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## ZONING CODE TEXT AMENDMENT

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<i>Initiator:</i>	Council Member Bender
<i>Introduction Date:</i>	February 9, 2018
<i>Prepared By:</i>	<u>Mei-Ling Smith</u> , Senior City Planner, (612) 673-5342
<i>Specific Site:</i>	Citywide
<i>Ward:</i>	Citywide
<i>Neighborhood:</i>	Citywide
<i>Intent:</i>	To amend regulations for drive-through facilities.

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## APPLICABLE SECTIONS OF THE ZONING CODE

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- Chapter 520, Introductory Provisions
- Chapter 530, Site Plan Review
- Chapter 548, Commercial Districts
- Chapter 549, Downtown Districts
- Chapter 550, Industrial Districts
- Chapter 551, Overlay Districts

The following chapters were also introduced:

- Chapter 521, Zoning Districts and Maps Generally
- Chapter 531, Nonconforming Uses and Structures
- Chapter 541, Off-Street Parking and Loading
- Chapter 543, On-Premise Signs

However, staff is not recommending changes to these chapters as part of this amendment and is therefore recommending returning them to the author.

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## BACKGROUND

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Currently, drive-through facilities are already banned in 17 of the 23 primary zoning districts and are only allowed in six 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 and minimum lot width. 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.

Fast food restaurants in new buildings are only permitted in limited commercial and industrial areas of the city. The zoning code requires that a new fast food establishment be 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 PO Pedestrian Oriented Overlay District.

The maps found in the attachments to this report show the zoning districts in Minneapolis that currently allow new drive-through facilities, not including any limitations for fast food locations, as specified in the commercial or industrial district regulations.

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## ANALYSIS

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### **What is the reason for the amendment and what public purpose will be served?**

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

Existing drive-through facilities would be able to continue to operate, provided that they do not discontinue operation for more than a year and therefore retain nonconforming rights. Recent development projects that have included modifying existing drive-throughs through a change of a legal nonconforming use application include 8th Street Apartments at 813 Portland Ave S (PLAN7615) and the Wells Fargo at 1501 W Lake St (BZZ-7463).

The amendment would expand upon the current trajectory of limiting the areas of the City where new drive-throughs are allowed, which has most recently been achieved through the expansion of the PO Pedestrian Oriented Overlay District. Prohibiting drive-throughs in all areas of the city will carry out existing adopted policy and goals related to land use, transportation, and the environment. The amendment would also achieve consistency with policies found in the *Minneapolis 2040* comprehensive plan, which will have a legal effective date later in 2019 and includes a policy that new drive-throughs shall be prohibited.

Prohibiting the establishment of new drive-through facilities would help to discourage a built environment that is associated with the following negative impacts to the public:

- Vehicle emissions and air pollution resulting from trip generation and idling vehicles
- Excess paved areas to accommodate vehicle waiting, queuing, and maneuvering. (Note: drive-throughs are subject to minimum stacking space and lane dimension requirements in Chapter 541, Off-Street Parking and Loading, Section 541.390).
- More curb cuts, leading to more conflict points between vehicles and pedestrians, as well as the potential for vehicles blocking sidewalks
- Litter, noise, and light impacts
- Auto-oriented site and building design

**How is the amendment consistent with the purpose of the zoning district(s) or ordinance chapter(s) being amended?**

The definition of a drive-through facility is being amended in Chapter 520, Introductory Provisions, to add the clarification that drive-up automated teller machines are included in the definition of a drive-through facility. In addition, the amended definition states that that customers may use off-street parking spaces to wait for purchased goods to be loaded into their cars, or to drop-off secondhand goods, without these spaces being considered a drive-through facility. These specifications would assist in the administration of the zoning ordinance.

Drive-through facilities are subject to the site and building design standards found in Chapter 530, Site Plan Review. The proposed amendment ensures that proposed expansions of, or alterations to, existing, legal nonconforming drive-through facilities would be subject to these design standards.

The amendment strikes references to 12,000 square-foot minimum lot area and 100-foot lot width requirement for new drive-throughs in the commercial, downtown, and industrial districts, as new facilities would no longer be allowed. These chapters would also be amended to prohibit new drive-throughs in the zoning districts in which they are still allowed.

