



## MEMORANDUM

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**TO:** City Planning Commission, Committee of the Whole  
**FROM:** [Lisa Steiner](#), City Planner, (612) 673-3950  
**DATE:** June 26, 2014  
**SUBJECT:** Proposed Zoning Code Text Amendment: Farmstands

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On April 26, 2013, Council Member Gordon introduced a zoning code text amendment for Chapter 520: Introductory Provisions, Chapter 535: Regulations of General Applicability, and Chapter 537: Accessory Uses and Structures in order to amend the regulations pertaining to farmstands.

Additionally, in order to maintain consistency throughout the zoning code, CPED staff is recommending that Chapter 536: Specific Development Standards be introduced and amended as well. Currently, the specific development standards for community gardens and market gardens prohibit retail sales except as approved temporary uses. If Chapter 535 and Chapter 537 are amended as described below, this reference would become inconsistent.

The proposed amendments would allow farmstands as accessory to legally established community gardens, market gardens, and urban farms without the current requirement to obtain a Temporary Use Permit. The amendments as proposed would increase the allowed duration from 15 days to 75 days per calendar year. Also, farmstands are currently restricted to selling only products grown on-site. The proposed amendments would allow the sale of products of farms and garden which are occupied and cultivated by the same producer, but are not necessarily grown on the exact site on which they are sold.

The following amendments are proposed:

### **Chapter 520: Introductory Provisions**

- Amend the definition of “farmstand” to remove the limitation that food or crops sold must be grown on-site.

### **Chapter 535: Regulations of General Applicability**

- Remove farmstands from Article V: Temporary Uses, eliminating the requirement to obtain a Temporary Use Permit in order to establish a farmstand.

### **Chapter 536: Specific Development Standards**

- Permit retail sales at community gardens and market gardens subject to standards in Chapter 537: Accessory Uses and Structures rather than referencing Chapter 535: Regulations of General Applicability.

**Chapter 537: Accessory Uses and Structures**

- Add standards for farmstands as accessory to community gardens, market gardens, and urban farms.
- Retain many of the same standards that currently apply for farmstands as temporary uses, but amend the restriction of products grown on-site and increase the permitted duration from 15 days to 75 days.

CPED seeks feedback on the proposed zoning code text amendment, particularly the expansion of allowed duration and the removal of the on-site sales only restriction.

**AN ORDINANCE  
OF THE  
CITY OF MINNEAPOLIS**

By Gordon

**Amending Title 20, Chapter 520 of the Minneapolis Code of Ordinances relating to  
Zoning Code: Introductory Provisions.**

The City Council of the City of Minneapolis do ordain as follows:

Section 1. That Section 520.160 of the above-entitled ordinance be amended by amending the definition in alphabetical sequence to read as follows:

*Farmstand.* A temporary structure for the display and sale of food or ornamental crops grown on-site at a community garden, market garden or urban farm.

**AN ORDINANCE  
OF THE  
CITY OF MINNEAPOLIS**

By Gordon

**Amending Title 20, Chapter 535 of the Minneapolis Code of Ordinances relating to Zoning Code: Regulations of General Applicability.**

The City Council of the City of Minneapolis do ordain as follows:

Section 1. That Section 535.360 of the above-entitled ordinance be amended to read as follows:

**535.360. Permitted temporary uses and structures.** The following temporary uses and structures shall be permitted in all zoning districts, except as otherwise specified below, provided such temporary use or structure shall comply with the regulations of the zoning district in which it is located and all other applicable regulations of this article. Outdoor temporary uses shall be exempt from the enclosed building requirement.

- (1) *Storage of building materials and equipment or temporary buildings.* The indoor or outdoor storage of building materials and equipment and temporary buildings for construction purposes may be allowed as a temporary use, provided that such storage or temporary building shall be located on the site under construction and shall not exceed the duration of such construction or one (1) year, whichever is less. The zoning administrator, upon written request, may for good cause shown grant extensions to this time limit.
- (2) *Temporary real estate tract office.* Temporary real estate tract offices for the purpose of conducting the sale of lots of the tract upon which the tract office is located may be allowed as a temporary use, provided such office shall be located on the tract for a period not to exceed one (1) year. The zoning administrator, upon written request, may for good cause shown grant extensions to this time limit.
- (3) *Temporary amusement events.* Indoor or outdoor temporary amusement events, including the erection of tents for such event, may be allowed as a temporary use, provided such use shall not exceed a duration of fifteen (15) days in one (1) calendar year. In the residence and office residence districts, such temporary amusement events shall be located on institutional and public uses property only.
- (4) *Seasonal outdoor sale of holiday items.* The seasonal outdoor sale of holiday items may be allowed as a temporary use. Such temporary use shall not exceed a duration of thirty-five (35) days in one (1) calendar year. In the residence and OR1 districts, such seasonal outdoor sale of holiday items shall be located on institutional and public uses property only.
- (5) *Farmers' markets, mini-markets and produce and craft markets.* Farmers' markets, mini-markets and produce and craft markets may be allowed as a

