

NEIGHBORHOOD BUSINESS DISTRICT (C-1)

§ 154.131 PURPOSE.

This district is established to allow commercial uses complementary to and in close proximity to residential uses. The primary emphasis is on local retail facilities such as grocery and convenience stores and other uses that do not generate large volumes of vehicular traffic.

(Ord. 2013-05, passed 5-20-2013)

§ 154.132 PERMITTED USES.

No structure or land shall be used except for the following uses as such are defined and in accordance with the required lot provisions and design and performance standards.

(A) Grocery, convenience store.

(B) Beauty shop, barber shop.

(C) Laundry, dry cleaning, tailoring.

(D) Cafes, bakeries, florists, delicatessens.

(E) Business and professional offices, such as: accounting, auditing, bookkeeping offices, civic/social and fraternal association offices, educational offices, governmental offices, insurance offices, investment offices, legal offices, library and art galleries, medical/dental offices, post office, and real estate offices.

(F) Uses not explicitly enumerated in this section as permitted uses, but are closely similar thereto.

(Ord. 2013-05, passed 5-20-2013)

§ 154.133 CONDITIONAL USES.

No structure or land shall be used except by conditional use permit for any of the following uses as such are defined and in accordance with the required lot provisions, design and performance standards, and conditions set by the Council.

(A) Funeral home. Subject to the following:

(1) A plan shall be submitted identifying the access points and traffic circulation on the property. Said plan must provide for a minimal interference to the circulation pattern on abutting streets and to adjoining uses of property.

(2) Where the use abuts land in the RR, R-1, R-2, or R-3 districts, a landscape buffer strip having a minimum width of 10 feet and consisting of coniferous and deciduous trees and shrubs shall be provided along said lot lines.

(B) Residential uses.

(C) Gas station. Subject to the following:

(1) No unlicensed or inoperable vehicles shall be stored on premises.

(2) No public address system shall be audible from any residential parcel.

(3) No sales, storage, or display of used automobiles or other vehicles such as motorcycles, snowmobiles, or all-terrain vehicles.

(4) No service bays/stalls.

(5) Review of soil types and permeability as they relate to underground storage tanks and distance to residential areas.

(D) Car wash (automatic mechanical drive-through only). Subject to the following:

(1) The car wash will be constructed with a compatible use on the same lot and a worker from the compatible use will be present during the times of operation for the car wash.

(2) Stacking space shall be provided to accommodate 4 vehicles.

(3) Stacking space does not interfere with on-site circulation patterns or required on-site parking or loading areas.

(4) Parking and stacking spaces shall be screened from view of abutting residential districts.

(5) Provisions are made to control and reduce noise and special precautions shall be taken to limit the effects of noise associated with the car wash operation, dryer and vacuum machines. The car/truck wash doors must remain closed during the entire operation cycle of the car/truck wash and dryer and larger setbacks may be required.

(Ord. 2013-05, passed 5-20-2013)

§ 154.134 ACCESSORY USES.

The following uses are permitted accessory uses as such uses are defined and in accordance with the required lot provisions and design standards. However, any incidental repair or processing necessary to conduct a permitted principal use shall not occupy more than 30% of the floor area.

(A) Off-street parking and loading.

(B) Signs.

(C) Electronic amusement devices (machines). Up to 4 such devices are permitted. However if the area of the principal use is at least 15,000 square feet, up to 30 such devices are permitted.

(D) Temporary outdoor storage or display of goods used in conjunction with and on the same site as the permitted use provided that the goods are not outdoors overnight; the storage or display area does not exceed 100 square feet; and the storage or display is not within the required front yard, or when a side yard abuts a street in the side yard, setback area.

(E) Bed and breakfasts and residential short term rental units.

(F) Solar collectors.

(Ord. 2013-05, passed 5-20-2013; Am. Ord. 2016-09, passed 12-5-2016; Am .Ord. 2017-04, passed 12-18-2017)

§ 154.135 LOT REQUIREMENTS.

(See Table C, Commercial Lot Requirements Table)

(Ord. 2013-05, passed 5-20-2013)

§ 154.136 DESIGN AND PERFORMANCE STANDARDS.

The design and performance standards are established to encourage a high standard of development by providing assurance that land uses will be compatible. The performance standards are designed to prevent and eliminate those conditions which depreciate property values that cause blight or are detrimental to the environment. Before any building permit is approved, the Zoning Administrator shall determine whether the proposed use will conform to the design and performance standards. The applicant or owner shall supply data necessary to demonstrate such conformance.