Finally, Chapter 551, Overlay Districts, would be revised to eliminate references to drive-throughs since there would be no primary zoning district that allows new drive-throughs with the proposed amendment.

**Are there consequences in denying this amendment?**

If this amendment is denied, new drive-throughs will continue to be allowed in any zoning district that currently allows drive-throughs, which includes three commercial districts, one downtown district, and two industrial districts, not including any areas that are also located in a PO Pedestrian Oriented Overlay District. In the past five years, the City Planning Commission has reviewed between one and three projects per year which included a new drive-through facility, not including changes or expansions of existing legally nonconforming drive-throughs. The businesses requesting new drive-throughs are typically drug stores, banks, and food establishments. Gas stations and car washes are not included in the current or proposed definition of a “drive-through facility” and would not be affected by the proposed amendment.

**What adverse effects may result with the adoption of this amendment?**

Staff has received comments from members of the public who are concerned with how the amendment may affect individuals with limited mobility and who rely on drive-throughs for banking, drug store, and food services. The amendment would not require businesses to remove their drive-through facilities that are already in operation, and people would be able to continue to access these establishments. In addition, the amendment clarifies that business would be able to deliver goods to people waiting in their cars in off-street parking areas.

The adoption of the proposed amendment would not fully prevent property owners from altering, reconstructing, or expanding existing drive-through facilities; while new drive-throughs would be prohibited, any facilities that are lawfully in existence on the effective date of this ordinance and have not discontinued use for a continuous

period of more than one year would retain nonconforming rights to operate, subject to the criteria in Section 531.40 of the zoning code. Requests to expand or alter legally nonconforming drive-through facilities would be reviewed by the City Planning Commission and would be subject to the applicable findings in Section 531.50 of the zoning code.

**How does the amendment relate to other City ordinances?**

The amendment should not impact other City ordinances. However, some of the negative impacts associated with drive-through facilities include air pollution, noise, and litter. Current ordinances restrict gasoline-fueled motor vehicles from idling more than three (3) consecutive minutes in any one-hour period, or up to 15 minutes in any one-hour period to maintain comfort for paying passengers for the purpose of protecting the public health and the environment by reducing vehicular emissions and conserving fuel (Title 3, Air Pollution and Environmental Protection, Chapter 58, Idling, Sections 58.110 and 58.120). Prohibiting new drive-through facilities would help to reduce the occurrence of idling passenger vehicles, as consistent with the purpose of this City ordinance. In addition, prohibiting new drive-through facilities could assist with the administration of a business licensing ordinance which states that all licensees shall remove any litter and debris within 100 feet of their premises on a daily basis (Title 13, Licenses and Business Regulations, Chapter 259, In General, Section 259.125).

**What factors are influencing the timing of the proposed amendment? Why?**

The proposal to further limit drive-throughs in Minneapolis was originally introduced in 2016 in response to multiple proposals that included new drive-throughs. The PO Pedestrian Oriented Overlay District, which prohibits drive-throughs, was expanded to cover a portion of the city in the Hennepin Ave, Lyndale Ave S, Lagoon Ave, and Lake Street area, but a citywide ban on new drive-throughs was not completed at that time. In late 2018, the City Council approved a zoning code text amendment workplan that included an examination of the City’s regulations related to drive-through facilities.

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.

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:

**2013**

- Liquor Store, 1851 Central Ave NE ([BZZ-5898](#)). CPC approved.
- Retail development (Bank of America), 2700 Hennepin Ave ([BZZ-5908](#)). CPC approved.
- Walgreens, 621 West Broadway ([BZZ-6266](#)). CPC approved.

**2014**

- Walgreens, 3101 E Lake St ([BZZ-6760](#)). CPC approved.
- Walgreens, 2600 Central Ave NE ([BZZ-6383](#)). CPC approved.

**2015**

- US Bank, 333 East Hennepin Avenue ([BZZ-7358](#)). CPC approved.

## 2016

- Walgreens, 2650 Hennepin Ave (BZZ-7581). CPC approved.
- Calhoun Village Shopping Center, 3200 W Lake Street (BZZ-7716). CPC approved, not constructed.
- White Castle, 608 Central Avenue NE (BZZ-7791). CPC approved.