- temporary use. Such temporary use shall not exceed a duration of seventy-five (75) days in one (1) calendar year. In the residence and OR1 districts, farmers' markets, mini-markets and produce and craft markets shall be located on institutional or public use sites or on zoning lots of not less than twenty thousand (20,000) square feet. Temporary farmers' markets, mini-markets and produce and craft markets shall not be located in the I3 zoning district.
- (6) *Promotional activities involving outdoor sales and display.* Outdoor sales and display not otherwise allowed, may be allowed as a temporary use, provided such use shall not be located in a residence or office residence district. Such temporary use shall not exceed a duration of fifteen (15) days in one (1) calendar year.
- (7) *Searchlights.* Searchlights may be allowed in the commercial and downtown districts as a temporary use, provided such use shall not exceed a duration of three (3) consecutive days and no more than fifteen (15) days in one (1) calendar year.
- ~~(8) *Farmstand.* Farmstands may be allowed as a temporary use provided that such temporary farmstand shall only sell products grown onsite and shall not exceed a duration of fifteen (15) days in one (1) calendar year. Such sales shall be limited to between 7:00 a.m. and 7:00 p.m. Farmstands shall be allowed only accessory to a lawfully established market garden, urban farm or community garden. Farmstands must be removed from the premises or stored inside a structure when not in operation. Only one (1) farmstand is permitted per zoning lot. One (1) temporary sign advertising only products grown on-site may be displayed during sales but must be removed from the premises or stored inside a structure when the farmstand is not in operation. Temporary farmstands shall not be located in the I3 zoning district.~~
- ~~(9)~~(8) *Exhibition or temporary market.* Exhibition or temporary markets may be allowed as a temporary use. Such temporary use shall not exceed a duration of one hundred eighty (180) days in one (1) calendar year. In the residence and OR1 districts, exhibition or temporary markets shall be located on institutional or public use sites.
- ~~(10)~~(9) *Additional temporary uses.* In addition to the temporary uses and structures listed above, the zoning administrator may allow other temporary uses and structures, not exceeding fifteen (15) days in one (1) calendar year, provided the zoning administrator determines that the proposed temporary use or structure is substantially similar to a temporary use or structure listed above in the manner provided for in Chapter 525, Administration and Enforcement, governing determination of substantially similar uses.

**AN ORDINANCE  
OF THE  
CITY OF MINNEAPOLIS**

By Gordon

**Amending Title 20, Chapter 536 of the Minneapolis Code of Ordinances relating to Zoning Code: Specific Development Standards.**

The City Council of the City of Minneapolis do ordain as follows:

Section 1. That Section 536.20 of the above-entitled ordinance be amended by amending the following specific development standards in alphabetical sequence to read as follows:

*Community garden.*

- (1) Overhead lighting shall be prohibited.
- (2) No more than two (2) vehicles shall be parked on-site, excluding those parked within an enclosed structure.
- (3) ~~No retail sales shall be permitted, except as an approved temporary use, as specified in Chapter 535, Regulations of General Applicability.~~ Accessory retail sales are subject to the development standards for farmstands specified in Chapter 537, Accessory Uses and Structures.
- (4) The use shall not be located in a required interior side yard.
- (5) Outdoor growing associated with a community garden shall be exempt from the enclosed building requirements of the zoning ordinance.
- (6) Keeping of animals is prohibited.

*Market gardens.*

- (1) In the Residence and OR1 districts:
  - a. Mechanized equipment similar in scale to that designed for household use shall be permitted. Use of larger mechanized farm equipment is generally prohibited; provided, however, that during the initial preparation of the land heavy equipment may be used to prepare the land between 7:00 a.m. and 7:00 p.m.
  - b. ~~No retail sales shall be permitted, except as an approved temporary use, as specified in Chapter 535, Regulations of General Applicability.~~ Accessory retail sales are subject to the development standards for farmstands specified in Chapter 537, Accessory Uses and Structures.
  - c. No more than two (2) vehicles shall be parked on-site, excluding those parked within an enclosed structure.

- d. Shipment and delivery of products or supplies shall be limited to between 7:00 a.m. and 7:00 p.m. and shall regularly occur only in single rear axle straight trucks or smaller vehicles normally used to serve residential neighborhoods.
- e. Overhead lighting shall be prohibited.

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**AN ORDINANCE  
OF THE  
CITY OF MINNEAPOLIS**

By Gordon

**Amending Title 20, Chapter 537 of the Minneapolis Code of Ordinances relating to Zoning Code: Accessory Uses and Structures.**

The City Council of the City of Minneapolis do ordain as follows:

Section 1. That Section 537.110 of the above-entitled ordinance be amended by amending the following development standards in alphabetical sequence to read as follows:

*Farmstand.* Farmstands shall be allowed accessory to a community garden, market garden or urban farm, subject to the provisions of Chapter 535, Regulations of General Applicability, following:

- (1) The farmstand shall only sell products of the farm or garden occupied and cultivated by the same producer within the City of Minneapolis.
- (2) The farmstand shall not exceed a duration of seventy-five (75) days in one (1) calendar year.
- (3) Sales shall be limited to between 7:00 a.m. and 7:00 p.m.
- (4) Farmstands must be removed from the premises or stored inside a structure when not in operation.
- (5) Only one (1) farmstand is permitted per zoning lot.
- (6) One (1) temporary sign may be displayed during sales but must be removed from the premises or stored inside a structure when the farmstand is not in operation.
- (7) Farmstands shall not be located in the I3 zoning district.