

ORDINANCE NO. O2022-013

**AN ORDINANCE OF THE CITY OF SHAKOPEE, MINNESOTA,
AMENDING CITY CODE SECTION 151.007 (GENERAL REGULATIONS)**

WHEREAS, Peter Coyle has proposed an amendment to the City Code Section 151.007, to add Fuel Stations, Industrial as a listed conditional use in the Heavy Industry Zone in Section 151.007, Subdivision K (Table of Uses), and add specific conditions to 151.007, Subdivision L; and

WHEREAS, notices were duly posted, and a public hearing was held before the Planning Commission on April 7, 2022, at which time all persons present were given an opportunity to be heard; and

WHEREAS, the Planning Commission has recommended to the City Council that the proposed text amendment be adopted; and

WHEREAS, the City Council heard the matter at its meeting on April 19, 2022; and

WHEREAS, the language of City Code Sections 151.007, Subdivision K (Table of Uses) and L (Specific Conditions) is hereby amended; and

WHEREAS, added language to the Code is underlined;

151.007 General Regulations

K. Table of Uses:

USE CLASSIFICATION (proposed)	B-1	B-2	B-3	NC	MR	CC	I-1	I-2	BP
<u>Fuel Station, Industrial</u>								<u>C</u>	

L. *Specific Conditions*. Specific conditions are established to address the unique characteristics of certain land uses. The standards and conditions listed for land uses in this chapter are applicable to permitted, conditional, and interim use permits, as specified for each zoning district, unless otherwise noted.

24. Fuel Stations, Industrial (other existing numbers re-numbered in alphabetical order)

- a. Time-fill operations shall be limited to a single user / business in a secured, access controlled parking area;
- b. Fast-fill operations shall be limited to commercial fleet fueling of commercial vehicles;
- c. Site lighting must be installed pursuant to City Code requirements for lighting;
- d. Station equipment must be monitored at all times, such monitoring may occur off-site if the monitoring program is approved by the Zoning Administrator and Fire Department;
- e. Station must incorporate fire detection monitoring systems with automatic shut-off;
- f. Fueling station infrastructure must be screened from view from public right-of-way and adjacent properties;
- g. Landscaping and screening shall be designed and installed in accordance with Section 151 and the City Forestry Specifications Manual;
- h. Gasoline and Diesel fuel are not permitted fuels;
- i. Shall not store any vehicles which are unlicensed or inoperable on the premises;
- j. Time-fill operations shall be performed in a secure area. Barbed wire, concertina / razor wire fencing is not a permitted fencing material;
- k. Shall provide stacking for quick-fill fueling for at least one vehicle / trailer beyond the fueling island in each direction in which access can be gained to the fueling island. The required stacking

shall not interfere with internal circulation or with designated parking facilities, and shall not be located in any public right-of-way, private access easement or within the required parking setback;

- l. Shall not sell, store, or display any vehicles for sale;
- m. May have a canopy which projects up to 10 feet into the required front or rear yard setback. The setback shall be maintained clear of all obstructions up to a height of 16 feet. The canopy shall have a maximum vertical thickness of 4 feet and have a maximum height of 20 feet. The visible portion of the columns / supports of the canopy shall be constructed out of brick. Canopy light sources shall be mounted flush with the bottom of the canopy;
- n. Fuel stations must receive all applicable licenses / registration from Scott County Environmental Health / Minnesota Pollution Control Agency and provide the City with a copy of the license / registration;
- o. Fuel stations must follow all requirements of the Minnesota State Fire Code and the National Fire Protection Association.
- p. Fuel station sites and fueling areas must be paved with a material suitable for the specific fuel type and designed for use by commercial vehicles.
- q. Minor fleet vehicle maintenance services as tire inflation, tire rotation / repair, wiper blade replacements, oil changes, light bulb replacements and other minor routine maintenance are permitted only within the secure time-fill operations area by a contracted mobile vehicle service provider. A mobile service provider must receive all applicable licenses/registration from Scott County Environmental Health/ Minnesota Pollution Control Agency as applicable and provide and receive City approval of a hazardous materials plan and the mobile service provider's service contract listing specific repairs to be performed. Vehicle service on-site must comply with the noise ordinance and permitted working hours for power equipment established by City Code Section 130.45.

WHEREAS, it is ordained that the proposed ordinance amendment adding Industrial Fuel Stations as a listed conditional use in the Heavy Industry Zone and the attached specific conditions is hereby approved.

Passed in regular session of the City Council of the City of Shakopee, Minnesota held on the _____ day of _____, 2022.

Mayor of the City of Shakopee

Attest:

Lori Hensen, City Clerk

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PREPARED BY:
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