

CHAPTER 14: LAND USE DEVELOPMENT CODE

Section 1410: Zoning Districts –General District Regulations & Classifications

1410.01	Purpose
1410.02	Uses, Permitted & Conditional
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1410.01. Purpose: In order to implement the Comprehensive Plan and achieve an orderly development pattern that protects the health, safety and general welfare, of the residents and business community of the City of Rice and minimizes development impacts on the environment, the city is hereby divided into the two categories of zoning classifications: Residential and Non-residential Districts. These districts and the intent for each sub classification for the Residential and Non Residential Districts is as follows:

Residential Districts:

- R-1 – Single Family Residential District
- R-2 – Multiple Family Residential District
- RR – Rural Residential District
- AG – Agriculture District

Intent: The specific intent of each Residential district is as follows:

- 1. R-1: Low Density Single Family Residential District.** The R-1 Residential District provides space for low density residential living with full provision of necessary urban service facilities. Existing agricultural uses are allowed to continue, within regulations, on land not yet needed for residential development, but other nonresidential uses are limited to the minimum necessary for residential convenience and welfare.
- 2. R-2: Medium Density Residential District.** By providing for space for apartment building and other styles of multiple dwelling and multi-family structures, the R-2 Residential District permits a variety of housing options while still promoting a neighborhood atmosphere.
- 3. RR: Rural Residential District.** Is to allow suitable areas of the city to be retained and utilized in open space and/or agricultural uses.
- 4. AG: Agriculture District.** In areas where lots are larger than ten (10) acres, conditions of soils might limit agricultural or residential activities, or both. The use of AG-Agriculture District provides for a mixture of agricultural and large lots more than ten (10) acres residential uses. The district is also appropriate for transitional areas in which some land owners may wish to transfer land from agricultural to residential uses.

Non Residential Districts

B-1 – Neighborhood Business District

B-2 – General Business District

B-3 – Highway Business District

I-1 – Light Industrial District

I-2 – Heavy Industrial District

RD – Rail Road District

AG – Agriculture District

Intent: The specific intent of each Non-Residential district is as follows:

- 1. B-1 - Neighborhood Business District** shall provide a friendly land use pattern that enables residential uses to coexist with small scale specialty retail uses and small scale commercial facilities and offices where they will be easily accessible to adjacent to residential areas. Development is intended to be compatible with the scale of surrounding residential areas. Parking areas are restricted in this zone in order to limit the impact on the neighborhood.
- 2. B-2 - General Business District.** District provides areas for concentrated general business and commercial activities or central business district, at locations where the interaction between such activities can be maximized with minimal infringement on residential neighborhoods.
- 3. B-3 - Highway Business District** shall provide areas with ready access to major transportation routes to meet the needs of an automobile oriented society. Businesses catering to travelers, serving the needs to vehicle owners, and to commercially orientated businesses that require larger buildings or acreage that are compatible with other business districts, may be located in this district. The B-3 Highway Business District is not intended to provide locations for industrial or manufacturing uses.
- 4. I-1 - Light Industrial District** shall provide areas adjacent to major thoroughfares and in areas where public utilities are available for the express use of industrial uses that create a minimum degree of refuse by-products, air or noise pollution, and requiring a relatively low level of on-premises processing. Several of these activities include secondary commercial functions which may also be conducted on site. Designation of industrial districts will help attract industry, thereby stabilizing the tax base and increasing employment in the City.
- 5. I-2 Heavy Industrial District** shall be to provide areas adjacent to major thoroughfares and in areas where public utilities are available for the express use of industrial developments in areas adequately buffered with open land to permit storage of regulated materials and products. Industrial activities that are deemed to involve significant levels of hazards or nuisance to workers or to adjacent uses may be located so that they are always adequately separated from any residential or commercial districts, by buffer zone of land or by designated I-1 district. Development within this district shall be regulated through the performance standards outlined in this chapter to promote sensitive site design and to mitigate external site

impacts. Designation of a heavy industrial district will help attract industry, thereby stabilizing the tax base and increasing employment in the City.

6. **RD- Rail Road District** shall provide areas adjacent to mainline and spur trackage for the use of businesses that require such access, or to businesses providing services to businesses that utilize access to trackage. Uses may include transportation of rail freight, minor manufacturing or processing of materials shipped by rail. Development within the Rail Road District will take advantage of the rail facilities that transect the City of Rice.

