

Section 28: Central Business District (B-1)

SECTION 28:

- 28.01: Purpose
- 28.02: Permitted Uses
- 28.03: Accessory Uses
- 28.04: Conditional Uses
- 28.05: Interim Uses
- 28.06: Uses by Administrative Permit
- 28.07: Performance Standards

28.01 Purpose: The purpose of this district is to encourage the continuation of a viable downtown area by allowing retail, service, office, and entertainment facilities as well as public and semi-public uses.

28.02 Permitted Uses:

Antique and craft stores
Apparel and accessory stores
Art galleries
Artist studios or schools
Bakeries, retail
Barber and beauty shops
Bookstores
Camera and photographic supply stores
Candy, ice cream, and confectionery stores
Chiropractic clinic
Clinics, dental or medical
Costume, clothes rental
Dance studio
Day care center
Delicatessen stores
Drugstores
Dry cleaning
Essential services (Telephone lines, communication lines, and power lines and necessary appurtenant equipment and structures)
Farmer's Markets
Floral stores
Furniture stores and home furnishings
Gift, novelty, or souvenir stores
Government or municipal buildings
Health clubs

Section 28: Central Business District (B-1)

Hobby shops including classes for not more than 12 students
Interior decorators
Jewelry stores
Laundromats
Leather goods and luggage shops
Libraries
Locksmiths
Lodges and private club meeting halls
Luggage stores
Lumber yards and building materials
Medical supply stores
Mortuaries
Music stores, accessories, and studios
Museum
Nail salon
Newspaper office
Offices of any type
Optical goods
Opticians
Paint and wallpaper stores
Parking lots, other than those necessary to a principal use, for the parking of automobiles only
Pet and animal hospitals (Veterinary)
Photography studios or picture processing/photo development
Public utility services and uses
Real estate offices
Repair, rental, and servicing of any article which is allowed to be sold in this District
Restaurants
Secondhand good dealers
Sewing machine sales and service
Shoe shops
Sporting goods stores
Stationary stores
Tailors and alterations
Take out or delivery food establishment (no on-site dining)
Telephone exchanges
Theaters, not including drive-in theaters
Therapeutic massage
Toy stores
Travel bureaus or agencies
Variety stores, 5 and 10 cent stores, and stores of similar nature
Video rental

Section 28: Central Business District (B-1)

28.03 Accessory Uses:

- Subd. 1.** Uses incidental to the principal uses such as off-street parking, loading and unloading of areas, and storage of merchandise.
- Subd. 2.** Above ground bulk liquid storage having a capacity less than 100 gallons.

28.04 Conditional Uses:

- Subd. 1.** Motor Vehicle Repair, Minor.
- Subd. 2.** Residential dwellings in connection with a retail use in the same building provided the following minimum conditions are met:
 - a. The residential use is not located on the street level;
 - b. At least one off street parking space per unit must be provided on site or proof is provided showing that arrangements for private parking nearby; and
 - c. Residential and non-residential uses shall have separate entrances and exits.
- Subd. 3.** Public, Educational, and Religious Buildings: Public or semi-public recreational buildings and neighborhood or community centers; public and private educational institutions limited to preschools, elementary, junior high and senior high schools; and religious institutions such as churches, chapels, temples, and synagogues.

28.05 Interim Uses:

- Subd. 1.** Above ground bulk liquid storage having a capacity of 100 gallons or more.

28.06 Uses by Administrative Permit: Subject to the applicable provisions of this Section, performance standards established by this Ordinance, and processing requirements of Section #14 (Administrative Permits) of this Ordinance, the following are uses allowed in an B-1 District by Administrative Permit as may be issued by the Zoning Administrator.

Section 28: Central Business District (B-1)

- Subd. 1.** Land Excavation/Grading: Subject to the requirements in Section #48.
- Subd. 2.** Land Filling Operations: Subject to the requirements in Section #49.
- Subd. 3.** Mobile Home as Temporary Construction Office: Subject to the requirements in Section #52.
- Subd. 4.** Mobile Home as a Temporary Dwelling Unit During Construction: Subject to the requirements in Section #52.

28.07 Performance Standards:

- Subd. 1.** Minimum Lot Area: None.
- Subd. 2.** Minimum Lot Width: None.
- Subd. 3.** Minimum Lot Depth: None.
- Subd. 4.** Front, Side, and Rear Yard Setbacks:
 - A. Front, Side, and Rear Yard Setbacks: A building may be built up to the property line on three sides provided that (a) the building does not encroach on the existing sidewalk or future sidewalk pad, (b) there is a minimum of a 25 foot setback on at least 1 side (front, side, or rear), and (c) the building is at least 20 feet from an alley.
 - B. Exception for Property Abutting a Residential District: If the property abuts a residential district, there must be at least a 10 foot setback on the side facing or abutting a residential district regardless of whether a street separates the properties.
- Subd. 5.** Lots adjacent to Power Lines, Pipe Lines, and Rail Roads. Lots platted or located adjacent to power lines, pipe lines, and rail road right-of-way shall require additional depth of 20 feet above the minimum requirements of the Zoning District.
- Subd. 6.** Required Buildable Area. Except as may be approved by the City Council and except for lots of record, preliminary platted lots, and residential Planned Unit Development concepts having legal standing on January 1, 2005 (effective date of Ordinance), all lots

Section 28: Central Business District (B-1)

must contain usable/buildable upland equal to at least 90 percent of the required minimum lot areas. The required upland area shall not contain wetlands, streams, ponds, steep slopes (12% or greater), easements, or any other non-buildable terrain. Lots which involve wetland mitigation practices shall be evaluated for conformance with this requirement based on wetland mitigation plans indicating areas of wetland filling or dredging.

