

Section 29: Highway Business District (B-2)

SECTION 29:

- 29.01: Purpose
- 29.02: Permitted Uses
- 29.03: Accessory Uses
- 29.04: Conditional Uses
- 29.05: Interim Uses
- 29.06: Uses by Administrative Permit
- 29.07: Performance Standards

29.01 Purpose: This district is established to accommodate the type of businesses that are oriented to the traveling public and require highway access. To minimize unmanageable strip development, these districts should only allow the type of businesses that absolutely require highway access and exposure.

29.02 Permitted Uses:

Amusement centers
Antique and craft stores
Apparel and accessory stores
Appliance stores, sales, and service
Auto parts store
Banks, including drive-in banks
Bookstores
Bowling alleys
Car washes (drive through, mechanical, and self-service)
Carpet, rug and tile stores
Convenience store with gasoline
Convenience grocery stores (not supermarket type and without motor fuel facilities)
Day care center
Dealerships - New and new and used car, truck, trailer, and boat lot sales
Department stores
Discount stores
Drive-in and convenience food establishments
Equipment services, including radio and television shops, electrical appliance shops, showroom of a plumber, decorator, or similar trade
Essential services (Telephone lines, communication lines, and power lines and necessary appurtenant equipment and structures)
Feed sales – Consumer retail
Furniture stores and home furnishings
Gas station with or without convenience store

Section 29: Highway Business District (B-2)

Greenhouses, nurseries, garden, and landscaping stores – Consumer retail
Grocery, fruit, vegetable, and meat stores
Hardware stores
Health clubs
Hospitals
Lawn and Garden supply stores – New and new and used
Liquor stores (off-sale)
Lodges and private club meeting halls
Lumber yards and building materials (new materials)
Marine and boat sales (new) and servicing establishments
Meat markets but not including processing for a locker plant
Miniature golf courses
Motels and hotels
Nail salon
Paint and wallpaper stores
Pet and animal hospitals (Veterinary)
Recreational vehicle and/or equipment sales (new and new and used)
Restaurants
Skating arenas
Sporting goods stores
Stationary stores
Take out or delivery food establishment (no on-site dining)
Theaters, not including drive-in theaters
Travel bureaus or agencies
Variety stores, 5 and 10 cent stores, and stores of similar nature
Video rental

29.03 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.** Residence when included as an integral part of the principal building to be occupied by only the owner or his or her employee.
- Subd. 3.** Repair, rental, and servicing of any article which is allowed to be sold in this District.
- Subd. 4.** Parking spaces and carports for licensed and operable passenger cars and trucks subject to the requirements in Section #46. (Off-Street Parking).

Section 29: Highway Business District (B-2)

Subd. 5. Above ground bulk liquid storage having a capacity of less than 250 gallons.

29.04 Conditional Uses:

Subd. 1. Motor Vehicle Repair, Major.

Subd. 2. Auto body.

Subd. 3. Pawnshops

Subd. 4. Indoor Shooting Range

29.05 Interim Uses:

Subd. 1. Above ground bulk liquid storage having a capacity of 250 or more gallons.

Subd. 2. Used car, truck, and boat lot sales

Subd. 3. Recreational vehicle sales – used only

Subd. 4. Second hand goods dealer

29.06 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-2 District by Administrative Permit as may be issued by the Zoning Administrator.

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.

Section 29: Highway Business District (B-2)

29.07 Performance Standards:

Subd. 1. Minimum Lot Area and Maximum Lot Coverage: None.

Subd. 2. Minimum Lot Width: None.

Subd. 3. Minimum Lot Depth: None

Subd. 4. Front Yard Setback:

Minimum Front Yard Setback from:

State Highway: 125 feet from the center of the proposed ultimate right of way section for State Highway 55 or a minimum of 50 feet from the dedicated right of way that fits the ultimate section as defined by MnDOT or Wright County Highway Department.

County Road: 50 feet from Right of Way or Easement

City Street: 30 feet from Right of Way or Easement

Corner Lots: See Section 29.07, Subd. 6.1 Corner Lots.

