

## **1001.22A. POC, PUBLIC / OPEN / CONSERVATION**

**Subd. 1. Purpose.** The purpose of the POC District is to provide for the reservation of publicly (or in specific cases, privately) owned or managed open space. Such areas are intended to be maintained as long term open space, and this district is not intended as a "holding" zone for future development land.

**Subd. 2. Permitted Uses.** Subject to applicable provisions of this Chapter, the following are permitted uses in a POC District:

- A. Agriculture, the keeping of livestock and poultry, nurseries, greenhouses for growing only, landscape gardening and tree farms, including sale of products grown on premises.
- B. Golf courses (except club houses, miniature courses and driving tees operated for commercial purposes).
- C. Residential care facilities licensed by the state and regulated, located and operated per State Statutes.
- D. Single family detached dwellings.

**Subd. 3. Interim Uses.** Subject to applicable provisions of this Chapter, the following are interim uses in the POC District and are governed by Section 1001.03, Subd. 6 of this Chapter.

- A. Model homes as regulated by Section 1001.09, Subd. 16 of this Chapter.
- <sup>30</sup> B. Wind Energy Conversion Systems (WECS) as regulated by Section 1001.09, Subd. 21 of this Chapter.

**Subd. 4. Accessory Uses.** Subject to applicable provisions of this Chapter, the following are permitted accessory uses in the POC District:

- A. Barns, stables, silos, other agricultural buildings.
- B. Fences as herein regulated.
- C. Keeping of not more than two (2) boarders or roomers by a resident family.
- D. Living quarters of persons employed on the premises.

- E. Parking as herein regulated.
- F. Private garage.
- G. Secondary uses customarily incident to the permitted or conditional uses allowed in the district.
- H. Signs as herein regulated.

**Subd. 5. Conditional Uses.** Subject to applicable provisions of this Chapter, the following are conditional uses allowed in a POC District: (Requires a conditional use permit based upon procedures set forth in and regulated by Section 1001.03, Subd. 5. of this Chapter.)

- A. Cemeteries, provided that:
  - 1. The site accesses on a major collector.
  - 2. The site is landscaped in accordance with Section 1001.09 of this Chapter.
  - 3. The provisions of this Chapter are considered and determined to be satisfied.
- B. Dog kennels provided that:
  - 1. No person shall maintain or operate any kennel or shelter without a license as regulated by the City Code.
  - 2. A minimum lot size of one (1) acre is required to be licensed for operation of a kennel or shelter.
  - 3. Every kennel or shelter shall be enclosed or fenced in such a manner as to prevent the running at large or escape of animals confined therein.
  - 4. Both dog kennels or cat shelters shall be open for inspection by the City authorities at any time.
  - 5. It shall be unlawful for any person to own or keep three (3) or more dogs and/or cats over six (6) months of age on his/her premises in the City without obtaining a kennel license pursuant to this section and the City Code.

C. Home occupations provided that the following general provisions are met:

1. No home occupation shall produce light, glare, noise, fumes, odor, or vibration that will in any way have an objectionable effect upon adjacent or nearby property.
2. No equipment shall be used in the home occupation which will create electrical interference to surrounding properties. No equipment shall be used which creates visual or audible interference in any radio or television receives off the premises or causes fluctuations in the voltage off the premises.
3. Any home occupation shall be clearly incidental and secondary to the residential use of the premises; not more than ten (10) percent of the floor area of the dwelling unit shall be permanently set aside to be used in the conduct of the home occupation. It shall not change the residential character thereof, and shall result in no incompatibility or disturbance to the surrounding residential uses.
4. No home occupation shall require internal or external alterations or involve construction features not customarily found in dwellings except where required to comply with local and state fire and police recommendations.
5. There shall be no exterior storage of equipment or materials used in the home occupation, except personal vehicles used in the home occupation which comply with applicable provisions of this Chapter may be parked on the site.
6. The home occupation shall meet all applicable fire and building codes.
7. There shall be no exterior display or exterior signs or interior display or interior signs which are visible from outside the dwelling with the exception of directional and identification/business signs to the extent authorized by the provisions of Section 1001.08 of this Chapter.
8. All home occupations shall comply with the provisions of the City Code.
9. No home occupation shall be conducted between the hours of 10:00 PM and 7:00 AM unless approved by the City Council and said occupation is contained entirely within the principal building and will not require any on-street parking facilities.
10. Home occupations shall not create a parking demand in excess of that which can be accommodated in an existing driveway, where no vehicle is parked closer than fifteen (15) feet from the curb line or edge of paved surface.