Subd. 7. Building Height:

- A. The maximum height of all buildings shall not conflict with airport zoning regulations and, except as listed below, shall not exceed 35 feet.
1. Church spires shall not exceed 60 feet in height.
 2. Rooftop mechanical equipment shall not exceed the building height requirements by more than 10 feet.
 3. Water towers are exempt from the building height requirement.

Subd. 8 Screening and Fencing: The City may require the screening or fencing of business uses on side and rear yards which face residential districts.

Subd. 9. General Requirements:

- A. Building Permit Application. The application for a building permit in addition to other information required shall indicate the height, size, design, and all elevations of the proposed building and a description of the construction materials proposed to be used.
- B. Frost Footings. All structures shall have frost footings and a permanent foundation consisting of concrete block, concrete, or an approved equivalent. For the purpose of this Section, a frost footing shall be any footing placed at the required depth to avoid the accepted frost line as determined by an engineer of soil mechanics, and absent an engineer's report, placed at a depth of at least 3 ½ feet.
- C. Exterior Materials.

Section 28: Central Business District (B-1)

1. Building Materials Required (Non-Metal in Appearance).
The exterior front building façade (including any side facing a street i.e. corner lot) of all principal buildings must be constructed of at least 50% non-metal materials consistent with the materials listed below. The area devoted to windows, entrance doors, and garage doors counts towards the 50% non-metal requirement.

On corner lots, the front and the side areas shall be added together and the non-metal surface shall be evenly divided between the front and the side.

2. Permitted Exterior Finish Materials. The primary exterior building facade finishes shall consist of materials comparable in grade and quality to the following:
 - a. Brick.
 - b. Natural Stone.
 - c. Integral colored split face (rock face) concrete block.
 - d. Cast in place concrete or pre-cast concrete panels.
 - e. Wood, provided the surfaces are finished for exterior use or wood of proven exterior durability is used, such as cedar, redwood, or cypress.
 - f. Curtain wall panels of steel, fiberglass, and aluminum (non-structural, non-load bearing), provided such panels are factory fabricated and finished with a durable non-fade surface and their fasteners are of a corrosion resistant design.
 - g. Glass curtain wall panels.
 - h. Stucco.
 - i. Vinyl.

Section 28: Central Business District (B-1)

- D. Continuous Appearance. All sides of the principal and Accessory Structures are to have essentially the same or coordinated, harmonious exterior finish materials and treatment.
- E. Scale and Compatibility. Buildings shall have good scale and be in harmonious conformance with permanent neighboring development.
- F. Type and Quality of Materials. Materials shall have good architectural character, shall be selected for harmony with adjoining buildings, and shall be of durable quality.
- G. Proportionality of Building Components. Building components, such as windows, doors, eaves, and parapets shall have good proportions and relationships to one another.
- H. Colors. Colors shall be harmonious and shall use only compatible accents.
- I. Evaluation. Evaluation of the appearance of a project shall be based on the quality of its design and the relationship to its surroundings.
- J. Building Areas Not Subject to These Requirements. Building foundations not exceeding 2 feet and other such portions of a building's facade need not comply with the requirements for the primary facade treatment or materials.
- K. Outside Storage/Display. All exterior storage shall be screened so as not to be visible from adjoining properties and public streets except for the following:
 - 1. Merchandise being displayed for sale in accordance with Section 40.05.
 - 2. Materials and equipment currently being used for construction on the premises.

The City Council may order the owner of any property to cease or modify open storage uses including existing uses, if it is found that such use constitutes a threat to the public health, safety, convenience, or general welfare. Sidewalks shall not be obstructed.

Section 28: Central Business District (B-1)

- L. Prohibited Vehicle Use. Except for temporary construction trailers and mobile services operated by public service agencies (i.e., bookmobile, bloodmobiles, etc.) as allowed by the City, and trailers parked in designated and improved loading areas, no vehicle may be used for office, business, industrial manufacturing, testing, or storage of items used with or in a business, commercial, or industrial enterprise, unless otherwise approved by the Zoning Administrator.
- M. Lockboxes. Lockboxes as approved by the fire department shall be Required at owner's expense.

Amendment History of this Section

Amended February 16, 2016 (R2016-06). Effective Date: February 24, 2016 (REV A).

Amended Section 28.02 Permitted Uses: Added Farmer's Markets; removed Crematoriums; added Museum.

Amended Section 28.04, Subd 2 to restrict residential dwellings in connection with a retail use in the same building by adding the following conditions: The residential use is not located on the street level, at least one off street parking space per unit is provided, and the residential and non-residential uses have separate entrances and exits.

Amended Section 28.07 Subd. 9 C to clarify that the area devoted to windows, entrance doors, and garage doors counts toward the 50% non-metal exterior requirement and added language to extend the 50% non-metal requirement to side(s) of the building facing a street (i.e. corner lots); added language to clarify that on corner lots the front and side areas are added together and the non-metal surface shall be divided evenly between the areas. Amended Subd 9 K 1 regarding exterior storage to refer to Section 40.05; added Subd. 9 M requiring that lockboxes must be installed at owner's expense.