(A) Noise. It is unlawful to make, continue or cause to be made or continued, any noise in excess of the noise levels set forth in Minnesota Rules 7030.0040, which includes standards for activities by the noise area classification (NAC) system, established in part by Minnesota Rules 7030.0050, unless such noise be reasonably necessary to the preservation of life, health, safety or property. Sounds in excess of these limitations are violations of this section whether the sound originates in a residential district or any other district.

(B) Business inside. All business, service, storage, merchandise, display and repairs and processing, where permitted, shall be conducted wholly within an enclosed structure except for off-street vehicular parking and off-street loading.

(C) Storage. Open storage in conjunction with a permitted business shall be prohibited.

(D) Sale of goods. Goods produced on the premises shall be sold only on the premises, at retail, and the processes and equipment employed in production shall not produce any offensive odor, dust, smoke, ash, gas, noise, vibration or refuse. Any use shall be so operated in compliance with the Clean Air Act, as amended, the Environmental Protection Agency (EPA) and MN Pollution Control Agency (MPCA) regulations. All activities that emit radioactivity shall comply with the minimum requirements of the federal regulatory body. Any use shall be operated so as to control the emission of smoke or particulate matter to the degree that it is not detrimental to, or shall not endanger the public health, safety, comfort or general welfare of the public. For the purpose of this section, the regulations and standards adopted by the Minnesota Pollution Control Agency shall be employed.

(E) Site layout. The site layout must be compatible with and not detrimental to other surrounding property in the general area and make adequate provision for:

(1) The needs of pedestrians, automobiles, and bicycles, including proper circulation and parking;

(2) Use of the existing topography and site vegetation in the location and orientation of structures and other facilities;

(3) Traffic conditions;

(4) Transitional features and decorative walls or live hedges for purposes of separation and screening from residential zoning and uses;

(5) View to and from the site;

(6) Storage of trash in the principal building or in an accessory building of architecture and materials identical to the principal building;

(7) Planted parking islands to control parking and traffic circulation where appropriate and landscape breaks in areas intended for the parking of approximately 20 cars in a row;

(8) Proper drainage of a site;

(9) Location of curb cuts so that no cuts exist closer to an intersection than 30 feet from the point of intersection of the setback lines adjacent to intersecting streets; and

(10) Relating the use of the site to existing and proposed uses of other-abutting properties.

(G) Landscaping. At least 2% of the site shall have diversified landscaping in addition to the landscaping required in setback areas for free-standing, detached structures. All landscaped areas are to be developed with live deciduous and coniferous plants, trees and shrubs which provide a variety of color, textures, heights, and forms consistent with the needs of the site and other elements of the plan. All trees are to be at least 2 inches in diameter 1 foot off the ground at the time of planting. The landscaped areas may contain some stone, wood, patio blocks, sculpture, and other appropriate ornamental features.

(H) No more than 1 building. There shall be no more than 1 principal building on 1 lot.

(I) Outdoor lighting. All outdoor lighting which is not globe lighting shall be directed perpendicular to the ground or directly on a building so that no direct rays are visible from off the property.

(J) Utilities. Shall be placed underground and meters shall be screened from view from the street.

(K) Traffic visibility. No wall, fence, structure, tree, shrub, vegetation or other obstruction shall be permitted in any yard or setback which poses a danger to traffic by obscuring the view from any street or roadway. Visibility from any street or roadway shall be unobstructed above the height of 2 feet to a height of 5 feet within the triangle described as beginning at the intersection of the projected curb lines of 2 intersecting streets, thence 30 feet along 1 curb, thence diagonally to a point 30 feet from the point of beginning of the other curb line, thence to the point of beginning.

(L) Required parking. Development and modifications to all parcels and buildings are subject to the provisions of §§ 154.221 through 154.230 Off-Street Parking and Loading Spaces.

(M) Signs. Development and modification to all parcels, street uses and buildings are subject to the provisions of §§ 154.241 through 154.260 Signs.

(N) Architecture and materials. Development and modification to all parcels, structures and buildings are subject to the provision of §§ 154.311 through 154.316 Architectural Control and Building Materials.

(Ord. 2013-05, passed 5-20-2013)