

ORDINANCE NO.

**AN ORDINANCE AMENDING THE ST. LOUIS PARK
CODE OF ORDINANCES CHAPTER 36 RELATING TO
ZONING TO ALLOW CERTAIN INDUSTRIAL USES TO OPERATE OUTSIDE OF
NORMAL BUSINESS HOURS UNDER SPECIFIC CONDITIONS**

THE CITY OF ST. LOUIS PARK DOES ORDAIN:

SECTION 1. That Chapter 36 of the Code of Ordinances pertaining to zoning, City of St. Louis Park, Minnesota, is hereby amended to read as follows:

ARTICLE IV. ZONING DISTRICTS

DIVISION 8. INDUSTRIAL DISTRICT REGULATIONS

Sec. 36-242. Industrial restrictions and performance standards; general provisions.

- (10) Where industrial uses are located on sites which abut R districts, or are separated from R districts by a right-of-way 66 feet or less in width, all activities including trucking are limited to normal hours of operation except for those specifically excluded. Normal hours of operation are defined as being between the hours of 6:00 a.m. and 10:00 p.m. Monday through Saturday inclusive and includes all manufacturing, processing, loading, unloading, truck maneuvering and movement of equipment and other materials. It does not include administrative or office functions or maintenance or cleanup work conducted entirely within a structure.

Properties in the I districts situated so that railroad tracks, street and highway rights-of-way which are greater than 66 feet in width are located between the property in the I district and the R district are exempt from this requirement, except for that part of the site within 100 feet of a property line abutting any residentially used property.

Where industrial uses are located on sites which abut properties located in an R district, operations may be conducted between the hours of 10:00 p.m. and 6:00 a.m. Monday through Sunday, as authorized below:

- a. Extended Business Hours. A business may operate a third shift, extend its business hours beyond 10:00 p.m. or start earlier than 6:00 a.m. with the following conditions:
 1. A Registration of Land Use is approved authorizing specified activities to occur during the extended business hours.
 2. All business activities to be conducted during the extended business hours shall be conducted entirely indoors.
 3. All windows, doors, docks, and similar openings shall remain closed during extended business hours.

4. The portion of the building housing the activities occurring during the extended business hours shall be located at least 300 feet from properties zoned Residential and improved with a residential use.
 5. There shall be no outbound or incoming deliveries or vehicular traffic other than traffic generated by employees working on-site.
 6. Vehicles and any type of motorized equipment shall not be started or allowed to idle outside the building during the extended business hours.
 7. Employee parking shall be located as far from the residential properties as possible.
 8. Between 10:00 p.m. on Saturday and 10:00 p.m. on Sunday the business is limited to administrative or office functions or maintenance or cleanup work conducted entirely within a structure.
 9. Outdoor employee smoking or break areas shall not be located between the building and a residential property.
- b. Temporary Permit. A temporary permit to operate between 10:00pm and 6:00 am may be issued under the following conditions:
1. The person conducting operations outside of normal business hours shall apply for a temporary permit for hours of operation between 10:00 p.m. and 6:00 a.m. The application for such permit shall specify the name and address of the applicant, the location of the temporary operation, the nature of the activity, the anticipated duration of such activity and the name and telephone number of the responsible person available on the premises while temporary operations are being conducted.
 2. A temporary permit may be granted for a period not to exceed 15 days. A person receiving a temporary permit may apply for extensions, provided that the number of days in which temporary permits are granted shall not exceed 90 days in any calendar year.
 3. A permit shall not be issued to any applicant which has had two violations of a temporary permit and/or this chapter within a period of one year preceding the date of application.
 4. A permit issued pursuant to this section shall be revoked upon a violation of this chapter or the terms of the permit by the permit holder.
 5. No permit shall be issued for the time from 10:00 p.m. Saturday to 6:00 a.m. Monday.
 6. When a permit is issued for a period of time exceeding five days, notice shall be sent to owners of residential property abutting the property for which a permit is granted informing them of the terms of the permit. The holder of the temporary permit shall reimburse the city for the cost of such notice.
 7. Employee parking during temporary operations shall be located on the site as far as possible from parcel that is zoned residential and used or subdivided for residential use, or has an occupied institutional building, including but not limited to schools, religious institutions, and community centers.

8. The fee for a temporary permit shall be as established by the city council.
9. Outdoor activity of any type, including trucking, shall be prohibited.
10. A business shall apply for a temporary permit at least one business day before the after-hour activity is to commence. The city shall act upon the temporary permit within one business day of receiving the request.

SECTION 2. This ordinance shall take effect fifteen days after its publication.

First Reading	November 20, 2017
Second Reading	
Date of Publication	
Date Ordinance takes effect	

Reviewed for Administration

Adopted by the City Council (DATE)

Thomas K. Harmening, City Manager

Jake Spano, Mayor

Attest:

Approved as to Form and Execution:

Melissa Kennedy, City Clerk

Soren Mattick, City Attorney

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