merchandise may only be displayed and sold pursuant to section 427.130(b) between the hours of 8:00 a.m. and 10:00 p.m.
    2. All merchandise, fixtures, tables, racks, shelving and other related materials must be completely removed when not in use or during restricted hours of operation.
    3. Protruding objects shall not reduce the clear width of an accessible route or maneuvering space.
    4. Liquor, tobacco, tobacco-related products, and sexually oriented images and merchandise, and any merchandise otherwise prohibited from being sold outdoors shall be prohibited from being displayed and sold under this ordinance.

Section 11. That Section 549.510 of Chapter 549, Downtown Districts, be amended to read as follows:

**549.510. - General district regulations.**

The following conditions govern uses in the B4C District:

- (1) ~~Drive-through facilities permitted~~ prohibited. ~~Drive-through facilities shall be permitted, subject to the standards of Chapter 530, Site Plan Review and Chapter 541, Off-Street Parking and Loading.~~ Drive-through facilities shall be prohibited.

- (2) *Outdoor speakers permitted.* Outdoor speakers shall be permitted, provided speaker boxes shall not be audible from a residence or office residence district boundary or from a permitted or conditional residential use.
- (3) *Production, processing and storage.*
  - a. *In general.* Production, processing and storage uses shall be limited to thirty thousand (30,000) square feet of gross floor area.
  - b. *Hazardous materials.* Warehousing and distribution uses shall not include the storage of hazardous materials in excess of consumer commodities which are packaged for consumption by individuals for personal care or household use, except as provided in Chapter 535, Regulations of General Applicability, regarding the storage of Class I flammable liquids, flammable gases and flammable liquefied gases.
- (4) *Parking garages.* The ground floor of principal and accessory parking garages shall have commercial, residential, office, or hotel uses located between the parking garage and any public sidewalk except where frontage is needed to provide vehicular and pedestrian access to the facility.

Section 12. That Section 550.150 of Chapter 550, Industrial Districts, be amended to read as follows:

**550.150. - Lot dimension and building bulk requirements.**

(a) *Maximum floor area ratio.* The maximum floor area ratio for all structures located in the industrial districts shall be two and seven-tenths (2.7). The maximum floor area ratio (F.A.R.) may not be attainable without obtaining conditional use permit approval for increasing maximum height.

(b) *Minimum lot dimension requirements.* There shall be no minimum lot dimension requirements for uses located in the industrial districts except as specified in Table 550-2, Lot Dimension Requirements in the Industrial Districts.

**Table 550-2 Lot Dimension Requirements in the Industrial Districts**

Use	Minimum Lot Area (Square Feet)	Minimum Lot Width (Feet)
<b>INDUSTRIAL USES</b>		
Planned Unit Development	1 acre	None
<b>COMMERCIAL USES</b>		
<b>Retail Sales and Services</b>		
With drive-through facility	12,000	100

<b>Automobile Services</b>		
With car wash or fuel pump	12,000	100
Automobile sales	12,000	100
<b>Food and Beverages</b>		
<del>With drive-through facility</del>	<del>12,000</del>	<del>100</del>
<b>Transportation</b>	12,000	100
<b>PARKING FACILITIES</b>	5,000	40
<b>RESIDENTIAL USES</b>		
Community correctional facility	5,000 or 750 sq. ft. per rooming unit, whichever is greater	40
<b>PUBLIC SERVICES AND UTILITIES</b>	As approved by C.U.P	As approved by C.U.P

Section 13. That Section 550.210 of Chapter 550, Industrial Districts, be amended to read as follows:

**550.210. - Enclosed building requirement.**

(a) *In general.* All production, processing, storage, sales, display or other business activity in the I1 District shall be conducted within a completely enclosed building, except as otherwise provided in sections (b) through (d) below.

(b) *Outdoor dining.* Outdoor dining shall be allowed, provided the following conditions are met:

- (1) The outdoor dining area shall be no closer than twenty (20) feet from an adjacent residence or office residence district boundary or from an adjacent ground floor permitted or conditional residential use, and shall be screened from such district boundary or residential use, as specified in Chapter 530, Site Plan Review.
- (2) Sidewalk cafés shall comply with the requirements contained in Chapter 265 of the Minneapolis Code of Ordinances, Special Permits for Specific Businesses and Uses.

