

ARTICLE A. B-1 NEIGHBORHOOD BUSINESS DISTRICT

11-26A-1: PURPOSE:

The purpose of the B-1 neighborhood business district is to provide for the establishment of local centers for convenient, limited office, retail or service outlets which deal directly with the customer for whom the goods or services are furnished. (Ord. 5, 12-14-2006; amd. Ord. 80, 11-17-2011)

11-26A-2: PERMITTED USES:

Subject to applicable provisions of this title, the following are permitted uses in the B-1 district:

Antique or gift shops.

Appliance stores.

Art and school supply stores.

Bakery goods sales and baking of goods for the retail sales on the premises.

Banks.

Barbershops.

Beauty shops.

Bicycle sales and repair.

Bookstores.

Camera and photographic supply and processing stores.

Candy, ice cream, popcorn, nuts, frozen dessert and soft drink shops.

Clothing.

Convenience grocery stores (not supermarket type and without motor fuel facilities).

Delicatessens.

Drugstores.

Dry cleaning and laundry pick up stations including incidental pressing and repair.

Fitness centers.

Florists.

Furniture sales and repair.

Hardware stores.

Hobby stores.

Jewelry sales and jewelry repair.

Laundromats, self-service.

Locksmiths.

Meat markets but not including processing for a locker.

Medical and dental clinics or offices.

Music stores.

Office supply and stationery stores.

Paint, wallpaper sales.

Personal services subject to any applicable city, county or state licensing requirements.

Personal wireless service antennas located on a public structure or existing tower as regulated by [chapter 13](#) of this title.

Photographic studios.

Private educational services.

Record shops.

Restaurants within a building having a principal use other than a restaurant and without an accessory drive-through facility.

Sexually oriented uses - principal and accessory, subject to the provisions of section [11-5-16](#) of this title.

Veterinary clinics (without animal kennels). (Ord. 50, 1-28-2010; amd. 2011 Code; Ord. 80, 11-17-2011)

11-26A-3: PERMITTED ACCESSORY USES:

The following are permitted accessory uses in a B-1 district:

Accessory and secondary use antennas as regulated by [chapter 13](#) of this title.

Ground source heat pump systems as regulated by [chapter 14](#) of this title.

Off street parking as regulated by [chapter 9](#) of this title, with the exception of semitrailer trucks.

Solar energy systems as regulated by [chapter 14](#) of this title.

Structures for a use accessory to the principal use but such use shall not exceed thirty percent (30%) of the gross floor space of the principal use.

Wind energy systems up to thirty five feet (35') in height as regulated by [chapter 14](#) of this title. (Ord. 5, 12-14-2006; amd. Ord. 80, 11-17-2011; Ord. 85, 12-1-2011)

11-26A-4: CONDITIONAL USES:

Subject to applicable provisions of this title, the following are conditional uses in the B-1 district and require a conditional use permit based upon procedures set forth in section [11-3-2](#) of this title:

Accessory drive-through facilities; provided, that:

- A. Not less than one hundred twenty feet (120') of segregated automobile stacking shall be provided for the single service lane. Where multiple service lanes are provided, the minimum automobile stacking may be reduced to sixty feet (60') per lane.
- B. The stacking lane and its access shall be designed to control traffic in a manner to protect the buildings and will not interfere with on site traffic circulation or access to the required parking space.

- C. No part of the public street or boulevard may be used for stacking of automobiles.
- D. The stacking lane, order board telecom, and window placement shall be designed and located in such a manner as to minimize glare to adjacent premises, particularly residential premises, and to maximize maneuverability of vehicles on the site.
- E. The drive-through window and its stacking lanes shall be screened from view of adjoining residential zoning districts and public street rights of way.
- F. A lighting and photometric plan will be required that illustrates the drive-through service lane lighting and shall comply with section [11-4-7](#) of this title.

