

NEIGHBORHOOD COMMERCIAL (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.

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. The following are generalized categories. If a use is not specifically listed, the Zoning Administrator shall determine if the use is substantially similar in nature. The Zoning Administrator or applicant may seek input from the Planning Commission

- (A) Single-family detached dwelling
- (B) Group family day care serving 14 or less children
- (C) State licensed residential facility
- (D) Bed and breakfasts and residential short term rental units

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. The requirements of § 154.047 Conditional Use Permits shall be met in addition to the following conditions:

- (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) *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.
- (G) *Two-family dwellings*. Subject to the following:

- (1) Two-family dwellings must provide for 2 off-street parking stalls with immediate access off-street and 1 garage stall measuring at least 14 feet in width and 20 feet in depth for each unit
 - (2) Each unit must have separate entrances
 - (3) All units must meet the current Building Code and Fire Code
 - (4) Each unit shall have a minimum of 900 square feet of livable floor area
 - (5) Must meet all other requirement of the Zoning Chapter
- (H) *Apartments*; located above the first floor provided off-street parking requirements are met
- (I) *Multiple-family dwellings*; provided off-street parking requirements are met
- (J) Uses not explicitly enumerated in this Section as permitted uses, but are closely similar thereto.

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.

- (A) *Accessory structures*, provided:
- (1) A detached accessory structure shall not exceed 840 square feet, or exceed the ground floor area of the principal structure located on the same lot, whichever is less.
 - (2) Garage door openings shall not exceed 9 feet in height.
 - (3) No accessory structure shall be constructed on any lot prior to the time of construction of the principal building to which it is an accessory.
 - (4) The sidewall of the accessory structure shall not exceed 10 feet, measured from the finished grade. The highest point of the entire accessory structure cannot exceed the height of the primary structure.
 - (5) The roof pitch, measured as steepness of roof, of an accessory structure may meet, but not exceed the roof pitch of the primary structure.
 - (6) Exterior building materials, roof style, and colors are similar to the principal structure.
 - (7) The accessory structure shall be constructed on a concrete slab or footing.
 - (8) The accessory structure shall be located to the side or rear of the principal structure, and are not permitted within the front yard or within a corner side yard.
 - (9) One accessory structure is permitted on a lot with an existing attached garage. One accessory structure is permitted on a lot in addition to a detached garage with the combination of the 2 structures not exceeding 1,000 square feet. A detached garage shall be considered a detached accessory structure.
- (B) *Off-street parking and loading*; subject to §§ 154.221 through 154.230
- (C) *Signs*; subject to §§ 154.241 through 154.260
- (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) *Gardening or other horticultural use* where no sale of products is conducted on the site.
- (F) *Fences and walls*, in accordance with § 154.096(B) and (C).
- (G) *Decorative landscape features*, including but not limited to statues, rocks, reflecting ponds, benches, arbors, terraces, and patios
- (H) *Satellite dishes and antennae*.
- (I) *Private swimming pool*.
- (J) *Solar collection device*.

154.135 LOT REQUIREMENTS (SEE TABLE C, COMMERCIAL LOT REQUIREMENTS TABLE).

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 noise 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) *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.

- (D) **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.
- (E) **Landscaping.** At least two percent 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 two inches in diameter one 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
- (F) **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.
- (G) **Utilities.** Shall be placed underground and meters shall be screened from view from the street.
- (H) **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 two feet to a height of five feet within the triangle described as beginning at the intersection of the projected curb lines of two intersecting streets, thence 30 feet along one curb, thence diagonally to a point 30 feet from the point of beginning of the other curb line, thence to the point of beginning.
- (I) **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.

- (J) *Signs*. Development and modification to all parcels, street uses and buildings are subject to the provisions of §§ 154.241 through 154.260 Signs.
- (K) *Architecture and Materials*. Development and modification to all parcels, structures, and buildings are subject to the provisions of §§ 154.311 through 154.316 Architectural Control and Building Materials.
- (L) *Principal building*. There shall be no more than 1 principal building on 1 lot except as provided under conditional use provisions.

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