## 2017

- Starbucks, 4700 Cedar Avenue (BZZ-7986). CPC approved.

## 2018

- Starbucks and Dominos, 4155 Hiawatha Ave NE (PLAN6592). CPC approved, not constructed.

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.

In 2017, the Planning Commission Committee of the Whole reviewed four options for amending drive-through regulations in Minneapolis as presented by staff: 1) ban all new drive-throughs citywide; 2) further restrict the zoning districts in which drive-through facilities are allowed; 3) allow drive-through facilities only if they are on the ground floor of a larger mixed-use development with a minimum development intensity and/or floor area ratio and 4) develop more restrictive design standards for drive-through facilities where they are currently allowed, including limits on the number or total width of the facility. Draft text was not presented at that time for any of the options, however, the Committee was supportive of the option to ban new drive-throughs citywide. On May 16, 2019, the Planning Commission Committee of the Whole again expressed support for the option to ban drive-through facilities on a citywide basis.

### **How does the amendment compare to practices in other cities?**

Staff has reviewed ordinances in a number of peer cities, including Portland, Seattle, Denver, St. Paul, Cleveland, Austin, Miami, San Francisco, Boston, and Madison. In general, other similar communities allow drive-throughs only in a limited number of commercial and/or industrial districts, and prohibit them in most residential, pedestrian-oriented, or transit-oriented designated areas. St. Paul allows drive-throughs as a permitted or conditional use in in all but one commercial district (“BC community business [converted] district”), all industrial districts, and in a single traditional neighborhood district (T2 traditional neighborhood district), which is intended for pedestrian- and transit-oriented development. The St. Paul ordinance requires drive-throughs to be located to the side or rear of buildings and a minimum of 60 feet from residentially-zoned property. Other design and stacking requirements apply, with more restrictive conditions applying to drive-throughs in the T2 district. Portland requires new drive-through facilities to serve customers arriving as pedestrians or by bicycle. Portland is the only peer city example that limits drive-throughs beyond Minneapolis’ existing ordinance, as it restricts all new drive-through facilities to a single commercial district (CE Commercial Employment) that allows auto-oriented uses.

Staff has also identified examples of Canadian cities banning drive-through fast food restaurants on a full or partial basis.<sup>1</sup> However, the City of Minneapolis would likely be the first American city of its size to ban new drive-throughs of any type on a citywide basis. The maps found in the attachments to this report show the zoning

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<sup>1</sup> Nykiforuk, C., Campbell, E., Macridis, S., McKennitt, D., Atkey, K., Raine, K. (2018). *Adoption and diffusion of zoning bylaws banning fast food drive-through services across Canadian municipalities*. US National Library of Medicine, National Institutes of Public Health, BMC Public Health, 2018, volume 18. Retrieved from <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC5769538/>

districts in Minneapolis that currently allow new drive-through facilities, not including any limitations for fast food locations, as specified in the commercial or industrial districts.

**How will this amendment implement the comprehensive plan?**

The amendment will implement the following applicable policies of *The Minneapolis Plan for Sustainable Growth*:

**Land Use Policy 1.1: Establish land use regulations to achieve the highest possible development standards, enhance the environment, protect public health, support a vital mix of land uses, and promote flexible approaches to carry out the comprehensive plan.**

- 1.1.1 Ensure that the City's zoning code is consistent with *The Minneapolis Plan* and provides clear, understandable guidance that can readily be administered.
- 1.1.5 Ensure that land use regulations continue to promote development that is compatible with nearby properties, neighborhood character, and natural features; minimizes pedestrian and vehicular conflict; promotes street life and activity; reinforces public spaces; and visually enhances development.

**Land Use Policy 1.7: Limit new and expanded auto-oriented uses in the city so impacts on the form and character of commercial areas and neighborhoods can be minimized.**

- 1.7.1 Discourage new and expanded high traffic, auto-oriented uses in neighborhood commercial nodes.

**Land Use Policy 1.9: Through attention to the mix and intensity of land uses and transit service, the City will support development along Community Corridors that enhances residential livability and pedestrian access.**

- 1.9.3 Discourage uses that diminish the transit and pedestrian oriented character of Community Corridors, such as automobile services and drive-through facilities.