Accessory outdoor dining/seating, the area of which exceeds fifteen percent (15%) of the gross floor area of the principal use, provided that:

- A. The dining/seating facilities are an accessory to a principal use allowed within the B-1 district.
- B. The dining/seating area shall be located on private property.
- C. The dining/seating area shall not exceed forty five percent (45%) of the gross floor area of the principal use.
- D. The outdoor dining/seating area shall be defined with the use of landscaping, temporary fencing or other means that contains the tables and chairs for the use as demonstrated on a site plan and approved by the city.
- E. The consumption of alcoholic beverages within the outdoor dining/seating area may be allowed subject to applicable liquor licensing provisions of this code.
- F. Signage shall be posted that restricts consumption of alcohol outside of the designated outdoor dining/seating area.
- G. No food or beverages shall be served to persons outside of the designated outdoor seating area except in association with other city approvals.
- H. If outdoor alcohol service is available, patrons shall access the outdoor dining/seating area through the principal building.

- I. Dining/seating areas shall be located so as not to obstruct required entrances and exits.
- J. If located on private sidewalks or walkways, the dining/seating area shall be located so as to leave a minimum of a four foot (4') wide passageway for pedestrians.
- K. Parking shall comply with [chapter 9](#) of this title.
- L. All exterior sound equipment shall be shut off at ten o'clock (10:00) P.M. and shall comply with city noise regulations.
- M. Except as otherwise limited by this use or the city noise regulations, the maximum noise level at the perimeter of the site shall be within the limits set by the Minnesota pollution control agency and the federal environmental protection agency.
- N. Lighting shall be permitted to the extent that it only illuminates the designated area. Lighting shall not shine or cause glare upon other public or private property outside the designated area or as permitted in section [11-4-7](#) of this title.
- O. The outdoor dining/seating area shall not abut an R-1 or R-2 zoning district.

Accessory outdoor sales and display, the area of which exceeds fifteen percent (15%) of the gross floor area of the principal use, provided that:

- A. The sales and display activities are an accessory to a principal use allowed within the B-1 district.
- B. The sales/display area shall not exceed forty five percent (45%) of the gross floor area of the principal use.
- C. The sales and display area shall be screened from view of neighboring residential uses.
- D. The sales and display area shall be surfaced to control dust and erosion.
- E. Parking shall comply with [chapter 9](#) of this title.

- F. Except as otherwise limited by this use or the city noise regulations, the maximum noise level at the perimeter of the site shall be within the limits set by the Minnesota pollution control agency and the federal environmental protection agency.
- G. Lighting shall be permitted to the extent that it only illuminates the designated area. Lighting shall not shine or cause glare upon other public or private property outside the designated area or as permitted in section [11-4-7](#) of this title.

Commercial car washes (drive-through and self-service); provided, that:

- A. The architectural appearance and functional plan of the building and site shall not be so dissimilar to the existing buildings or areas as to cause impairment in property values or constitute a blighting influence.
- B. Magazining or stacking space is constructed to accommodate that number of vehicles which can be washed during a maximum thirty (30) minute period and shall be subject to the approval of the city engineer.
- C. At the boundaries of a residential district, a strip of not less than five feet (5') shall be landscaped and screened in compliance with section [11-5-4](#) and [chapter 10](#) of this title.
- D. Parking or car magazine storage space shall be screened from view of abutting residential districts in compliance with section [11-5-4](#) of this title.
- E. The entire area, other than occupied by the building or plantings, shall be surfaced with material which will control dust and drainage, which is subject to the approval of the city engineer.
- F. The entire area shall have a drainage system which is subject to the approval of the city.
- G. All lighting shall be hooded and so directed that the light source is not visible from the public right of way or from an abutting residence and shall be in compliance with section [11-4-7](#) of this title.

H. Vehicular access points shall be limited, shall create a minimum of conflict with through traffic movement and shall be subject to the approval of the city engineer.

I. Provisions are made to control and reduce noise.

Commercial daycare facilities as regulated by section [11-5-14](#) of this title.

Commercial, private, and public satellite dish transmitting or receiving antennas greater than two meters (2 m) in diameter as regulated by [chapter 13](#) of this title.

