

CHAPTER 62: ZONING DISTRICTS, MAPS AND REGULATIONS

Section

General Provisions

- 62.01 Land use zoning districts established
- 62.02 Land use zoning map
- 62.03 Land use district zoning boundaries
- 62.04 “R-1” single and two family residential district
- 62.05 Principle permitted uses
- 62.06 Conditional uses
- 62.07 Dimensional requirements
- 62.08 General requirements
- 62.09 “R-2” general residential districts
- 62.10 Principle permitted uses
- 62.11 Conditional uses
- 62.12 Dimensional requirements
- 62.13 General requirements
- 62.14 “C” general commercial district
- 62.15 Principle permitted uses
- 62.16 Conditional uses
- 62.17 Dimensional requirements
- 62.18 General requirements
- 62.19 “IND” general industrial district
- 62.20 Principle permitted uses
- 62.21 Conditional uses
- 62.22 Dimensional requirements
- 62.23 General requirements

GENERAL PROVISIONS

§ 62.01 LAND USE ZONING DISTRICTS ESTABLISHED.

For the purposes of this ordinance, the following land use zoning districts are hereby established in the City of Halstad.

- (A) “R-1” Single and Two Family Residential District
- (B) “R-2” General Residential District
- (C) “C” General Commercial District
- (D) “IND” General Industrial District
- (E) “F-P” Flood Plain District

§ 62.02 LAND USE ZONING MAP.

(A) The boundaries of the above Land Use Zoning Districts are hereby established as shown on that certain map entitled “Official Zoning Map of the City of Halstad, Minnesota,” Dated on the effective date of adoption of this ordinance; which map is properly approved and filed in the Office of the City Clerk and registered and filed with the Registry of Deeds, in and for Norman County, Minnesota.

(B) Said Zoning map and all of the notations, references and other information shown thereon, and amendments thereto, shall have the same force and effect as if fully set forth herein and are hereby made a part of this ordinance by reference.

§ 62.03 LAND USE DISTRICT ZONING BOUNDARIES.

District boundary lines and indicated on said zoning map follow the center line of streets and alleys, projected lines, lot lines, the center of watercourses, corporate limit lines, the center of railroad tracks, and similar identifiable features. If no such identifiable features exist, the boundary shall be determined by the Zoning Officer of the City of Halstad.

§ 62.04 “R-1” SINGLE AND TWO FAMILY RESIDENTIAL DISTRICT.

Purpose: The purpose of the “R-1” District, to provide a high quality environment for the residents of this low-density residential area.

§ 62.05 PRINCIPLE PERMITTED USES.

Within the “R-1” District, the following buildings, structures and uses shall be allowed by right:

(A) Single and Two Family Dwellings.

(B) Churches and Schools.

(C) Clinics, and cemeteries and homes for the aged.

(D) Home occupations not occupying over 25% of the building not more than 500 square feet on a gross basis.

(E) Signs, provided that not over six (6) square feet of advertising or informative surface is utilized for residential or home occupation uses; while a school church or similar public or semi-public use may have a sign with not over twenty five (25) square feet.

(F) Publicly or privately owned recreational areas, such as golf courses, tennis courts, swimming pools, and related features.

(G) Garages, utility sheds, landscaping features, and other accessory uses.

§ 62.06 CONDITIONAL USES.

Within the “R-1” District, the following buildings, structures and uses may be allowed through the issuance of a conditional use permit (see article 4.5).

(A) Boarding house.

(B) Day nursery provided that at least 50 square feet of fenced play area per child is provided.

(C) Hospital, veterinary clinic.

§ 62.07 DIMENSIONAL REQUIREMENTS.

Within the “R-1” District, the following lot, area, bulk, height, and setbacks shall apply:

(A) Minimum lot size: 8,000 square feet.

(B) Front yard setback: 25 feet from property line.

(C) Side yard setback: 10 feet from property line.

(D) Rear yard setback: 25 feet from property line.

(E) Height limitation: two stories of 30 feet.

(F) Maximum lot coverage: the aggregate area of all buildings shall not exceed 30% lot coverage.

(G) Accessory structure: Garages, utility sheds, landscaping features, fences and other structures for accessory uses shall be subject to the following set back requirements; Side yard and back yard = 3 feet; front yard = 25 feet.

§ 62.08 GENERAL REQUIREMENTS.

Within the “R-1” District, the following general requirements shall apply:

(A) Sanitary requirements: All dwelling structures shall be connected to municipal sewer services.

(B) Parking requirements: All new dwelling structures shall provide at least two off-street parking spaces.

(C) All single-family homes shall be not less than 20 feet from side to side and not less than 20 feet back to front.

(D) All manufactured homes must be on a permanent foundation and all hitches must be removed.

§ 62.09 “R-2” GENERAL RESIDENTIAL DISTRICT.

Purpose: The purpose of the “R-2” General Residential District is to provide a medium density residential area, which will provide and improve the availability of choice in housing types and styles.

§ 62.10 PRINCIPLE PERMITTED USES.

Within the “R-2” District, the following buildings, structures, and uses shall be allowed by right:

(A) Any use allowed by right in the “R-1” District.