1410.02. USES:

Within the City's zoning districts, no land or buildings may be used or occupied in any manner except for the uses set forth in the following land use classification chart and described in the following subsections. If a use is not identified in the following land use classification chart, the Zoning Administrator shall issue a statement of clarification, finding that the use is or is not substantially similar in character and impact to a use regulated in the land use classification chart. If the use is not substantially similar to any other use regulated in the land use classification chart, the Zoning Administrator shall refer the matter to the Planning Commission for a recommendation or to the City Council for determination. The Zoning Administrator and Planning Commission City Council shall take into consideration if the use meets the City's goals and plans, what zoning district may be most appropriate for the use as well as what conditions and standards should be imposed relating to development of the use.

When a use could be classified under two (2) similar but different types of uses, the most restrictive or specific classification for what type of use will govern.

Land uses appropriate to Residential and Nonresidential Zoning Districts area as follows:

**General Guidance on Permitted uses per zoning district.
Please refer to District subd for specific Resrtictions**

NP	Not Permitted
P	Permitted
C	Conditional Use Permit (CUP) Req'd
C+	Major CUP
C-	Minor CUP
I	Interim Use Permit Req'd

	Zoning District										Additional Use Regulations (See footnotes)
	RI - Single Family Residential District	R2 - Medium Density Residential	RR - Rural Residential	AG - Agriculture	B-1 Neighborhood Business District	B-2 - General Business District	B-3 Highway Business District	I-1 - Light Industrial	I2 - Heavy Industrial	RR Rail Road ALL USES ARE CONDITIONAL	
Residential											
Single family detached, one dwelling per lot	P	P	P	P	P	NP	NP	NP	NP		
Multi-family (four units or fewer per building)	NP	P	C	C	P	NP	NP	NP	NP		Includes town homes
Multi-family (four or more units per building)	NP	C	NP	NP	NP	NP	NP	NP	NP		Includes town homes
Apartments 4 units or less	NP	P	C	C	NP	NP	NP	NP	NP		
Apartments 4 units or more	NP	C	NP	NP	NP	NP	NP	N	NP		
Homes for handicapped or infirmity including group homes or halfway houses but not containing more than 7 unrelated persons	C	P	C	C	C	NP	NP	NP	NP		Family must meet all requirements of MS 245a20
Apartments above or adjoining business/commercial structures	NP	NP	NP	NP	NP	P	C	NP	NP		
Manufactured single-family dwelling	P	P	P	P	P	NP	NP	NP	NP		Homes meeting requirements set forth in Section 110
Mobile Homes	NP	NP	NP	NP	NP	NP	NP	NP	NP		
Public and Semi-Public Services											
Cemetery	NP	NP	P	C	NP	NP	NP	NP	NP		100' Setback Required

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Churches, synagogues, temples and associated facilities except schools	C	C	C	C	C	C	P	NP	NP		Facility Footprint: 5,000 > Major CUP 5,000 < Minor CUP Where Permitted (P) facilities > 10,000 sq ft = Major CUP
Crematorium	NP	NP	NP	NP	NP	NP	NP	NP	NP		
Funeral home	NP	NP	NP	P	C	P	P	NP	NP		
Hospitals	NP	NP	NP	NP	NP	P	P	NP	NP		
Medical clinics	NP	NP	NP	NP	C	P	P	NP	NP		Facility Footprint: 5,000 > Major CUP 5,000 < Minor CUP
Military reserve, national guard centers	NP	NP	NP	C	NP	P	P	P	NP		
Nursery school/day care services	C	C	C	C	P	P	P	NP	NP		
Parking garage (as principal use)	NP	NP	NP	NP	C	P	P	NP	NP		
Parking lots - surface (as principal use)	NP	NP	NP	NP	C	P	P	NP	NP		
Penal and correctional facilities	NP	NP	NP	NP	NP	NP	NP	NP	NP		
Post office	NP	C	P	P	P	P	P	NP	NP		
Public facilities including government offices, emergency and public works facilities, schools, libraries, museums, art galleries and other municipally-owned or operated facilities	C	C	C	C	C	P	P	NP	NP		Facility Footprint: 5,000 > Major CUP 5,00 < Minor CUP Where Permitted (P) facilities exceeding 10,000 sq ft = Major CUP
Public utility	C	C	C	C	C	P	P	NP	NP		
Schools - trade, college, vocational and associated facilities	NP	C	NP	NP	C	P	P	NP	NP		Facility Footprint: 5,000 > Major CUP 5,00 < Minor CUP Where Permitted (P) facilities exceeding 10,000 sq ft = Major CUP