**Land Use Policy 1.10: Support development along Commercial Corridors that enhances the street's character, fosters pedestrian movement, expands the range of goods and services available, and improves the ability to accommodate automobile traffic.**

- 1.10.3 Discourage uses that diminish the transit and pedestrian character of Commercial Corridors, such as some automobile services and drive-through facilities, where Commercial Corridors intersect other designated corridors.

**Land Use Policy 1.11: Preserve and enhance a system of Neighborhood Commercial Nodes that includes a mix of housing, neighborhood-serving retail, and community uses.**

- 1.11.3 Discourage new or expanded uses that diminish the transit and pedestrian character of Neighborhood Commercial Nodes, such as some automobile services and drive-through facilities.

**Land Use Policy 1.12: Support Activity Centers by preserving the mix and intensity of land uses and by enhancing the design features that give each center its unique urban character.**

- 1.12.4 Discourage uses that diminish the transit and pedestrian character of Activity Centers, such as automobile services, surface parking lots, and drive-through facilities.

**Land Use Policy 1.13: Support high density development near transit stations in ways that encourage transit use and contribute to interesting and vibrant places.**

- 1.13.3 Discourage uses that diminish the transit and pedestrian character of areas around transit stations, such as automobile services, surface parking lots, and drive-through facilities.

**Transportation Policy 2.2: Support successful streets and communities by balancing the needs of all modes of transportation with land use policy.**

- 2.2.3 Promote street and sidewalk design that balances handling traffic flow with pedestrian orientation and principles of traditional urban form.

**Transportation Policy 2.6: Manage the role and impact of automobiles in a multi-modal transportation system.**

**Environment Policy 6.2: Protect and enhance air quality and reduce greenhouse gas emissions.**

- 6.2.7 Promote the development of sustainable site and building standards.

**Environment Policy 6.3: Encourage sustainable design practices in the planning, construction and operations of new developments, large additions and building renovations.**

- 6.3.10 Promote climate sensitive site and building design practices.

**Environment Policy 6.11: Take measures to reduce noise pollution at point and non-point sources.**

- 6.11.1 Work with other governmental units, owners and developers to identify and implement ways to buffer and reduce noise originating from businesses, industries, railroads and rail corridors, freeways and highways, and airports.

This amendment would carry out multiple, interconnected policies and goals cited in *The Minneapolis Plan for Sustainable Growth*. These include land use policies which call for minimizing pedestrian and vehicular conflict and limiting new drive-through facilities and other uses that diminish the transit and pedestrian oriented character of designated land use features – namely Community Corridors, Commercial Corridors, Neighborhood Commercial Nodes, and Activity Centers – and transit station areas. If the amendment is adopted, drive-throughs would not be allowed as part of any new development. This would eliminate a type of use that, by definition, encourages vehicular traffic and increases the potential for conflict between vehicles and pedestrians.

Likewise, the comprehensive plan’s transportation policies support land use policies and the promotion of traditional urban form to manage the impact of automobiles in a multi-modal transportation system. The plan’s environmental policies also support measures which reduce noise pollution, protect air quality, and reduce greenhouse gas emissions. The amendment would eliminate a use that is associated with negative impacts such as vehicular emissions and noise pollution.

The draft version of *Minneapolis 2040*, which is currently under review by the Metropolitan Council and which will have a legal effective date later in 2019, includes policy language under the section entitled *Pedestrian-Oriented Building and Site Design* that states the following: “Prohibit the establishment of new drive-throughs and gas stations.” The proposed amendment would be directly supported by this policy in the new comprehensive plan.

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## **RECOMMENDATIONS**

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The Department of Community Planning and Economic Development recommends that the City Planning Commission and City Council adopt staff findings to amend Title 20 of the Minneapolis Code of Ordinances, as follows, and further recommends that Chapters 521, 531, 541, and 543 be returned to the author:

**A. Text amendment.**

Recommended motion: **Approve** the text amendment to amend regulations for drive-through facilities.