(c) *Outdoor sales and display.* The following uses may include outdoor sales and display provided such outdoor sales and display area shall be no closer than twenty (20) feet from an adjacent residence or office residence district boundary or from an adjacent ground floor permitted or conditional

residential use, and shall be screened from such district boundary or residential use as specified in Chapter 530, Site Plan Review:

- (1) Building materials sales.
  - (2) Direct refueling of motor vehicles.
  - (3) ~~Permitted~~ Legal nonconforming drive-through facilities.
  - (4) Truck, trailer, boat, or recreational vehicle, sales, service or rental, subject to the regulations of this chapter governing the outdoor parking of trucks and other commercial vehicles.
  - (5) Lawn and garden sales.
  - (6) Businesses with merchandise for sale on the premises, provided that the outdoor sales and display be limited to the following locations:
    - a. On the public sidewalk adjacent to a ground level retail space, as provided by Title 17, Streets and Sidewalks, of the Minneapolis Code of Ordinances.
    - b. On property adjacent to the public right-of-way, within the thirty (30) inch wide portion extending from the business's primary building wall along the lineal storefront area, provided that all products are sold within the principal use, all merchandise and related fixtures are removed outside of the business's hours of operation, and the use does not encroach on door openings, drive aisles, parking areas, required landscaped areas, loading zones, fire lanes, or a sixty (60) inch unobstructed, straight pedestrian way.
      1. Merchandise may only be displayed and sold pursuant to section 427.130 (b) between the hours of 8:00 a.m. and 10:00 p.m.
      2. All merchandise, fixtures, tables, racks, shelving and other related materials must be completely removed when not in use or during restricted hours of operation.
      3. Protruding objects shall not reduce the clear width of an accessible route or maneuvering space.
      4. Liquor, tobacco, tobacco-related products, and sexually oriented images and merchandise, and any merchandise otherwise prohibited from being sold outdoors shall be prohibited from being displayed and sold under this ordinance.
- (d) *Outdoor speakers.* Outdoor speakers shall not be audible from a residence or office residence district boundary or a permitted or conditional residential use.

Section 14. That Chapter 550 of the Minneapolis Code of Ordinances be amended by adding thereto a new Section 550.235 to read as follows:

**550.235. – Drive-through facilities.**

Drive-through facilities shall be prohibited.

Section 15. That Section 550.280 of Chapter 550, Industrial Districts, be amended to read as follows:

**550.280. - Enclosed building requirement.**



(a) *In general.* All production, processing, storage, sales, display or other business activity in the I2 District shall be conducted within a completely enclosed building, except as otherwise provided in sections (b) through (e) below.

(b) *Outdoor dining.* Outdoor dining shall be allowed, provided the following conditions are met:

- (1) The outdoor dining area shall be no closer than twenty (20) feet from an adjacent residence or office residence district boundary or from an adjacent ground floor permitted or conditional residential use, and shall be screened from such district boundary or residential use, as specified in Chapter 530, Site Plan Review.
- (2) Sidewalk cafés shall comply with the requirements contained in Chapter 265 of the Minneapolis Code of Ordinances, Special Permits for Specific Businesses and Uses.

(c) *Outdoor sales and display.* The following uses may include outdoor sales and display provided such outdoor sales and display area shall be no closer than twenty (20) feet from an adjacent residence or office residence district boundary or from an adjacent ground floor permitted or conditional residential use, and shall be screened from such district boundary or residential use as specified in Chapter 530, Site Plan Review:

- (1) Building materials sales.
- (2) Direct refueling of motor vehicles.
- (3) ~~Permitted~~ Legal nonconforming drive-through facilities.
- (4) Truck, trailer, boat, or recreational vehicle, sales, service or rental, subject to the regulations of this chapter governing the outdoor parking of trucks and other commercial vehicles.
- (5) Lawn and garden sales.
- (6) Businesses with merchandise for sale on the premises, provided that the outdoor sales and display be limited to the following locations:
  - a. On the public sidewalk adjacent to a ground level retail space, as provided by Title 17, Streets and Sidewalks, of the Minneapolis Code of Ordinances.
  - b. On property adjacent to the public right-of-way, within the thirty (30) inch wide portion extending from the business's primary building wall along the lineal storefront area, provided that all products are sold within the principal use, all merchandise and related fixtures are removed outside of the business's hours of operation, and the use does not encroach on door openings, drive aisles, parking areas, loading zones, fire lanes, or a sixty (60) inch unobstructed, straight pedestrian way.
    1. Merchandise may only be displayed and sold pursuant to section 427.130 (b) between the hours of 8:00 a.m. and 10:00 p.m.
    2. All merchandise, fixtures, tables, racks, shelving and other related materials must be completely removed when not in use or during restricted hours of operation.
    3. Protruding objects shall not reduce the clear width of an accessible route or maneuvering space.
    4. Liquor, tobacco, tobacco-related products, and sexually oriented images and merchandise, and any merchandise otherwise prohibited from being sold outdoors shall be prohibited from being displayed and sold under this ordinance.