Essential services involving transmission pipelines and transmission or substation lines in excess of thirty five (35) kilovolts and up to one hundred (100) kilovolts; provided, that the applicable provisions of section [11-4-5](#) of this title are determined to be satisfied.

Governmental and public utility buildings and structures necessary for the health, safety and general welfare of the community; provided, that:

A. Conformity with the surrounding neighborhood is maintained and required setbacks and side yard requirements are met.

B. Equipment is completely enclosed in a permanent structure with no outside storage.

C. Adequate screening and landscaping from neighboring residential districts is provided in accordance with section [11-5-4](#) and [chapter 10](#) of this title.

Motor fuel stations; provided, that:

A. Motor Fuel Facilities: Motor fuel facilities shall be installed in accordance with state and city standards. Additionally, adequate space shall be provided to access fuel pumps and allow maneuverability around the pumps. Underground fuel storage tanks are to be positioned to allow adequate access by motor fuel transports and unloading operations which do not conflict with circulation, access and other activities on the site. Fuel pumps shall be installed on pump islands.

B. Architectural Standards:

1. As a part of the conditional use permit application, a color illustration of all building elevations shall be submitted.

2. The architectural appearance, scale, and functional plan of the building(s) and canopy shall be complementary and compatible with each other and the existing buildings in the neighborhood setting.
 3. Exterior wall treatments such as brick, stone (natural or artificial), decorative concrete block and stucco shall be used.
- C. Canopy: A protective canopy structure may be located over the pump island(s) as an accessory structure. The canopy shall meet the following performance standards:
1. The edge of the canopy shall be thirty feet (30') or more from the front and/or side lot line; provided, that adequate visibility both on site and off site is maintained.
 2. The canopy shall not exceed eighteen feet (18') in height and shall provide fourteen feet (14') of clearance to accommodate a semitrailer truck passing underneath.
 3. The canopy fascia shall not exceed three feet (3') in vertical height.
 4. The architectural design, colors, and character of the canopy shall be consistent with the principal building on the site.
 5. Signage may be allowed on a detached canopy in lieu of wall signage on the principal structure; provided, that the individual canopy sign does not exceed more than twenty percent (20%) of the canopy facade facing a public right of way.
 6. Canopy posts/signposts shall not obstruct traffic or the safe operation of the gas pumps.
- D. Pump Islands: Pump islands shall comply with the following performance standards:
1. Pump islands shall be elevated six inches (6") above the traveled surface of the site.
 2. All pump islands shall be set at least thirty feet (30') back from any property line. Additionally, the setback between the pump islands' curb face shall be at least twenty four feet (24').
- E. Dust Control And Drainage: The entire site, other than taken up by a building, structure, or plantings, shall be surfaced with asphalt, concrete, cobblestone, or paving brick. Plans for surfacing and drainage shall be subject to approval of the city engineer. Drainage from all fueling areas shall be directed to an oil/grit separator. Minimum design standards for the oil/grit separator shall include the following:

1. A minimum of four hundred (400) cubic feet of permanent pool storage capacity per acre of drainage area.
2. A minimum pool depth of four feet (4').
3. A minimum oil containment capacity of eight hundred (800) gallons.
4. Minimum maintenance inspection of two (2) times per year and/or after measurable spill events. A measurable spill shall be defined by the Minnesota pollution control agency (MPCA). Any measurable spill event shall be reported to the MPCA.

F. Landscaping:

1. Minimum required green area shall be in accordance with the provisions of [chapter 10](#) of this title.
2. At the boundaries of the lot, the following landscape area shall be required:
 - a. From side and rear property lines, an area of not less than ten feet (10') wide shall be landscaped in compliance with [chapter 10](#) of this title.
 - b. From all road rights of way, an area of not less than fifteen feet (15') wide shall be landscaped in compliance with [chapter 10](#) of this title.
 - c. Where lots abut residentially zoned property, a buffer yard of not less than twenty feet (20') wide shall be landscaped and screened in accordance with section [11-5-4](#) and [chapter 10](#) of this title.
 - d. The property owner shall be responsible for maintenance of all landscaping, including within the boulevard.

