

11 Performance Standards for Home Occupation Uses

11.1 Performance Standards for Seasonal Agricultural Business

- 11.1.1 Required Permits.** Agricultural Business - Seasonal is allowed in the Agricultural District and Single Family Estate District. The business must comply with all rules and regulations of federal, state, county, and local agencies.
- 11.1.2 Performance Standards.** Seasonal agricultural businesses must comply with all of the following standards:
 - 11.1.2.1** The majority of product sold on the property shall be grown or raised on the property. No sale of product shall take place on any County road or Township road right-of-way.
 - 11.1.2.2** All structures, including temporary structures shall meet the minimum setback requirements of the zone in which it is located.
 - 11.1.2.3** Any temporary structure placed on the property for such sales must be removed at the end of the selling season. The size of the temporary structure shall not exceed 100 square feet.
 - 11.1.2.4** Off-street parking may be required.
 - 11.1.2.5** The Certificate of Compliance shall be reviewed annually.

11.2 Performance Standards for Car Wash

- 11.2.1 Required Permits.** A car wash is permitted in the Highway Commercial/Business District with a Conditional Use Permit. The car wash must comply with all rules and regulations of federal, state, county, and township agencies.
- 11.2.2 Performance Standards**
 - 11.2.2.1** The site shall be designed to provide additional parking or car stacking space to accommodate that number of vehicles which can be washed during a 15 minute period.
 - 11.2.2.2** The car wash shall be serviced with a public sanitary sewer system or with an on-site recycling water system that meets or exceeds State requirements and that assures protection of the surface water and groundwater in the Township and its environs.

11.3 Essential Services – Government Uses, Buildings and Storage

- 11.3.1 Required Permits.** Essential services - government uses, buildings, and storage are allowed in all Zoning Districts with a Certificate of Compliance. The essential service must comply with all rules and regulations of federal, state, county and Township agencies.
- 11.3.2 Performance Standards.** The essential service must comply with all of the following standards:
 - 11.3.2.1** The parcel on which the essential service will be located must have a minimum lot area of two (2) acres.
 - 11.3.2.2** Structures must be set back in accordance with the required setbacks of the Zoning District.

- 11.3.2.3 The site shall be landscaped to screen the facility from view from property lines and road.

11.4 Performance Standards for Essential Services

- 11.4.1 **Required permits.** Essential services - utility substations are allowed in all Zoning Districts with a Certificate of Compliance. The essential service must comply with all rules and regulations of federal, state, county and township agencies.
- 11.4.2 **Performance Standards for Essential services.** The essential service must comply with all of the following standards.
 - 11.4.2.1 Notwithstanding the prohibition against two or more uses on an individual parcel, the lot area for essential service-utility substation can be acquired by lease provided the lot shall be large enough so all structures/facilities comply with the required setbacks for the Zoning District.
 - 11.4.2.2 If no longer needed or used by the utility, the applicant shall return the property to its original state. The Zoning Administrator may require a bond to ensure compliance with this standard.
 - 11.4.2.3 A Certificate of Compliance shall be recorded with the Office of the Recorder.
 - 11.4.2.4 The site shall be landscaped to screen the facility from view from property lines and road.
 - 11.4.2.5 Utility substations to any other essential service as defined above containing antennas and towers greater than 45' in height must comply with Section 8.14 of this Zoning Ordinance.

11.5 Performance Standards for Motor Vehicle Repair

- 11.5.1 **Required Permits.** A Conditional Use Permit is required for motor vehicle repair establishments in the Highway Commercial/Business district. Motor vehicle repair establishments must comply with all rules and regulations of federal, state, county, and township agencies.
- 11.5.2 **Performance Standards.** Motor vehicle repair establishments must comply with all of the following standards:
 - 11.5.2.1 Lots and structures utilized for motor vehicle repair must meet the minimum standards of the Zoning District in which the use is located.
 - 11.5.2.2 A drainage system for collection of any hazardous material run-off must be installed. Such system shall be subject to approval by the Zoning Administrator.
 - 11.5.2.3 The entire site, other than that devoted to structures and landscaped areas shall be an impervious surface and maintained for control of dust, erosion, and drainage.
 - 11.5.2.4 Location and number of access driveways shall be approved by the County Engineer if such establishment is located along a county road and by the local Township Engineer, if located along a Township road.
 - 11.5.2.5 No vehicles shall be parked on the premises other than those utilized by employees, customers awaiting service, or as allowed through a Conditional Use Permit. Storage of salvage vehicles shall be prohibited.

11.5.2.6 All areas utilized for the storage and disposal of trash, debris, discarded parts, and similar items shall be fully screened. All structures and ground shall be maintained in an orderly, clean and safe manner.

11.5.2.7 Landscaping shall be planted to buffer the use from adjacent residential land uses. A landscape plan shall be submitted to the Zoning Administrator at the time of application for a Conditional Use Permit.

11.6 Performance Standards for Motor Vehicle Service Station

11.6.1 Required permits. A Conditional Use Permit is required for motor vehicle service stations in the Highway Commercial/Business District. Motor vehicle service stations must comply with all rules and regulations of federal, state and county agencies.

11.6.2 Performance Standards. Service stations must comply with all the following standards:

11.6.2.1 A minimum lot width of 150 feet is required.

11.6.2.2 Setbacks of all buildings, canopies, and pump islands shall be in compliance with the standards of the Highway Commercial/Business District.

11.6.2.3 A drainage system for collection of hazardous materials must be installed. Such installation is subject to approval by the Township staff.

11.6.2.4 The entire site other than that devoted to structures and landscaped areas shall be an impervious surface and maintained for control of dust, erosion, and drainage.