(B) Apartments containing less than 13 residential dwelling units.

(C) Boarding houses.

(D) Private clubs, lodges, fraternal organizations.

(E) Normal accessory uses to the above uses.

§ 62.11 CONDITIONAL USES.

Within the “R-2” District, the following buildings, structures and uses may be allowed through the issuance of:

(A) Conditional use permit.

(B) Manufactured home parks.

(C) Day nursery provided that at least 50 square feet of fenced play area per child is provided.

(D) Retail commercial activities of a neighborhood service nature, vending machines, gasoline service stations, and related commercial activities.

(E) Apartments containing 13 or more dwelling units.

§ 62.12 DIMENSIONAL REQUIREMENTS.

Within the “R-2” District, the following area, bulk, height, and setbacks shall apply:

(A) Minimum lot size: 8,000 square feet minimum, with 4,000 square feet per dwelling unit in multiple dwelling.

(B) Front yard setback: 25 feet from the property line or 3 feet per dwelling unit in multiple dwelling complexes, whichever is the greater.

(C) Side yard setback: 10 feet from the property line or 1 foot per dwelling unit, whichever is the greater.

(D) Rear yard setback: 25 feet from the rear lot line.

(E) Height limitation: 30 feet or three stories.

(F) Maximum lot coverage: The aggregate area for all buildings shall not exceed 50% of the lot.

(G) Accessory Structures: Garages, utility sheds, landscaping features, fences and other structures for accessory uses shall be subject to the following set back requirements: side yard and back yard = 3 feet; front yard = 25 feet.

§ 62.13 GENERAL REQUIREMENTS.

Within the “R-2” District, the following general requirements shall apply:

(A) Sanitary requirements: All dwelling units shall be connected to municipal water and sewer systems.

(B) Parking requirements: All dwelling units shall be provided with at least 1-½ parking spaces per dwelling off-street.

(C) Parking lots: Driveways for multiple dwelling units shall be located at least 10 feet from the property line.

(D) All single-family homes shall be not less than 20 feet from side to side and not less than 20 feet back to front.

(E) All manufactured homes must be on a permanent foundation and all hitches must be removed.

§ 62.14 “C” GENERAL COMMERCIAL DISTRICT.

Purpose: It is the purpose of the “C” General Commercial District to provide areas for the location of general business activities which will provide a wide variety of consumer goods and services yet preventing the establishment of potentially detrimental commercial uses in inappropriate locations.

§ 62.15 PRINCIPLE PERMITTED USES.

Within the “C” District, the following buildings, structures, and uses shall be allowed by right:

(A) Retail and service businesses including but not limited to: grocery stores, pharmacies, delicatessens, barber and beauty shops, clothing, cleaning and laundry establishments, jewelry stores, shoe stores, hardware stores, banks, florist shops, day goods stores, appliance sales and repair and similar stores and shops for the conduct of retail sales and/or service nature.

(B) Gasoline service stations including incidental repairs, but not including major overhauling of engines or any major bodywork.

(C) Eating and drinking establishments such as soda fountains, restaurants, cafes, etc., but excluding any establishment having live entertainment, or any drive-in or take-out restaurant where the primary emphasis is on eating the food or beverages outside of the primary structure.

(D) Hotels, private clubs, theatres (enclosed), bowling alleys, pool halls and similar uses.

(E) Office buildings, professional offices, government buildings.

(F) Newspaper offices, bakeries, printing, publishing, laundry cleaning and drying establishments.

(G) Dwelling units located in the upper story(s).

(H) Signs, advertising items or services available in the principle use, with a size not to exceed ten (10) percent of the total square footage of the wall of the building holding the sign.

(I) Private garages, off-street parking, parking lots, loading spaces.

(J) Other normal and accessory uses associated with a permitted use.

§ 62.16 CONDITIONAL USES.

Within the “C” District, the following buildings, structures and uses, may be allowed through the issuance of a Conditional Use Permit. (See article 4.5)

(A) Automobile repair garages, body shops.

(B) Sales lots and similar uses, which do not conduct entire business within an enclosed building. This shall include, but not be limited to: new and used auto sales lots, farm machinery sales, lumber yards if not entirely enclosed, and similar uses.

(C) Eating and/or drinking establishments having live entertainment.

(D) Motels, boarding houses.

(E) Drive-in or take-out restaurants or cafes where either orders are delivered to the occupants of a motor vehicle, or where the food and/or beverages are designed to be consumed by a significant portion of the patrons in their own vehicle.

(F) Signs not located on, or attached to the principle building, advertising either goods or services available on the same lot, or billboards, advertising goods or services available elsewhere, provided that the advertising device shall not exceed 600 square feet of advertising surface, and are not located less than ten (10) feet from any lot line, and that the parcel of land is at least three times the total square footage of advertising surface.

(G) Any use of a “commercial-industrial nature” such as lumberyards, grain elevators, feed and seed storage, and similar related uses.

§ 62.17 DIMENSIONAL REQUIREMENTS.

