

**CITY OF DELANO
COUNTY OF WRIGHT
STATE OF MINNESOTA**

ORDINANCE O-10-05

AN ORDINANCE AMENDING SECTION 51.01 (TITLE/ APPLICATION/ RULES/DEFINITION), SECTION 51.03 (GENERAL PROVISIONS) AND SECTION 51.21 (B-2, GENERAL BUSINESS DISTRICT) OF CHAPTER 51 (ZONING AND LAND USE CODE) OF THE DELANO CITY CODE TO DEFINE PAWN SHOPS AND TO ALLOW PAWN SHOPS AS A PERMITTED USE IN THE B-2, GENERAL BUSINESS DISTRICT.

THE CITY COUNCIL OF THE CITY OF DELANO, MINNESOTA ORDAINS:

SECTION 1. Part 2 (Definitions) of Subdivision B (Rules and Definitions) of Section 51.01 (TITLE / APPLICATION / RULES / DEFINITIONS) of Chapter 51 (Zoning and Land Use Code) is hereby amended to read as follows:

Commercial Use. The principal use of land or buildings for the sale, lease, rental or trade of products, goods and services, including, but not limited to:

10. Office Business-General. An establishment located within a building or portion of a building for the conduct of business activities involving predominantly professional administrative or clerical service operations including attorneys, financial advisors, insurance, travel, real estate, and other uses of similar character.

11. Pawnbroker.

(a) Except as provided in paragraph (b), “pawnbroker” means a person engaged in whole or in part in the business of lending money on the security of pledged goods left in pawn, or in the business of purchasing tangible personal property to be left in pawn on the condition that it may be redeemed or repurchased by the seller for a fixed price within a fixed period of time.

(b) The following are exempt from the definition of “pawnbroker:” any bank regulated by the State of Minnesota, the comptroller of the currency of the United States, the Federal Deposit Insurance Corporation, the board of governors of the Federal Reserve System, or any other federal or state authority and their affiliates; any bank or savings association whose deposits or accounts are eligible for insurance by the Federal Deposit Insurance Corporation or any successor to it and all affiliates of those banks and savings associations; any state or federally chartered credit union; and any industrial

loan and thrift company or regulated lender subject to licensing and regulation by the Department of Commerce.

12. Pawn Shop. The location at which or premises upon which a pawnbroker regularly conducts business.
13. Personal Service. Personal services shall include the following: barber shops, beauty salon, electrolysis, manicurist, tanning parlor, physical therapy, therapeutic massage, and tattooing.
14. Recreational Business. Arcade, health club, gymnasium, bowling alley, billiard (pool) hall, dance hall, dance studio, skating rinks, theaters, and indoor firearms range. Activities are contained within a building.
15. Restaurant. An establishment that serves food in individual servings for consumption on or off premises, including sit-down restaurants, take out, pick up, or delivery food sales, but not including drive-through facilities. Outdoor dining areas and drive-through facilities may or may not be allowed in each zoning district: they are not automatically allowed when a restaurant is an allowable use.
16. Retail Business. An establishment engaged in the display and sale of products produced off-site directly to consumers within a building or portion of a building excluding any exterior display and sales. (Exception – sexually oriented uses and pawn shops).
17. Service Business, Off-Site. A company that provides useful labor, maintenance, repair and activities incidental to business production or distribution where the service is provided at the customer's location, including delivery services, catering services, plumbing and sewer services, and other uses of similar character.
18. Service Business, On-Site. An establishment that provides useful labor, maintenance, repair and activities incidental to business production or distribution where the customer patronizes the location of the operation, such as banks (not including drive-through facilities), copy centers, laundromats, dry cleaners, funeral homes and mortuaries, appliance repair, tailor shops, and travel bureaus. (Exception – pawn shops).

SECTION 2. Subdivision C (General Building and Use Provisions) of Section 51.03 (General Provisions) of Chapter 51 (Zoning and Land Use Code) is hereby amended to read as follows:

- d. Commercial Design Construction Standards.
 - 2) Exterior Building Elevations.

- f) Interior and exterior bars, grills, mesh or similar obstructions, whether temporary or permanently affixed, shall not cover any exterior door or window area.
- g) Neon accents and back-lighted awnings shall be prohibited.

SECTION 3. Subdivision B (Permitted Uses) of Section 51.21 (B-2, General Business District) of Chapter 51 (Zoning and Land Use Code) is hereby amended to read as follows:

Subd. B. Permitted Uses. The following are permitted uses in the B-2 District:

- 7. Office businesses – general.
- 8. Pawn Shops – provided the necessary business license is obtained, as regulated by Section 419.01 of the City Code.
- 89. Personal services.
- 910. Recreational businesses - indoor.
- 1011. Restaurants.
- 1112. Retail businesses.
- 1213. Service businesses – off site.
- 1314. Service businesses – on site.
- 1415. Sexually oriented use – principal and accessory, as regulated by Section 51.03, Subd. L of this Ordinance.
- 1516. Specialty schools such as music, dance, gymnastics, or business/trade schools.
- 1617. Theaters.

SECTION 4. Subdivision H (Building Requirements) of Section 51.21 (B-2, General Business District of Chapter 51 (Zoning and Land Use Code) is hereby amended to read as follows:

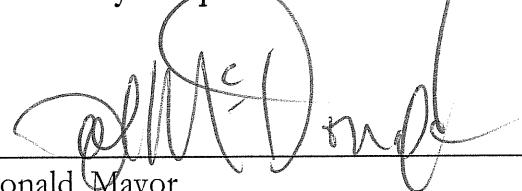
Subd. H. Building Requirements.

3. Exterior Building Elevations.

- d. Interior and exterior bars, grills, mesh or similar obstructions, whether temporary or permanently affixed, shall not cover any exterior door or window area.
- e. Neon accents and back-lighted awnings shall be prohibited.

THIS AMENDMENT SHALL BE IN FULL FORCE AND EFFECTIVE IMMEDIATELY FOLLOWING ITS PASSAGE AND PUBLICATION.

Approved by the Delano City Council this 20th day of April 2010.



Joe McDonald, Mayor

Attest:



Marlene E. Kittock, City Clerk

Motion By: Betsy Stolfa
Seconded By: Larry Bartels

McDonald: Absent
Schrupp: Aye
Hotchkiss: Aye
Bartels: Aye
Stolfa: Aye