11.6.2.5 Wherever fuel pumps are installed, pump islands shall be installed. Pump islands shall not be placed in the required yards.

11.6.2.6 Interior concrete or asphalt curbs shall be constructed within the property to separate driving and parking surfaces from landscaped areas. Interior curb shall be six inches in height, except at approved entrances and exits.

11.6.2.7 Access drives onto a county road must be approved by the County Engineer. Access drives onto a Township road must be approved by the West Lakeland Township Engineer.

11.6.2.8 No vehicles shall be parked on the premises other than those utilized by employees, customers awaiting service, or as allowed through a Conditional Use Permit. Storage of salvage vehicles shall be prohibited.

11.6.2.9 Exterior storage shall be limited to vehicles, service equipment, and items offered for sale on pump islands. Exterior storage of items offered for sale shall be within yard setback requirements and shall be located in containers such as the racks, metal trays, and similar structures designed to display merchandise, or as indicated by the Conditional Use Permit.

11.6.2.10 All areas utilized for the storage and disposal of trash, debris, discarded parts, and similar items shall be fully screened. All structures and ground shall be maintained in an orderly, clean, and safe manner.

11.6.2.11 Landscaping shall be planted to buffer the use from adjacent residential land uses. A landscape plan shall be submitted to the Township Board at the time of application for a Conditional Use Permit.

11.7 Performance Standards for Public Recreation Facility

- 11.7.1 Required Permits.** A Conditional Use Permit is required for public recreational facilities in all Zoning Districts. Public Recreational Facilities must comply with all rules and regulations of federal, state, and county agencies.
- 11.7.2 Performance Standards.** Public Recreation Facilities must comply with the following:
- 11.7.2.1** A minimum lot area of five (5) acres shall be provided.
 - 11.7.2.2** All structures (including backstops, goalposts, etc.) shall meet the required setbacks for the District in which it is located.
 - 11.7.2.3** There shall be no overnight accommodations provided for the guests or visitors of the recreation area.
 - 11.7.2.4** A concession or temporary food stand may be permitted on the property provided it only serves food and refreshments to guests and visitors of the facility.
 - 11.7.2.5** Information shall be provided regarding the recreational activities provided, number of members, and participants in the recreation programs, sanitary facilities and waste disposal, security, lighting, and hours of operation. As deemed necessary, the Township Board may restrict the operation of the facility.
 - 11.7.2.6** Exterior lighting will be designed in compliance with West Lakeland township ordinances. Any lighting shall not exceed one-half foot candle at the nearest existing residential home.
 - 11.7.2.7** The noise levels on the sight shall not exceed the levels allowed by the Minnesota Pollution Control Agency regulations. In the event that there are noise complaints, the Applicant agrees to meet with the West Lakeland Town Board to discuss ways of alleviating the noise complaints.
 - 11.7.2.8** The hours of operation shall be limited to 9:00 a.m. to 10:00 p.m. Monday through Thursday and 7:00 a.m. to 10:00 p.m. Friday through Sunday. Everyone will be off the property by the designated closing time except for persons attending meetings inside a structure and all field lights will be shut off by the designated closing time.
 - 11.7.2.9** Screening may be required to buffer the use from adjacent residential land use.
 - 11.7.2.10** A transportation management plan shall be submitted to the Zoning Administrator at the time of application. This plan shall address off-street parking and traffic control, including the mitigation of overflow parking and traffic movement to the public street system and impact on the surrounding roadways. The transportation management plan shall include periodic monitoring of traffic to and from the facility.
 - 11.7.2.11** A grading and drainage plan shall be submitted. The standards of the Watershed Management Organization or Watershed District and the Washington County Soil and Water Conservation District must be met.
 - 11.7.2.12** The Applicant shall execute and deliver to the Town a developer's agreement in a form approved by the Town attorney. The developers agreement shall provide security which, in the opinion of the Town engineer, will be sufficient to restore the property to a condition which would not cause surface water runoff to

neighboring properties or create other nuisances to adjoining properties and which would allow for removal of any partially constructed site improvements in the event the Applicant failed to complete the project.

11.7.2.13 The Applicant shall pay all reasonable expenses of the town in connection with the review of its plan and the inspection and approval of all improvements to be made by the Applicant.

11.8 Performance Standards for Schools

11.8.1 Required Permits. A Conditional Use Permit is required for schools in the "SFE" Single Family Estate District. Schools must comply with all rules and regulations of federal, state, county, and Township agencies.

11.8.2 Performance Standards. Schools must comply with of the following standards:

11.8.2.1 The minimum lot area required for schools is two and one half (2-1/2) acres.

11.8.2.2 Landscaping may be required to be installed to buffer the use from adjacent land uses and to provide screening. A landscape plan shall be submitted at the time of application for a Conditional Use Permit.

11.9 Performance Standards for Multiple Use Commercial Centers (MUCC)

11.9.1 Required Permits. Multiple Use Commercial Centers are permitted in the Neighborhood Commercial/Business District. A single MUCC within this District shall not exceed 10,000 square feet of building area and requires a Conditional Use Permit. Multiple Use Commercial Centers must comply with all rules and regulations of federal, state and county agencies.

11.9.2 Performance Standards. Multiple Use Commercial Centers must comply with all of the following requirements:

11.9.2.1 The development plan for the MUCC shall include a minimum of five (5) acres.

11.9.2.2 Multiple Use Commercial Centers shall have direct access to an arterial, or Collector Street, or Local Street as designated in the Comprehensive Plan.

11.9.2.3 The Multiple Use Commercial Centers must comply with the use requirements and dimensional standards of the Neighborhood Commercial/ Business District.