11. No person other than those who customarily reside on the premises shall be employed as part of the home occupation.
  12. All permitted home occupations shall be conducted entirely within the principal building and may not be conducted in an accessory building.
  13. Permitted home occupations include and are limited to: art studio, dressmaking, secretarial services, family day care, foster care, offices, teaching with musical, dancing and other instructions which consist of no more than one pupil at a time, and similar uses.
  14. The home occupation shall not involve any of the following: repair service or manufacturing which requires equipment other than found in a home; teaching which customarily consists of more than one (1)pupil at a time; over-the-counter sale of merchandise produced off the premises.
- D. Municipal, administrative or service buildings or uses including public and semi-public institutions, libraries, museums, post offices, etc., except industrial type uses provided that:
1. When abutting a residential use in a residential use district, the property is screened and landscaped in compliance with Section 1001.09 of this Chapter.
  2. The provisions of Section 1001.03 of this Chapter are considered and determined to be satisfied.
- E. Private recreation including golf club houses, country club, swimming or tennis club provided that:
1. The principal use, function or activity is open, outdoor in character.
  2. Not more than five (5) percent of the land area of the site shall be covered by buildings or structures.
  3. When abutting a residential use or a residential use district, the property is screened and landscaped for the protection of the abutting use, according to the provisions of Section 1001.09 of this Chapter.
  4. The land area of the property containing such use or activity meets the minimum established for the district.
  5. The use will not negatively impact the natural setting intended for this district or neighboring residential uses.

6. The traffic generated by the use can be adequately accommodated (volume and weight) upon City streets serving the use.
  7. An adequate septic system and well can be established on the site.
- F. Parks and recreation areas owned or operated by public bodies, other than the City.
- G. Essential service buildings.
- H. Railroad rights-of-way.

**Subd. 6. Lot Area and Setback Requirements.** The following minimum requirements shall be observed in a POC District, subject to additional requirements, exceptions and modifications set forth in this Chapter.

A. Lot Requirements.

1. Lot Area: Not less than five (5) acres.
2. Lot Width: Not less than three hundred (300) feet.
3. Lot Depth: Not less than three hundred (300) feet.

B. Principal Structure Setback Requirements.

1. Front Yard:
  - a. One or Two Family: Not less than fifty (50) feet.
  - b. Other Uses: Not less than one hundred (100) feet.
2. Side Yard:
  - a. One or Two Family: Not less than fifteen (15) feet, nor less than fifty (50) feet abutting a street.
  - b. Other Uses Abutting Residences: Not less than fifty (50) feet.
  - c. Other Uses: Not less than thirty (30) feet.
  - d. Detached Access Uses: Not less than fifteen (15) feet.
  - e. Attached Access Uses: Not less than fifteen (15) feet.

3. Rear Yard:
  - a. One or Two Family: Not less than twenty-five (25) feet, nor less than fifty (50) feet abutting a street.
  - b. Other Uses Abutting Residences: Not less than fifty (50) feet.
  - c. Other Uses: Not less than forty (40) feet.
  - d. Detached Access Uses: Not less than twenty-five (25) feet.
  - e. Abutting an Arterial Street: Not less than fifty (50) feet.

**Subd. 7. Other Requirements.**

- A. Any development in the POC District shall be required to submit a plan indicating further subdivision of the property to include public sanitary sewer and water.
- <sup>3</sup>B. All unsewered development in the POC District must meet state and local on-site sewer requirements.