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Social, fraternal clubs and lodges, union halls	NP	NP	NP	NP	NP	P	P	NP	NP		
Towers and antennas (Commercial)	NP	NP	NP	NP	NP	C	C	P	P		See Ordinance Text
Park-and-ride lots	NP	NP	NP	C	NP	NP	P	NP	NP		
Commercial											
Adult uses (bookstore, theater, nightclub, nude or partially-nude dancing)	NP	NP	NP	NP	NP	NP	NP	P	NP		
Agricultural operations, row cropping, tree farming (excluding livestock)	P	P	P	P	NP	NP	NP	NP	NP		No on-premises sales
Animal boarding serving 4 or fewer animals over the age of 6 months	NP	NP	C	P	NP	NP	NP	NP	NP		
Animal boarding serving 5 or more animals over the age of 6 months	NP	NP	NP	C	NP	NP	NP	NP	NP		
Animal grooming	NP	NP	NP	P	C	P	P	NP	NP		
Animal hospitals	NP	NP	C	P	C	P	P	NP	NP		
Animal retail sales	NP	NP	NP	P	C-	P	P	NP	NP		
Antique shops	C	C	C	P	NP	P	P	NP	NP		
Artist studios	P	P	P	P	P	P	P	NP	NP		
Auto Wrecking or Junk Yard	NP	NP	NP	NP	NP	NP	NP	C	C		
Auto sales, rental and services	NP	NP	NP	NP	NP	C	P	NP	NP		
Auto services only	NP	NP	NP	NP	NP	P	P	NP	NP		
Auto storage	NP	NP	NP	NP	NP	NP	C	NP	NP		
Auto washing	NP	NP	NP	NP	NP	P	P	P	NP		
Automobile painting and body work	NP	NP	NP	NP	NP	NP	P	P	NP		
Automobile parts/ accessories, retail sales and installation	NP	NP	NP	C	NP	P	P	P	NP		Facility Footprint: 4,000 > Major CUP 4,000 < Minor CUP
Bakeries (retail sales)	NP	NP	NP	NP	NP	P	P	NP	NP		

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Bakeries (wholesale)	NP	NP	NP	NP	NP	P	P	NP	NP		
Bars	NP	NP	NP	NP	NP	P	P	NP	NP		
Bed and breakfast and guest houses with adequately-sized lot	C	C	P	P	P	NP	NP	NP	NP		Where Conditional (C): 3 rooms < Minor CUP 3 rooms > Major CUP Where Permitted (P) may have up to 4 rooms without CUP
Boat And Marine Sales & RV Sales	NP	NP	NP	NP	NP	NP	P	P	NP		
Building materials and services	NP	NP	NP	C	NP	NP	P	P	NP		
Catering services	NP	NP	NP	NP	NP	P	P	P	NP		
Coliseums, stadiums	NP	NP	NP	NP	NP	NP	NP	NP	NP		
Commercial Athletic Fields or Courts	NP	NP	NP	NP	NP	P	P	N	NP		
Commercial greenhouse operations	NP	NP	C	P	NP	P	P	P	NP		Outside storage or sales requires CUP per ordinance Text
Convenience stores	NP	NP	NP	NP	C	P	P	NP	NP		
County club and golf course	C	C	C	C	NP	NP	NP	NP	NP		
Dormitories, sororities and fraternity houses	NP	NP	NP	NP	NP	NP	NP	NP	NP		
Drive-up banks	NP	NP	NP	NP	NP	P	P	NP	NP		
Entertainment/Places of Commercial Amusement/halls, movie theatre, bowling alley, skating rink (indoor): 250 Capacity or greater	NP	NP	NP	NP	NP	P	P	NP	NP		If alcohol is part of the use, a Major CUP is required
Entertainment/Places of Commercial Amusement/halls, movie theatre, bowling alley, skating rink (indoor): 250 Capacity or less	NP	NP	NP	C	NP	P	P	NP	NP		If alcohol is part of the use, a Major CUP is required