Within the “C” District, the following dimensional requirements shall apply:

(A) For businesses conducting their entire operation within a building, including storage of materials, the following requirements shall apply:

- (1) Lot size: No minimum size.
- (2) Setbacks from property lines: None required.
- (3) Height limitations: Three stories or 40 feet, whichever is less.
- (4) Maximum lot coverage: No limits to coverage.

(B) For business conducting all or part of their operation in a non-enclosed area, the dimensional requirements shall be as specified by the City Council upon receipt of an application for a Conditional Use Permit. (See article 4.5).

(C) For businesses which abut and are adjacent to the boundary line between the “C” General Commercial District and any residential district of any type, a special setback of buildings, structures, and commercial uses of any type shall be required. The setback of structures, buildings and/or uses shall be at least 20 feet, which shall be landscaped, or a decorative fencing, approved by the City Council shall be installed and maintained by the commercial use, in which case, a space of 5 feet adjacent to the fence shall be the minimum setback of uses, but no buildings or structures shall be maintained.

§ 62.18 GENERAL REQUIREMENTS.

Within the “C” District, the following general requirements shall apply:

(A) Sanitary requirements: All structures shall be connected to public water and sewer facilities if individuals work within the structure.

(B) Parking requirements: Commercial uses conducted entirely within an enclosed building may be the following requirements waived by the City Council:

- (1) One parking space per two employees
- (2) One parking space for every 150 square feet of retail sales area
- (3) Parking lots shall be of a permanent dust free material
- (4) Parking lots or stalls shall not be located nearer than 10 feet from any residential use.
- (5) Adequate off-street loading and unloading space shall be provided to ensure that loading and unloading shall not occur on a public street.

§ 62.19 “IND” GENERAL INDUSTRIAL DISTRICT.

Purpose: The purpose of the “IND” General District is to provide adequate area for industrial operations of such types as will not present danger to the public or create a public nuisance, through the issuance of Conditional Use Permits for any industry which has the potential for detrimental impact to the community as a whole.

§ 62.20 PRINCIPLE PERMITTED USES.

The following buildings, structures, uses and types of uses shall be permitted by right in the “IND” District:

(A) Industries performing storage or warehousing of material in an enclosed building or structure provided that highly flammable, explosive, or gaseous materials of a toxic nature do not constitute the primary storage material.

(B) Industries of a “Commercial/Industrial nature” where products are both sold to the general public and processing or warehousing of materials occurs, including, but not limited to: grain elevators, seed and feed storage, lumber yards, brick yards and similar uses providing retail sales as well as industrial storage of fabrication.

(C) Fabrication, packaging, and similar industrial operations, which utilize materials partially prepared elsewhere and assemble, fabricate, or package a product for sale to retail or wholesale outlets for eventual sale to the general public in a retail operation.

(D) Other similar and related industrial uses, which have minimum negative potential impacts.

(E) Normal and accessory uses to a permitted industrial operation.

§ 62.21 CONDITIONAL USES.

The following buildings, structures, uses and types of uses may be allowed through the issuance of a Conditional Use Permit (see article 4.5) in the “IND” District:

(A) Industries utilizing significant exterior storage of materials.

(B) Industries, which make use of significant quantities of flammable, explosive, toxic, or gaseous nature.

(C) Industries which take natural resources, or slightly modified raw materials, and fabricate or change in to the materials.

Examples include, but are not limited to: Junk yards, tanneries, paper mills, refineries of all types, bulk storage of fuels, and similar industries.

§ 62.22 DIMENSIONAL REQUIREMENTS.

Within the “IND” District, the following requirements shall apply regarding size, bulk, lot area, and setbacks:

(A) Lot size: No minimum requirements.

(B) Front yard setback: 10 feet from property line.

(C) Side yard setback: 20 feet from property line.

(D) Rear yard setback: 20 feet from property line.

(E) Maximum lot coverage: No maximum lot coverage.

(F) Setback from any residential or commercial land use district boundary: 50 feet.

(G) Setback from any residentially used lot or structure: 20 feet.

(H) All setbacks of any new industrial use shall be reviewed and approved by the Fire Chief and the City Council where a potential fire hazard exists in their determination.

§ 62.23 GENERAL REQUIREMENTS.

Within the “IND” District, the following general requirements shall apply:

(A) Sanitary requirements: All domestic and industrial wastes from the operation shall be connected to the city sewer services.

(B) Parking requirements: One off-street parking space per maximum employee shift shall be provided.

(C) Off-street loading and unloading areas shall be provided as is determined to be adequate by the City Council.

(D) No process or fabrication of materials shall result in the discharge into the air or surroundings of any noxious, poisonous, radioactive substance unless all necessary permits, approvals for smoke, solid waste, and similar environmental hazards.

(E) Parking lots and stalls shall be located at least 5 feet from any lot line.

(F) Screening of any industrial use from adjacent properties may be required by the City Council.

(G) Signs, not to exceed 10 percent of the face of the building may be located on the principal structure. Signs of an advertising nature for products and/or services not provided on the site shall be a maximum of 600 square feet of advertising surface; this limitation shall also apply of signs naming the firm, which are not attached to the primary structure.