Chapter 520 related to the Zoning Code: *Introductory Provisions*

Chapter 530 related to the Zoning Code: *Site Plan Review*

Chapter 548 related to the Zoning Code: *Commercial Districts*

Chapter 549 related to the Zoning Code: *Downtown Districts*

Chapter 550 related to the Zoning Code: *Industrial Districts*

Chapter 551 related to the Zoning Code: *Overlay Districts*

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**ATTACHMENTS**

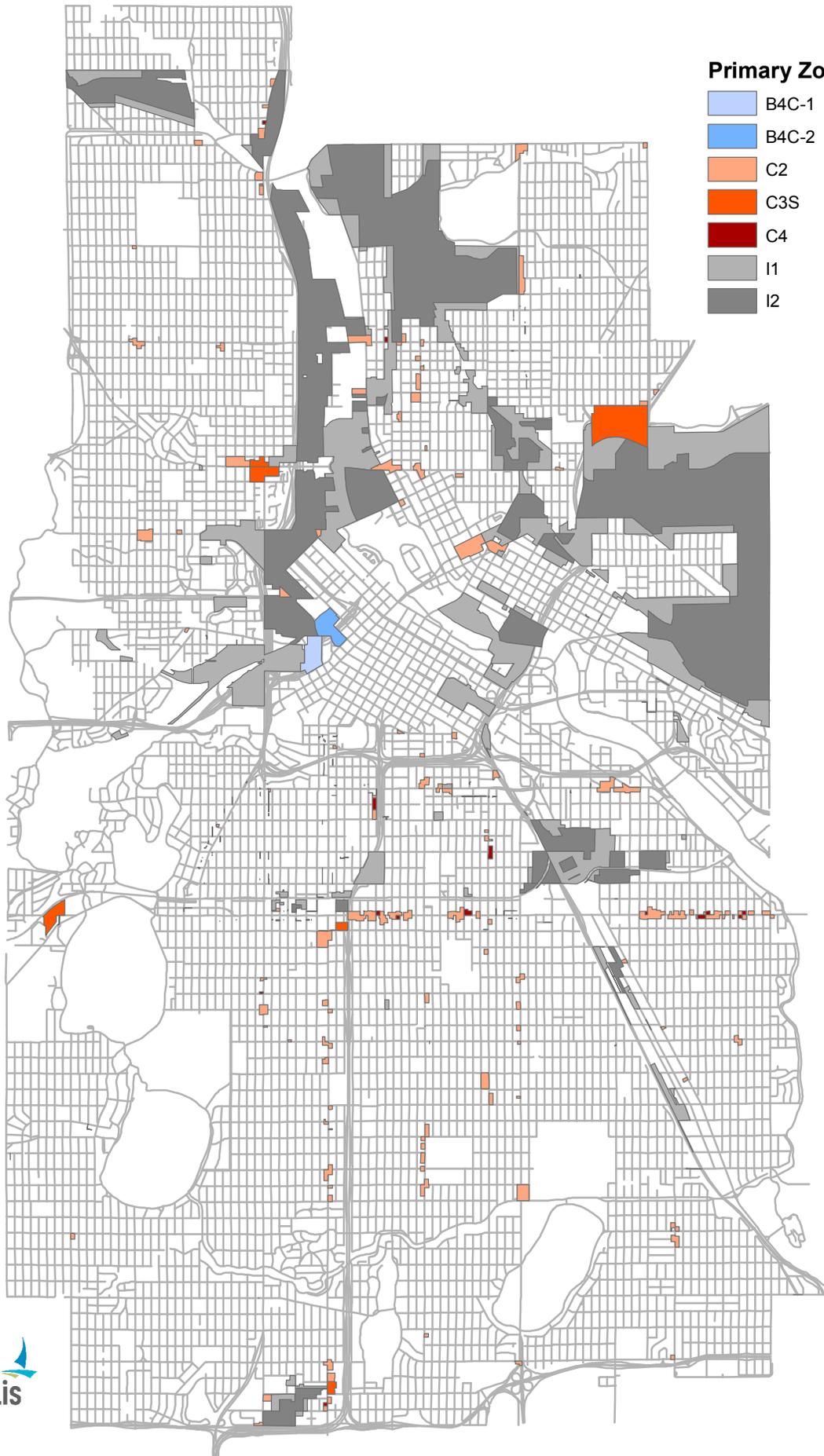
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1. Map 1: Drive-Throughs Allowed by Zoning District<sup>2</sup>
2. Map 2: Drive-Throughs Allowed (Single Color)
3. Ordinance amending Chapter 520 related to the Zoning Code: Introductory Provisions
4. Ordinance amending Chapter 530 related to the Zoning Code: Site Plan Review
5. Ordinance amending Chapter 548 related to the Zoning Code: Commercial Districts
6. Ordinance amending Chapter 549 related to the Zoning Code: Downtown Districts
7. Ordinance amending Chapter 550 related to the Zoning Code: Industrial Districts
8. Ordinance amending Chapter 551 related to the Zoning Code: Overlay Districts