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Farm Equipment sales and Service	NP	NP	NP	P	NP	NP	P	P	P		
Gas, diesel or other motor fuel retail sales	NP	NP	NP	C	NP	C	P	NP	NP		
Golf driving range	NP	NP	NP	NP	NP	NP	P	NP	NP		
Horseback riding, stables	NP	NP	NP	C	NP	NP	NP	NP	NP		6 Horses < Minor CUP 6 Horses > Major CUP
Hotels/Motels	NP	NP	NP	NP	NP	C	P	NP	NP		
Liquor Store	NP	NP	NP	NP	NP	P	P	NP	NP		
Manufactured home parks	NP	NP	NP	NP	NP	NP	NP	NP	NP		
Manufactured home sales	NP	NP	NP	NP	NP	NP	P	C	NP		
Mobile home sales	NP	NP	NP	NP	NP	NP	NP	NP	NP		
Private boarding house	C	C	C	P	NP	NP	NP	N	NP		Conditional Use considered if over 500 sq feet of lot area per border is provided
Produce sales: vegetables, fruit, flowers, etc.	NP	NP	C	P	NP	P	P	NP	NP		
Professional offices	NP	NP	NP	NP	C	P	P	NP	NP		
Restaurant - fast food	NP	NP	NP	NP	NP	C	P	NP	NP		
Restaurant - liquor serviced, bar grill	NP	NP	NP	NP	NP	P	P	NP	NP		
Restaurant - traditional (no liquor, sit down restaurant)	NP	NP	NP	NP	NP	P	P	NP	NP		
Retail of product produced on site.	NP	NP	NP	NP	NP	P	P	P	NP		
Retail stores	NP	NP	NP	NP	C	P	P	NP	NP		
Salvage yard (auto or scrap iron)	NP	NP	NP	NP	NP	NP	NP	C	C		
Storage - mini-storage/ cold storage	NP	C	C	C	NP	NP	NP	P	NP		

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Trucking	NP	NP	NP	NP	NP	NP	NP	P	NP		
Wholesale sales and mail order	NP	NP	NP	NP	NP	NP	NP	P	C		
Wind or solar energy utilities or facilities Principal Or Accessory use	NP	NP	NP	C	NP	NP	NP	P	P		20kw > Major CUP 20kw < Minor CUP
Industrial											
Industrial research laboratories	NP	NP	NP	NP	NP	NP	NP	C	C		
Manufacturing	NP	NP	NP	NP	NP	NP	NP	P	P		See restrictions I1 vs. I2
Mineral Extraction	NP	NP	I	NP	NP	I	I	I	NP		Interim Use Permit req'd. Use contained to MEC Overlay District
Retail sale, installation and remanufacturing of vehicle parts and accessories	NP	NP	NP	NP	NP	NP	NP	P	NP		
Storage and distribution of bulk liquid fertilizer, chemicals or similar materials	NP	NP	NP	NP	NP	NP	NP	C	NP		As Per MPCA Requirements and Conditions
Storage and distribution of bulk petroleum products, oil and gasoline	NP	NP	NP	NP	NP	NP	NP	C	NP		
Warehousing with inside storage Non Hazardous Material	NP	NP	NP	NP	NP	NP	NP	P	C-		
Wholesale Greenhouse	NP	NP	NP	NP	NP	NP	NP	P	NP		

1410.03. ANNEXATIONS.

Any territory annexed into the City of Rice will automatically, upon annexation, be classified as AG Agricultural District. That land will be subject to the requirements of the AG Zoning District unless otherwise provided for in the annexation agreement or until the territory is rezoned.

Any floodplain areas that are annexed into the City after the adoption date of this ordinance shall immediately be subject to the provisions of this ordinance and any floodplain requirements upon the date of annexation into the City of Rice.

1410.04. ZONING MAP.

- A. This chapter has no effect until the boundaries of the use districts are delineated on an Official Zoning Map, created pursuant to M.S. § 462.357, Subd. 1, as it may be amended from time to time, which, once it is adopted by ordinance after notice and hearing as provided in M.S. § 462.357, Subd. 3, as it may be amended from time to time, is hereby adopted by reference and declared to be part of this chapter. This map shall be on permanent file and available for public inspection in the City Office. It shall be the responsibility of the Clerk or other person appointed by the City Council to administer this chapter to maintain and keep the map up to date. The date of any amendment or change to the Zoning Map shall be recorded on the current version of the Zoning Map.
- B. All property within the city shall have the zoning designation shown on the official zoning map. If there is any discrepancy or inconsistency between the official zoning map and any other map, ordinance or source which purports to indicate the zoning of property, the official zoning map shall take precedence. The provisions of this section shall not be interpreted to required the city to zone all properties within the city limits or to prevent zoning only a portion of the city.
- C. Zoning district boundary lines shown on the official zoning map are intended to follow lot lines, the center lines of streets and alleys, the center lines of street or alleys projected, railroad right-of-ways, the center of watercourses or the corporate limits of the city, unless otherwise specifically indicated.

The City of Rice Zoning Map is as follows:

Proposed May 31, 2012