- (d) *Outdoor speakers.* Outdoor speakers shall not be audible from a residence or office residence district boundary, or a permitted or conditional residential use.
- (e) *Outdoor storage.* Outdoor storage, and outdoor sales and display not provided for in section (c) above, shall be allowed, provided such outdoor storage area shall be landscaped and screened from view as follows:
  - (1) *Areas fronting along or visible from public streets or sidewalks.* A landscaped yard at least five (5) feet wide and screening not less than six (6) feet in height and not less than ninety-five (95) percent opaque shall be provided along the public street or sidewalk, as specified in Chapter 530, Site Plan Review.
  - (2) *Areas within three hundred (300) feet of a residence or office residence district or adjacent to any zoning district other than an I2 or I3 District.* Screening not less than six (6) feet in height and not less than ninety-five (95) percent opaque shall be provided along the property line, as specified in Chapter 530, Site Plan Review.

Section 16. That Chapter 550 of the Minneapolis Code of Ordinances be amended by adding thereto a new Section 550.295 to read as follows:

**550.295. – Drive-through facilities.**

Drive-through facilities shall be prohibited.

Section 17. That Section 550.330 of Chapter 550, Industrial Districts, be amended to read as follows:

**550.330. - Enclosed building requirement.**

All production, processing, storage, sales, display or other business activity in the I3 District shall be subject to the provisions of this section.

- (1) *Outdoor sales and display.* The following uses may include outdoor sales and display provided such outdoor sales and display area shall be no closer than twenty (20) feet from an adjacent residence or office residence district boundary or from an adjacent ground floor permitted or conditional residential use, and shall be screened from such district boundary or residential use as specified in Chapter 530, Site Plan Review:
  - a. Building materials sales.
  - b. Direct refueling of motor vehicles.
  - c. ~~Permitted~~Legal nonconforming drive-through facilities.
  - d. Truck, trailer, boat, or recreational vehicle, sales, service or rental, subject to the regulations of this chapter governing the outdoor parking of trucks and other commercial vehicles.
  - e. Lawn and garden sales.
- (2) *Outdoor speakers.* Outdoor speakers shall not be audible from a residence or office residence district boundary, or a permitted or conditional residential use.

- (3) *Outdoor storage.* Outdoor storage, and outdoor sales and display not provided for in section (b) above, shall be allowed provided such outdoor storage area shall be landscaped and screened from view as follows:
- a. *Areas fronting along or visible from public streets or sidewalks.* A landscaped yard at least five (5) feet wide and screening not less than six (6) feet in height and not less than ninety-five (95) percent opaque shall be provided along the public street or sidewalk, as specified in Chapter 530, Site Plan Review.
  - b. *Areas within three hundred (300) feet of a residence or office residence district or adjacent to any zoning district other than an I2 or I3 District.* Screening not less than six (6) feet in height and not less than ninety-five (95) percent opaque shall be provided along the property line, as specified in Chapter 530, Site Plan Review.
- (4) *Outdoor production or processing.* Outdoor production or processing shall be allowed in the I3 District, provided such outdoor production or processing area shall be no closer than three hundred (300) feet from a residence or office residence district boundary or a ground floor permitted or conditional residential use, and shall be landscaped and screened from view as follows:
- a. *Areas fronting along or visible from public streets or sidewalks.* A landscaped yard at least ten (10) feet wide and screening not less than eight (8) feet in height and not less than ninety-five (95) percent opaque shall be provided along the public street or sidewalk, as specified in Chapter 530, Site Plan Review.
  - b. *All other areas.* Screening not less than eight (8) feet in height and not less than ninety-five (95) percent opaque shall be provided along the property line, as specified in Chapter 530, Site Plan Review.

Section 18. That Section 551.90 contained in Chapter 551, Overlay Districts, be amended to read as follows:

**551.90. - Prohibited uses.**

The following uses shall be prohibited in the PO Overlay District:

- ~~(1) Drive through facilities.~~
- ~~(2)~~(1) Automobile services uses.
- ~~(3)~~(2) Transportation uses.

Section 19. That Section 551.90 contained in Chapter 551, Overlay Districts, be amended to read as follows:

**551.900. - Prohibited uses.**

The following uses shall be prohibited in the NM Overlay District:

- ~~(1) Drive through facilities.~~

- ~~(2)~~(1) Automobile services uses.
- ~~(3)~~(2) Transportation uses.
- ~~(4)~~(3) Sexually oriented uses as regulated by Chapter 549, Downtown Districts.

Section 20. That Section 551.1220 contained in Chapter 551, Overlay Districts, be and is hereby repealed.

**~~551.1220. Drive through facilities.~~**

~~Drive through facilities shall be prohibited except where they are accessory to a drug store, or a bank or financial institution, subject to all other applicable regulations of this zoning ordinance and the following standards:~~

- ~~(1) Drive through facilities shall be accessory to a drug store, or a bank or financial institution occupying at least three thousand (3,000) square feet of floor area, in a multiple use building of two (2) or more floors.~~
- ~~(2) Drive through facilities shall be located so as to minimize their visibility from West Broadway, and not impede pedestrian access to building entrances.~~
- ~~(3) No more than one (1) drive through lane for drug stores and no more than two (2) drive through lanes for banks or financial institutions shall be permitted.~~