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<sup>2</sup> Both maps show the geographic locations of the zoning districts that currently allow drive-through facilities and which are not also located in a PO Pedestrian Oriented Overlay District, which prohibits drive-throughs. The map does not account for the additional limiting criteria that must be met to allow for drive-through fast food restaurants in a commercial or industrial district.

# Drive-Throughs Allowed

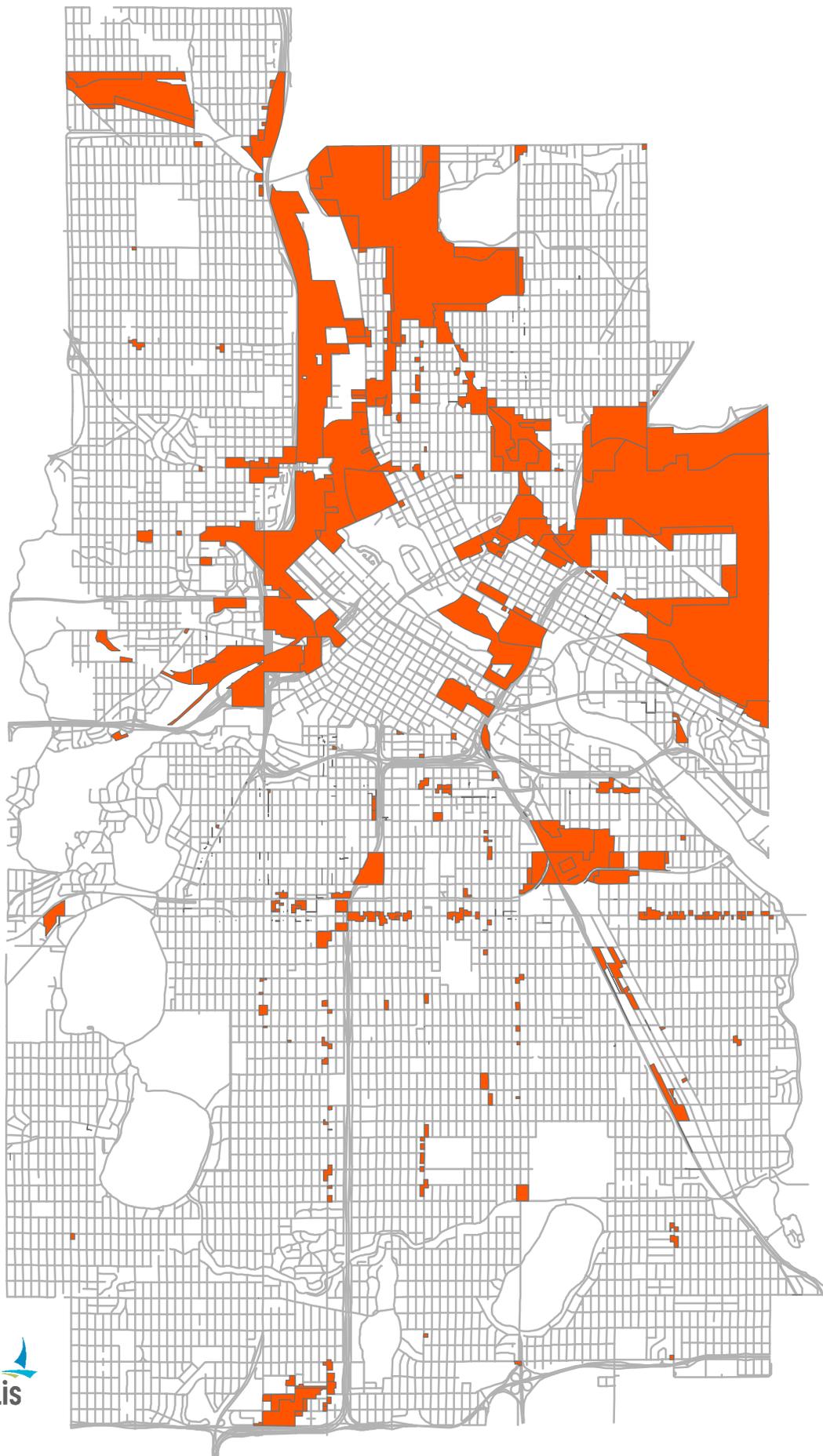


## Primary Zoning Districts

- B4C-1
- B4C-2
- C2
- C3S
- C4
- I1
- I2



# Drive-Throughs Allowed



**ORDINANCE**

**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 wait. Examples include but are not limited to drive-up windows, menu boards, order boards or boxes, drive-in restaurants, and drive-up banks and automated teller machines. Drive-through facilities shall not include the direct refueling of motor vehicles, ~~or a car wash~~ 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 contained in 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**

Any new principal non-residential or mixed use building. The site plan review application may be reviewed administratively if both of the following apply: (1) The project or proposal does not include any other land use application requiring a public hearing. (2) The building contains less than twenty thousand (20,000) square feet of gross floor area.
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>The site plan review application may be reviewed administratively if each of the following apply:  (1) The project or proposal does not include any other land use application requiring a public hearing.  (2) The building addition contains less than twenty thousand (20,000) square feet of gross floor area. <sup>1</sup></p>
<p>Any building or use containing five (5) or more new or additional dwelling units or rooming units. <sup>2</sup>  The site plan review application may be reviewed administratively if both of the following apply:  (1) The project or proposal does not include any other land use application requiring a public hearing.  (2) The proposal includes fewer than ten (10) new or additional dwelling units or rooming units.</p>
<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  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>
<p>Transportation uses</p>

<sup>1</sup> Additions that total twenty thousand (20,000) two thousand five hundred (2,500) square feet or more in any three (3) year period shall be subject to site plan review.

<sup>2</sup> Additions that total five (5) or more dwelling or rooming units in any three (3) year period shall be subject to site plan review and additions that total ten (10) or more dwelling or rooming units in any three (3) year period shall require a public hearing and shall not be eligible for administrative review.

