

## ORDINANCE NO. 2023 - 47

### AN ORDINANCE CREATING A DEFINITION AND CLARIFYING REGULATIONS FOR DISPLAYS OF MERCHANDISE IN COMMERCIAL AND BUSINESS DISTRICTS, THEREBY AMENDING CHAPTERS 19 AND 21 OF THE CITY CODE.

The City Council of the City of Bloomington, Minnesota ordains:

Section 1. That Chapter 19 of the City Code is hereby amended by deleting those words that are contained in brackets [ ] with ~~striketrough~~ text and adding those words that are underlined, to read as follows:

## CHAPTER 19: ZONING

### ARTICLE I: GENERAL PROVISIONS

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#### DIVISION B: DEFINITIONS

#### § 19.03 DEFINITIONS

The following words and terms when used in Chapters 19 and 21 shall have the following meanings unless the context clearly indicates otherwise.

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**DISPLAY BOX.** A shallow, framed box structure containing a glass or glazed windowpane that is built into or attached to a building wall and intended to be used for visual displays.

**DISPLAYS OF MERCHANDISE.** An arrangement of consumer products, or a portable and secured bin, device, or equipment of less than 15 square feet offering a personal convenience, located outside the principal structure, that is established for the benefit of the owner, operator, customers, employees, visitors, or third-party beneficiaries of a commercial use.

***DISTILLERY, MICRO.*** A facility that produces ethyl alcohol, hydrated oxide or ethyl, spirits of wine, rum, brandy, gin, or other distilled spirits, including all dilutions and mixtures thereof, for non- industrial use in total quantity not to exceed 40,000 gallons in a calendar year. A ***DISTILLERY*** may include a cocktail room.

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Section 2. That Chapter 21 of the City Code is hereby amended by deleting those words that are contained in brackets [ ] with ~~striketrough~~ text and adding those words that are underlined, to read as follows:

## CHAPTER 21: ZONING AND LAND DEVELOPMENT

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### ARTICLE III: DEVELOPMENT STANDARDS

## DIVISION A: GENERAL STANDARDS

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### § 21.301.16 EXTERIOR STORAGE.

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(c) *In Commercial and Business Districts.*

(1) Displays of merchandise/exterior storage, incidental.

(A) Displays of merchandise may extend up to five feet in front of an existing building and may encroach up to five feet into a required setback area if such building abuts against or extends into the required setback area.

(B) Displays of merchandise must be stored on a paved bituminous or concrete surface.

(C) Displays of merchandise must not reduce or impede the off-street parking area or vehicle access lanes as required by § 21.301.06 of the city code.

(D) Displays of merchandise must not block a sidewalk as required by § 21.301.04 of the city code.

(E) ~~[Displays of merchandise or e]~~ Exterior storage not incidental to the primary use ~~[are]~~is prohibited.

(F) Exterior storage incidental to the primary use and not a display of merchandise must be fully screened so as not to be visible from adjoining or adjacent lands. All screening must be consistent with the standards in § 21.301.15. Before the erection of any screening required by this section, the plans for such screening must be approved by the Planning Manager.

(2) Exceptions: Displays of [M]merchandise may be displayed on convenience facility with fuel sales pump islands and where motor vehicles, new or used, are lawfully sold on the premises, they may be stored or displayed in off-street parking areas.

Passed and adopted this 18th day of December, 2023.

/s/ Tim Busse

Mayor

ATTEST:

/s/ Matt Brillhart

Secretary to the Council

APPROVED:

/s/ Melissa J. Manderschied

City Attorney