Subd. 5. Side Yard Setback:

A. Minimum Side Yard Setback: 20 feet.

B. Corner Lots: See Section 29.07, Subd. 6.1 Corner Lots

C. Exception for Property Abutting a Residential District: If the property abuts a residential district, there must be at least a 50 foot setback on the side facing or abutting a residential district.

Subd. 6. Rear Yard Setback:

A. Minimum Rear Yard Setback: 35 feet.

B. Exception for Property Abutting a Residential District: If the property abuts a residential district, there must be at least a 50 foot

Section 29: Highway Business District (B-2)

setback on the side facing or abutting a residential district.

Subd. 6.1 Corner Lots.

Where a lot is located at the intersection of 2 or more roads, the setback for both principal buildings and accessory buildings shall be as follows:

State Highway: 125 feet from the center of the proposed ultimate right of way section for State Highway 55 or a minimum of 50 feet from the dedicated right of way that fits the ultimate section as defined by MnDOT or Wright County Highway Department.

County Road: 50 feet from Right of Way or Easement

City Street: 30 feet from Right of Way or Easement

Subd. 7. 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. 8. 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 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. 9. Site Coverage:

A. Maximum site coverage (maximum impervious surface): 80%

B. Exception: In the City's sole discretion, the maximum site coverage

Section 29: Highway Business District (B-2)

may be increased if the applicant demonstrates that storm water management issues are adequately addressed.

Subd. 10. 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. Rooftop mechanical equipment shall not exceed the building height requirements by more than 10 feet.
 2. Water towers are exempt from the building height requirement.

Subd. 11. Screening and Fencing: Screening or fencing shall be required as set forth in Section #42 (Fences and Retaining Walls) and Section #45 (Screening).

Subd. 12. 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.

Subd. 13. 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. 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.

Section 29: Highway Business District (B-2)

- C. 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.
- 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.

Section 29: Highway Business District (B-2)

- 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.
- 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

Section 29: Highway Business District (B-2)

Amended February 21, 2006 (R2006-06). Effective Date: February 21, 2007 (REV A). Amended Section 29.07, Subd. 11 to include the word *continuous*.

Amended May 16, 2006 (R2006-18). Effective Date: February 21, 2007 (REV B). Amended Section 29.07, Subd. 4, Front yard setback from state highway.

Amended September 23, 2014 (R2014-32). Effective Date: October 8, 2014 (REV C). Amended Section 29.02 Permitted Use, 29.04 Conditional Use and 29.05 Interim Use as follows

- Dealerships – removed “Used” car, truck and boat lot sales
- Feed Sales changed to include addition of words “Consumer Retail”
- Garden supply stores changed to Lawn and Garden supply stores (new or new and used)
- Greenhouses, nurseries, garden and landscaping stores changed to include addition of words “Consumer Retail”
- Lumberyards and building materials changed to include addition of words “(new materials)”
- Marine and boat sales and serving establishments changed to include addition of word “(new)” following “boat sales”
- Recreational vehicle sales was changed to incorporate Recreational equipment sales to read as follows “Recreational vehicle and/or equipment sales (new and new and used)”
- Deleted Municipal service and utility buildings, Public utility services and uses, Public utility, Pawnshops, Secondhand goods dealer, and Storage facilities

Section 29.04 of the Maple Lake Zoning Ordinance (B-2, Conditional Uses) is amended to add the following:

- Subd. 4. Pawnshops
- Subd. 5. Indoor Shooting Range

Section 29.05 of the Maple Lake Zoning Ordinance (B-2, Interim Uses) is amended to add the following:

- Subd. 2. Used car, truck, and boat lot sales
- Subd. 3. Recreational vehicle sales – used only
- Subd. 4. Second hand goods dealers

Amended February 16, 2016 (R2016-06). Effective Date: February 24, 2016 (REV D). Amend Section 29.07, Revised Corner lot language and move to section 29.07, subd. 6.1; section 29.07, subd. 6.1 regarding corner lots is added.

Amend Section 29.07 Subd. 13B to clarify that the area devoted to windows, entrance doors, and garage doors counts toward the required 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. 13 K. 1. regarding exterior storage to refer to Section 40.05; Added Subd. 13 M. requiring that lockboxes must be installed at owner’s expense.

Section 29: Highway Business District (B-2)