

**CITY OF ELK RIVER
ORDINANCE 18 - 09
AN ORDINANCE
AMENDING SECTIONS,
30-1, DEFINITIONS AND
30-1027, XCR EXTREME
COMMERCIAL RECREATION
OF THE CITY OF ELK RIVER,
MINNESOTA, CITY CODE**

The City Council of the City of Elk River does hereby ordain as follows:

SECTION 1. That § Section 30-1, definitions of the City of Elk River Code of Ordinances shall be amended to include the following definitions:

Active Recreation and Physical Endurance Facility means non-motorized leisure activities, often requiring equipment and taking place at prescribed places, sites, or fields. Recreation requiring some building of constructed obstacles and organized activities.

Conference and Event Center means a facility for service organizations, business and professional conferences, and seminars limited to accommodations for conference attendees.

Festivals means the sale of ethnic specialty, regional, and gourmet foods, arts and crafts, live musical entertainment, in an outdoor setting. A recreational, social, educational, or cultural activity, open to the public or a designated part of the public. The provisions of rides, games, food, and amusements outside of permanent structures. The use shall have a duration of no more than 10 days in a month. Events such as amusement rides, animal events, art shows, concerts, craft fairs, itinerant shows, and religious revival meetings.

Live Entertainment Establishment means a facility where any amplified or non-amplified musical act (including karaoke), theatrical act (including stand-up comedy), play, revue, scene, dance act, or song and dance act, or any combination thereof, performed by one or more persons.

Swap Meet means periodic commercial activities held in an open area or an enclosed structure where groups of sellers rent space on a short-term basis to display, barter, or sell goods to the public; or one or more sellers bring goods for auctioning to the public.

SECTION 2. That § Section 30-1027, XCR extreme commercial recreation of the City of Elk River Code of Ordinances shall be amended to read as follows:

a) Purpose. The extreme commercial recreation district is intended to provide lodging, retail, and a variety of commercial recreation uses that are more intense in nature than traditional recreational uses. Some uses may include, but are not limited to, off road racing, hotels, and training facilities.

b) Permitted uses.

1) Agriculture uses.

2) Business offices.

3) Horticulture uses.

4) Public parks.

5) Restaurants, class I (requires city services).

6) Restaurants, class II (requires city services).

7) Retail sales.

c) Accessory uses.

1) Overflow event parking.

2) Signs (as permitted in section 30-851 et seq.).

3) Structures, accessory.

d) Interim uses. Interim uses shall be permitted for no more than five years, or when the property is platted, whichever occurs first. The city may require an escrow to ensure the conditions of the interim use are adhered to.

1) Concrete/asphalt products and processing.

2) Gravel mining.

3) Home occupations, conditional.

4) Kennels, commercial.

5) Veterinary clinics.

6) Wind turbines.

e) Conditional uses.

1) Active use storage.

2) Active recreation and physical endurance facilities.

3) Campground (for a period of no more than seven consecutive days)

4) Conference and event centers.

5) Festivals.

6) Hotels (requires city services).

7) Limited stay lodging.

8) Live Entertainment Establishments.

9) Off road racing facilities.

10) Outdoor storage, provided the storage area:

a. Is accessory to a principal permitted, interim, or conditional use; and

b. Complies with the accessory structure setback requirement applicable to the property; and

c. Is no larger than 30 percent of the building area; and

d. Includes screening so as to provide a visual barrier. Any such barrier shall reduce visibility in a manner that restricts vision of the object being screened, but is not required to totally block the vision of any such object.

1. Screening shall consist of two or more of the following:

i. A compact evergreen or deciduous hedge or evergreen, overstory and ornamental trees of sufficient width and density; or

a. Hedge material must be at least three feet in height.

b. Deciduous trees must be at least two inches in diameter as measured six inches above the ground.

c. Coniferous trees must be at least six feet in height.

ii. An earth berm of sufficient height to provide an effective screen throughout the year; or

a. Earth berms shall not have a slope of more than three feet horizontal to one foot vertical or be located within any street right-of-way unless otherwise approved by the city engineer.

iii. A screening fence constructed of one or more of the following materials:

a. Factory finished metal or vinyl panels.

b. Wood.

11) Swap meets.

12) Water sports facility.

SECTION 3. That this ordinance shall take effect upon adoption and be published as provided by law.

Passed and adopted by the City Council of the City of Elk River this 18th day of June, 2018.

John J. Dietz, Mayor

ATTEST: Tina Allard

City Clerk

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