

903.13 M-1 Industrial District

Subd.1 - Intent

**TABLE 3
STANDARD REQUIREMENTS CHART COMMERCIAL/INDUSTRIAL DISTRICTS**

DISTRICT		C-1	C-2	M-1	M-2
1.	Minimum Lot Area (SF)	4,000	5,000	15,000	1 acre
2.	Minimum Lot Width	40	50	100	200
3.	Minimum Front Yard	0	25	35	40
4.	Minimum Side Yard	0	0	35	35
	Adjoining an R1/R2 District	15	20	50	50
5.	Minimum Rear Yard	20	20	35	35
6.	Maximum Building Height	35' 2 stories	35' 2½ stories	35' 2½ Stories	40'
7.	Minimum Landscape Area per site	20%	N/A	20%	20%

It is intended that this Ordinance provide for the activities in this District that give employment to many of the City’s residents. In this area, close to rail and highway transportation, the most advantageous sites for such activities are located. However, uses of land, which adversely may affect the health, or welfare of the people are prohibited.

Subd.2 - Permitted Uses

- A. Gasoline service stations.
- B. Automotive work and repair garages but not including the open storage of dismantled vehicles.
- C. Landscape nursery or garden sales.
- D. Public utility buildings and structures.
- E. Lumberyards, building materials sales yard.
- F. Auto, truck, trailer and farm implement sales.
- G. Marine and boat sales.
- H. Bottling and manufacturing.
- I. Food processing plants.
- J. Storage warehouses and open storage yards.
- K. Transportation and freight terminals.
- L. Contractor’s offices, warehouses, storage yards.
- M. Hay, grain, feed and fuel supply sales and storage.
- N. Monument works.
- O. Temporary buildings for and during construction.

- P. Sexually Oriented businesses in accordance with all the regulations of Sections 12.9, 12.10 below.
- Q. Other uses compatible with the general uses described in this section.

Subd.3 - Conditional Uses

- A. Billboards and outdoor advertising signs not exceeding 600 square feet.
- B. Planned unit industrial development on sites of not less than ten (10) acres.
- C. Any lawful use of land or building not expressly prohibited or provided for and which, by its nature, does not constitute either a public or private nuisance because of noise, dirt, soot, offensive odor or unsanitary condition.
- D. Other uses compatible with the general uses described in this section.

The City Council may consider less restrictive standards on an individual basis for the following items; lot area, lot width, setbacks, building size and attached building appurtenances, and accessory buildings and the like.

Subd.4 - Accessory Uses

- A. Off-street parking spaces and loading berths.
- B. Accessory buildings and uses customarily incidental to the above listed uses.

Subd.5 - Minimum Lot Dimensions

- A. Area: Fifteen thousand (15,000) square feet.
- B. Width: One hundred (100) feet

Subd.6 - Maximum Building Height, Width, and Length

Maximum Building Height shall be two and one-half (2½) stories and not over thirty-five (35) feet.

Subd.7 - Minimum Yard Requirements

- A. Front Yard: Thirty-five (35) feet.
- B. Side Yard: Thirty-five (35) feet provided that where an M-1 Industrial District abuts a residential district a side yard of fifty (50) feet shall be provided on the abutting side, which yard shall be screened from view of the residential district.
- C. Rear Yard: Thirty-five (35) feet provided that where an M-1 Industrial District abuts a residential district a rear yard of fifty (50) feet shall be provided on the abutting side, which yard shall be screened from view of the residential district.

Subd.8 - Signs

- A. No flashing signs shall be permitted.
- B. A sign of not more than six hundred (600) square feet on the facings of all its sides for any one building or for all the uses in the building is permitted.
- C. Signs may not extend over a sidewalk or other public right-of-way.

Subd.9 - Landscaping Area

- A. A landscape plan shall be submitted that shows the location of property boundaries, existing and proposed buildings and parking lots, and the location and size of proposed plant materials.
- B. A minimum of twenty percent (20%) of the lot area shall be landscaped.
- C. All site areas not covered by hard surface coverage shall be covered by sod, seed or an equivalent ground cover approved by the City. This requirement shall not apply to site areas retained in a natural condition.
- D. Refer to Section 17 for additional landscaping requirements.