G. Exterior Lighting: The lighting shall be accomplished in such a way as to have no direct source of light visible from adjacent land in residential use or from the public right of way and shall be in compliance with section [11-4-7](#) of this title. A comprehensive lighting plan shall be submitted as part of the conditional use permit application, and shall be subject to the following performance standards:

1. Canopy Lighting: Canopy lighting under the canopy structure shall consist of canister spotlights recessed into the canopy. No portion of the light source or fixture may extend below the ceiling of the canopy. Total canopy illumination below the canopy shall not exceed one hundred fifteen (115) foot-candles at ground level.

2. Illumination: Maximum site illumination shall not exceed limits set forth in section [11-4-7](#) of this title.
 3. Access: Vehicular access points shall create a minimum of conflict with through traffic movement and shall comply with [chapter 9](#) of this title.
- H. Circulation And Loading: The site design shall accommodate adequate turning radius and vertical clearance for a semitrailer truck. Designated loading areas shall be exclusive of off street parking stalls and drive aisles. A site plan shall be provided to illustrate adequate turning radius, using appropriate engineering templates.
- I. Parking:
1. Parking spaces shall be calculated solely based upon the use(s) and the square footage of the principal building(s).
 2. Parking spaces shall be screened from abutting residential properties in accordance with section [11-5-4](#) of this title.
- J. Noise: Public address system shall not be audible at any property line. Playing of music or advertisement from the public address system is prohibited. Noise control shall be required as regulated by section [11-4-8](#) of this title.
- K. Outside Storage, Sales And Service: No outside storage or sales shall be allowed, except as follows:
1. Public phones may be located on site as long as they do not interrupt on site traffic circulation and are not located in a yard abutting residentially zoned property.
 2. Propane sales of twenty (20) pound capacity tanks may be located outside, provided the propane tanks are secured in a locker and meet all state and city building and fire codes.
 3. A compressed air service area may be located on site as long as it does not interrupt on site traffic circulation.
- L. Litter Control: The operation shall be responsible for litter control on the subject property, which is to occur on a daily basis. Trash receptacles shall be provided at convenient locations on site to facilitate litter control.

M. Additional Stipulations: All conditions pertaining to a specific site are subject to change when the city council, upon investigation in relation to a formal request, finds that the general welfare and public betterment can be served as well or better by modifying or expanding the conditions set forth herein.

Personal wireless service antennas not located upon a public structure or existing tower as regulated by [chapter 13](#) of this title.

Professional and commercial (leased) offices; provided, that:

- A. The gross floor area of the office building shall not exceed ten thousand (10,000) square feet.
- B. The services which are provided are for the local area rather than the community or region.
- C. The traffic generated will not raise traffic volumes beyond the capacity of the surrounding streets.
- D. The architectural appearance of the building housing the office use shall reflect the building character of the area and shall not be so dissimilar as to cause impairment of property values or constitute a blighting influence within the neighborhood.

Satellite antennas greater than two meters (2 m) in diameter as regulated by [chapter 13](#) of this title.

Wind energy systems up to seventy five feet (75') in height as regulated by [chapter 14](#) of this title. (Ord. 5, 12-14-2006; amd. Ord. 74, 8-11-2011; Ord. 80, 11-17-2011; Ord. 85, 12-1-2011)

11-26A-5: INTERIM USES:

Subject to applicable provisions of this title, the following are interim uses in the B-1 district and require an interim use permit based upon procedures set forth in and regulated by section [11-3-3](#) of this title:

Farms, farmsteads and farming.