<sup>3</sup> Additions that total thirty (30) or more parking spaces in any three (3) year period shall be subject to site plan review.

<sup>4</sup> Additions that total ten (10) or more parking spaces in any three (3) year period shall be subject to site plan review.

Section 3. That Section 548.120 contained in 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 4. That Section 548.180 contained in 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 5. That Section 548.300 contained in 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 6. That Section 548.420 contained in 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 7. That Section 548.480 contained in 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 8. That Section 549.100 contained in 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
<del>With drive-through facility</del>	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>	None	None
<b>PUBLIC SERVICES AND UTILITIES</b>	As approved by C.U.P.	As approved by C.U.P.

Section 9. That Section 549.160 contained in 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 10. That Section 549.510 contained in 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 11. That Section 550.150 contained in 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>		
<del>With drive-through facility</del>	<del>12,000</del>	<del>100</del>
<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
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Section 12. That Section 550.210 contained in 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 13. 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 14. That Section 550.280 contained in 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 15. 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 16. That Section 550.330 contained in 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 17. 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 18. That Section 551.900 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 19. 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.~~

**From:** [Dan Klassen](#)  
**To:** [Smith, Mei-Ling C.](#)  
**Subject:** Drive-throughs  
**Date:** Thursday, May 16, 2019 11:07:12 AM

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Hi,

I want to make the planning commission aware of the benefits associated with drive-through services to individuals with limited mobility. I have Parkinson's Disease and the drive-through pharmacy at Walgreens is a real help. I also benefit from drive-through banking services and I am able to buy food at the various fast food drive-through options.

It doesn't make sense to limit drive-through options at a time when the population of older citizens is set to expand rapidly. Making this move will negatively impact our quality of life.

Thank you.

Dan Klassen

3034 47th Ave S, Minneapolis, MN 55406.