Subd.10 – Architectural Standards

- A. Architectural plans shall be prepared by an architect or other qualified design professional and shall show the following:
 - 1. elevations of all sides of the building
 - 2. type and color of exterior building materials
 - 3. dimensions of all structures
 - 4. the location and design of all accessory structures including trash and recycling receptacles, and exterior mechanical equipment.
- B. Architectural consistency on all side of the building is required in terms of colors, materials and details.
- C. Unadorned pre-stressed concrete panels, concrete block, unfinished and corrugated metal and pole type building shall not be permitted as exterior building materials.
- D. All rooftop or ground mounted mechanical equipment and exterior trash and recycling storage areas shall be enclosed with materials compatible with the principal structure.

Lighting and Glare

Glare or illumination from any source of lighting for any use shall be aimed or deflected away from adjoining property and public rights-of-way, except street lighting and traffic signals. Reflected glare or spill light shall not exceed five-tenths (5/10) foot candles as measured on the property line when abutting any residential parcel or lot and one (1) foot-candle on any abutting agricultural, commercial or public/institutional parcel or lot.

Parking

The number of required parking spaces has been established for specific uses in the City. The City Council shall determine the required number of parking spaces for uses not specifically listed in this subdivision based upon the characteristics of the use.

Subd.11 – Sexually Oriented Businesses

- A. Location Restrictions. Adult use only bookstores, adult theaters, adult massage parlors, adult conversations/rap parlors, adult saunas, adult entertainment centers, adult cabarets, adult health/sport clubs, adult steam room/bathhouse facilities and other sexually-oriented businesses may be operated or maintained only within the M-1 business district.
- B. Regulated Uses. No adults-only bookstores, adult theaters, adult message parlor, adult conversation/rap parlor, health/sport club, adult steam room/bathhouse facility, or other sexually oriented business shall:
1. Be operated or maintained within 1,000 feet of a residentially (R-1, R-2 or R-3), zoned district;
 2. Be operated or maintained within 1,000 feet of a church, licensed daycare facility, public library, public educational facility which serve persons age 17 or younger, elementary school, high school, place of worship, cemetery or elderly housing facility.
 3. Be operated or maintained within 2,000 feet of another such sexually oriented business.
 4. Only one of the above-regulated uses shall be allowed per block face.
- C. The distance limitations set forth herein shall be measured in a straight line from the main public entrances of said premises or from the lot lines of properties in residentially zoned districts, whichever distance is greater.
- D. No sexually oriented business shall be located in the same building or upon the same property as another such use.
- E. No sexually oriented business shall be located in any place that is also used to dispense or consume alcohol.
- F. Notwithstanding any other provision of this code, a sexually oriented business shall not be permitted more than one sign advertising its business, which shall be an on premise sign only. All such signs:
1. Shall be flat wall signs;
 2. The amount of allowable sign area shall be one square foot of sign area per foot of lot frontage on the street;
 3. No merchandise or pictures of the products or entertainment offered on the premises shall be displayed or depicted in window areas or any area of the property where they can be viewed from the sidewalk in front of the building;
 4. Window areas shall be covered or made opaque. No sign shall be placed in any window. A one square foot sign may be placed on the door to state hours of operation and allowing admittance to adults only.
 5. No sign shall contain any flashing lights, moving elements, or mechanically changing messages.

6. No sign shall contain any depiction of the human form or any part thereof.
7. No sexually oriented business may have any off-premise sign located within the City of Carlton.