Mining, sand and gravel extraction, and land reclamation and alteration; provided, that the uses will be in compliance with the provisions hereof or other applicable provisions of this code. (Ord. 5, 12-14-2006; amd. Ord. 80, 11-17-2011)

11-26A-6: USES BY ADMINISTRATIVE PERMIT:

Subject to applicable provisions of this title, the following uses are allowed by administrative permit in a B-1 district based upon procedures set forth in and regulated by section [11-3-4](#) of this title:

Accessory outdoor dining/seating, the area of which does not exceed fifteen percent (15%) of the gross floor area of the principal use, provided that:

- A. The dining/seating facilities are an accessory to a principal use allowed within the B-1 district.
- B. The dining/seating area shall be located on private property.
- C. The outdoor dining/seating area shall be defined with the use of landscaping, temporary fencing or other means that contains the tables and chairs for the use as demonstrated on a site plan and approved by the city.
- D. The consumption of alcoholic beverages within the outdoor dining/seating area is prohibited except upon approval of a conditional use permit.
- E. No food or beverages shall be served to persons outside of the designated outdoor seating area except in association with other city approvals.
- F. Dining/seating areas shall be located so as not to obstruct required entrances and exits.
- G. If located on private sidewalks or walkways, the dining/seating area shall be located so as to leave a minimum of a four foot (4') wide passageway for pedestrians.
- H. Parking shall comply with [chapter 9](#) of this title.

- I. All exterior sound equipment shall be shut off at ten o'clock (10:00) P.M. and shall comply with city noise regulations.
- J. Except as otherwise limited by this use or the city noise regulations, the maximum noise level at the perimeter of the site shall be within the limits set by the Minnesota pollution control agency and the federal environmental protection agency.
- K. Lighting shall be permitted to the extent that it only illuminates the designated area. Lighting shall not shine or cause glare upon other public or private property outside the designated area or as permitted in section [11-4-7](#) of this title.
- L. The outdoor dining/seating area shall not abut an R-1 or R-2 zoning district.

Accessory outdoor sales and display, the area of which does not exceed fifteen percent (15%) of the gross floor area of the principal use, provided that:

- A. The sales and display activities are an accessory to a principal use allowed within the B-1 district.
- B. The sales and display area shall be screened from view of neighboring residential uses.
- C. The sales and display area shall be surfaced to control dust and erosion.
- D. Parking shall comply with [chapter 9](#) of this title.
- E. Except as otherwise limited by this use or the city noise regulations, the maximum noise level at the perimeter of the site shall be within the limits set by the Minnesota pollution control agency and the federal environmental protection agency.
- F. Lighting shall be permitted to the extent that it only illuminates the designated area. Lighting shall not shine or cause glare upon other public or private property outside the designated area or as permitted in section [11-4-7](#) of this title.

Essential services, except transmission pipelines and transmission or substation lines in excess of thirty five (35) kilovolts and up to one hundred (100) kilovolts, as regulated by section [11-4-5](#) of this title.

Model homes as regulated by section [11-5-10](#) of this title.

Personal wireless service antennas located upon a public or quasi-public structure or existing tower as regulated by [chapter 13](#) of this title.

Temporary outdoor uses as regulated by section [11-5-11](#) of this title. (Ord. 5, 12-14-2006; amd. 2011 Code; Ord. 74, 8-11-2011; Ord. 80, 11-17-2011)

11-26A-7: LOT AREA, WIDTH AND SETBACK REQUIREMENTS:

The following minimum requirements shall be observed in a B-1 district, subject to additional requirements, exceptions and modifications set forth in this title:

A. Lot area: Twenty thousand (20,000) square feet.

B. Lot width: One hundred feet (100').

C. Setbacks:

1. From streets:

a. Principal/minor arterial streets: Sixty five feet (65').

b. Collector streets: Sixty five feet (65').

c. Local streets: Thirty five feet (35').

2. Side yards: Twenty feet (20').

3. Rear yards: Thirty feet (30'). (Ord. 5, 12-14-2006; amd. Ord. 80, 11-17-2011)

11-26A-8: BUILDING HEIGHT:

Structures shall not exceed thirty five feet (35') in height, except as provided in section [11-5-2](#) of this title. (Ord. 5, 12-14-2006; amd. Ord. 80, 11-17-2011)