

ORDINANCE NO. 2010-17, THIRD SERIES

AN ORDINANCE OF THE CITY OF HASTINGS, MINNESOTA AMENDING
HASTINGS CITY CODE CHAPTER 155.07 – TEMPORARY OUTDOOR
MERCHANDISING EVENTS

BE IT ORDAINED by the City Council of the City of Hastings as follows:

Chapter 155.07 (B) of the Hastings City Code – Temporary outdoor merchandising events is hereby amended as follows: (Additions to the ordinance are underlined and section numbers may be renumbered):

(A) *Temporary outdoor merchandising events.* Temporary outdoor merchandising events may be allowed as an accessory use within the C-1, C-2, C-3, and C-4, zoning districts, subject to the requirements of this section. For the purposes of this section, ***MERCHANDISING EVENT*** or ***EVENT*** is defined to include the promotion and sale of goods and/or services, including, but not limited to, inventory reduction or liquidation sales, distressed merchandise sales, seasonal sales, and special event sales. The following standards shall apply to all temporary outdoor merchandising events in private parking lots.

(1) A proposed event and any temporary structures to be used in that event must meet all applicable building, fire, and electrical codes and adopted appendices and city ordinances.

(2) One event shall not exceed 60 consecutive calendar days. Any combination of events shall not exceed 60 calendar days per site per calendar year. For purposes of this section, shopping centers shall be considered 1 site and 1 event shall not exceed 60 consecutive calendar days and any combination of events held at a shopping center shall not exceed 75 calendar days per calendar year.

(3) No merchandise shall be sold which would violate the city's zoning ordinances.

(4) Temporary structures may be used, provided they will not impair the parking capacity, emergency access or the safe movement of pedestrian and vehicular traffic on or off the site. All temporary structures shall be constructed with materials approved for weather-exposure durability and appearance. All temporary structures shall be removed within 24 hours after the end of the event.

(5) The site shall have adequate off-street parking will exist for the proposed event and adjoining buildings. In multi-tenant buildings, consideration will be given to the parking needs of the other tenants. In no event, can designated handicapped parking spaces or handicapped access be impaired by an event.

(6) All signs related to the event shall comply with the standards of the zoning district.

(7) Applicant must submit a completed application form to the Planning Department for review and approval.

(B) *Seasonal outdoor garden centers.* Seasonal outdoor garden centers may be allowed as an accessory use within the C-1, C-2, C-3, C-4, and C-5 zoning districts, subject to the requirements of this section. For purposes of this section, **GARDEN CENTER** is defined to include the promotion and sale of goods and/or services, including but not limited to plants, vegetation, landscaping materials, and lawn care items. Garden centers will be permitted for a maximum period of 180 days. ~~90 days and all garden centers permitted under this ordinance must cease operation on or before June 30 each year.~~ Garden centers are permitted upon application to the Planning Department for review and approval subject to the following.

(1) Applicant must submit a completed application form to the Planning Department for review and approval.

(2) Applicant must submit a site plan with the application, indicating the following:

(a) Location on the property;

(b) Size of the area;

(c) Method of containment area. Indicate materials and design of the proposed garden center structure, any fencing on the site, and trash containment systems;

(d) Pedestrian and traffic control safety measures. The sales area may not impeded pedestrian and vehicular circulation patterns on the site;


(e) Utility plan; indicate how water and electricity will be provided to the site; and

(f) An inspection by the Fire Marshal of the garden center and surrounding site will be required prior to the garden center opening for business.

(Prior Code, § 10.07)

All other sections shall remain unchanged.

ADOPTED by the Hastings City Council on this 2nd day of August, 2010.



Paul J. Hicks, Mayor

ATTEST:



Melanie Mesko Lee, City Clerk

I HEREBY CERTIFY that the above is a true and correct copy of an ordinance presented to and adopted by the City of Hastings, County of Dakota, Minnesota, on the 2nd day of August, 2010, as disclosed by the records of the City of Hastings on file and of record in the office.



Melanie Mesko Lee, City Clerk

(SEAL)

This instrument drafted by:
City of Hastings (KSB)
101 4th St. East
Hastings, MN 55033