Subd.12 – Definitions of for Sexually Oriented Businesses

- A. Adults-only bookstore: An establishment having as a substantial or significant portion of its stock in trade, books, magazines, films or other devices for sale or viewing on premises by use of motion picture devices or other coin, currency or credit card-operated means, and other periodicals which are distinguish or characterized by their principal emphasis on matters depicting, describing or relating to nudity, sexual conduct, sexual excitement or sadomasochistic abuse, as defined below, or an establishment with a segment or section devoted to the sale or display of such material, for sale to patrons therein.
- B. Adults-only motion picture theater: An enclosed building used regularly and routinely for presenting programs, material distinguished or characterized by an emphasis on matter depicting, describing or relating to nudity, sexual conduct, sexual excitement or sadomasochistic abuse, as defined herein, for observation by patrons therein.
- C. Sexually Oriented Massage parlor: A massage parlor that provides the service of “massage,” if such service is distinguished by an emphasis on nudity, sexual conduct, sexual excitement or sadomasochistic abuse, as defined herein, for observation or participation by patrons therein.
- D. Nudity: The showing of the human male or female genitals, pubic area or buttocks with less than a fully opaque covering, or the showing of the female breast, with less than a fully opaque covering of any portion thereof below the top of the nipple, or depiction of covered male genitals in a discernibly turgid state.
- E. Sexually Oriented Rap Parlor: A conversation/rap parlor that provides the service of engaging in listening to conversation, talk or discussion, if such service is distinguished or characterized by an emphasis on nudity, sexual conduct, sexual excitement or sadomasochistic abuse, as defined herein, for patrons.
- F. Adult Sauna: An establishment or place primarily in the business of providing (i) a steam bath or hot air bathing, and/or (ii) massage services, where such service is distinguished or characterized by an emphasis on nudity, sexual conduct, sexual excitement or sadomasochistic abuse, as defined herein for patrons.
- G. Sexual Excitement: The condition of human male or female genitals when in a state of sexual stimulation or arousal.
- H. Sadomasochistic Abuse: Flagellation or torture by or upon a person in the condition of being fettered, bound or otherwise physically restrained for purposes related or partly related to sexual arousal.

- I. Adult Entertainment Center: An enclosed building or a part of an enclosed building, wherein an admission is charged for entrance into the facility, or for food, alcoholic beverages or other beverages intended for consumption within the facility, wherein may be observed or which contains one or more coin, currency or credit card-operated mechanisms which when activated permit a customer to view one or more live persons unclothed or in such attire, costume or clothing as to expose to view any portion of the female breast below the top of the areola, or any portion of the pubic hair, anus, cleft of the buttocks, vulva or genitals.
- J. Sexually Oriented Cabaret: A building or portion of a business used for providing dancing or other live entertainment, if such dancing or other live entertainment is distinguished or characterized by an emphasis on the presentation, display, depiction or description of nudity, sexual conduct, sexual excitement or sadomasochistic abuse, as defined herein, for observation or participation by patrons therein.
- K. Sexually Oriented Health/Sport Club: A health/sport club that is distinguished or characterized by an emphasis on specified sexual activities or nudity, sexual conduct, sexual excitement or sadomasochistic abuse, as defined herein, for observation or participation by patrons therein.
- L. Sexually Oriented Steam Room/Bathhouse Facility: A building or portion of a building used for providing a steam bath or heat bathing room used for the purpose of pleasure, bathing, relaxation, or reducing, utilizing steam or hot air as a cleaning relaxing or reducing agent, if the service provided by the steam room/bathhouse facility is distinguished or characterized by an emphasis on nudity, sexual conduct, sexual excitement, or sadomasochistic abuse, as defined herein, for observation or participation by patrons therein.
- M. Sexually-Oriented Business: An adult bookstore, adult theater, sexually oriented massage parlor, sexually oriented conversation/rap parlor, adult sauna, adult entertainment center, sexually oriented cabaret, sexually oriented health/sport club, sexually oriented steam room/bathhouse facility, or any other business whose primary business activity is characterized by emphasis on matters depicting, describing, or relating to nudity, sexual conduct, sexual excitement or sadomasochistic abuse as defined herein.
- N. Sexual Conduct. Acts of masturbation, homosexuality, sexual intercourse, or physical contact with a person's unclothed genitals, pubic area, buttocks, or, if such person be a female, her breast.

Subd.13 – Law Enforcement

Law enforcement officials may be allowed to enter the premises of any sexually oriented business unannounced without a search warrant to search for illegal activity or violations of this Ordinance.

Subd.14 – Other

The City may enact other ordinances regulating sexually orientated businesses as defined in this section.