

10. B-3 General Commercial District

A. Intent

The intent of the B-3 General Business District is to create an area to serve the commercial and service needs of the general population. The objective is to provide services to both pedestrian and vehicular traffic and to accommodate those businesses which require large areas for off-street parking or generate substantial traffic originating from outside the community.

B Permitted Uses

In a B-3 General Commercial District, unless otherwise provided in this ordinance, no building or land shall hereafter be erected, used or structurally altered except for one of the following, as well as similar uses:

- * Any use permitted in B-1 and B-2 Districts;
- * Car washes and automobile service stations provided that:
 - (a) The off-street loading space(s) and building access for delivery of goods shall be separate from customer parking and entrances and shall not cause conflicts with customer vehicles and pedestrian movements.
 - (b) The hours of operation shall be limited to 6:00 AM to 10:00 PM, unless extended by the Council as part of the conditional use permit.
 - (c) Motor fuel facilities shall be installed in accordance with State and City standards. Additionally, adequate space shall be provided to access gas pumps and to 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.
 - (d) A protective canopy (auxiliary canopy) located over pump islands may be an accessory structure on the property and may be located twenty (20) feet or more from the front lot line, provided adequate visibility both on and off site is maintained.
 - (e) All canopy lighting for motor fuel station pump islands shall be recessed or fully shielded.
 - (f) Litter Control. The operation shall be responsible for litter control within three hundred (300) feet of the premises and litter control is to occur on a

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daily basis. Trash receptacles must be provided at a convenient location on site to facilitate litter control.

(g) All pumps and any related canopy shall be set back at least three hundred (300) feet from residentially zoned or guided property, unless screened by an intervening building or located across an arterial or major collector roadway from residentially zoned or guided property.

(h) No more than one car wash bay shall be allowed.

(i) The car wash shall be designed to be an integral part of the principal building, and may not be a separate freestanding structure.

(j) The site shall provide stacking space for the car wash. The amount of stacking space shall take into account the type of car wash and the amount of time it takes to wash a vehicle. Stacking spaces shall not interfere with parking spaces or traffic circulation.

(k) The exit from the car wash shall have a drainage system which is subject to the approval of the City and gives special consideration to the prevention of ice build-up during winter months.

(l) Neither the car wash nor an accessory vacuum shall be located within three hundred (300) feet of any residentially zoned or guided property, unless completely screened by an intervening building or located across an arterial or major collector roadway from residentially zoned or guided property.

(m) Both the car wash and accessory vacuum shall conform to noise regulations as defined in Section Chapter VI, Performance Standards of this Chapter.

- * Entertainment and recreational business- bowling alleys, bars, theatres, health clubs, amusement parks, community centers, roller skating, convention facilities, clubs and lodges;
- * Hotel – motels;
- * Licensed commercial day care facilities;
- * Public buildings and facilities;
- * Restaurants and eating establishments, including drive thru services provided that:

(a) Residential properties shall be screened from vehicle lights in the

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stacking area.

(b) Adequate stacking is provided at the menu board and pick up window.

(c) The drive-thru hours of operation are limited to 7:00 AM to 10:00 PM, unless extended by the City Council as part of the conditional use permit.

- * Retail businesses and service business establishments less than 50,000 square feet in total building area, including those with outside display provided that:

(a) Outdoor display areas shall be one hundred percent (100%) screened at a minimum of six feet (6') in height from view of adjacent residential uses and residential uses located across the street.

- * Wholesale business establishments less than 15,000 square feet in total building area, when conducted wholly within a building;
- * Equipment and trade services – electronic shops, appliance repair, plumbing, heating, electrical, drywall, painting shops – no outside storage

C. Conditional Uses (Rev. 02-11-16; ord. 729)

The following uses are permitted subject to the issuance of a Conditional Use Permit:

- * Automobile and truck repair provided that:

(a) The entire site, other than that devoted to structures and landscaped areas, shall be an impervious surface and maintained for control of dust, erosion, and drainage.

(b) Location and number of access driveways shall be approved by the City Engineer.

(c) No vehicles shall be parked on the premises other than those utilized by employees, customers awaiting service, or as allowed through a CUP. Storage of salvage vehicles shall be prohibited.

(d) All areas utilized for the storage and disposal of trash, debris, discarded parts, and similar items shall be fully screened. All structures and ground shall be maintained in an orderly, clean, and safe manner.

(e) Screening shall be provided to buffer the use from adjacent residential land uses.

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- * Automobile and recreational sales and service provided that:
 - (a) A minimum lot area of 1 acre is required and the use shall be on 1 lot or contiguous lots not separated by a public street or other use.
 - (b) A minimum lot width of 100 feet is required.
 - (c) The parking area for the outside sales and storage area, whether for a new or the expansion of an existing facility, shall be hard surfaced by the date determined by the Planning Commission after consideration of the size and scope of the project, and the effect of the cold weather season on paving construction materials, but in no event more than 10 months after final city approval. Parking areas shall be maintained to control dust, erosion, and drainage before and after hard surfacing. No parking or display of vehicles for sale shall occur on landscaped areas. Customer parking shall be clearly marked (Rev. 02-28-13; Ord. 696).
 - (d) Interior concrete or asphalt curbs shall be constructed within the property to separate driving and parking surfaces from landscaped areas.
 - (e) All areas of the property not devoted to building or parking areas shall be landscaped.
 - (f) Noise from electronic speaker devices shall be regulated in Chapter VI, Performance Standards.
- * Equipment and trade with outside storage;
- * Indoor shooting range provided that (Rev. 07-25-13; Ord. 698):
 - (a) The Applicant demonstrates that noise, air pollution, and any hazardous wastes are properly mitigated and managed;
 - (b) The Applicant provides to the City a copy of the current publication of the National Rifle Association's Range Source Book: A Guide to Planning and Construction, and follows the recommendations therein for the type of shooting range being proposed by the Applicant;
 - (c) The Applicant operates the shooting range in accordance with (and provide a copy to the City) all other local, state, and federal regulations; and
 - (d) The hours of operation are reviewed and approved by the Planning Commission.

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- * Retail businesses and service business establishment more than 50,000 square feet in total building area, including those with outside storage provided that:
 - (a) The physical design may include more than one building. If there is an open space between two (2) buildings, the space shall not be less than one-half ($1/2$) the sum of the heights of the two (2) buildings.
 - (b) No building shall be nearer than sixty feet (60') to any exterior lot line except when abutting or across the street from an residential district in which case the minimum setback distance shall be one hundred feet (100').
 - (c) The design shall include adequate internal circulation drives not less than twenty four feet (24') in width which are exclusive of the required parking areas;
- * Retail lumber yards, nurseries, wholesale business with outside display/storage provided that:
 - (a) The outdoor display area shall be clearly identified upon an approved site plan for the property. The display area shall meet the required side and rear yard setbacks for the district in which it is located, and shall be set back no less than ten feet (10') from the front property line. The appropriate height of the display area shall be determined by considering the size of the item(s) to be displayed, the proportion of the display area to the building, and the location of the display area on the site.
 - (b) No displayed merchandise shall exceed a maximum height of twelve feet (12') above the display surface.
 - (c) Outdoor display areas shall be one hundred percent (100%) screened at a minimum of six feet (6') in height from view of adjacent residential uses and residential uses located across the street.
 - (d) No additional lighting shall be installed to illuminate the display area.
 - (e) The display area shall be surfaced with concrete or an approved equivalent to control dust and erosion. The surface shall be properly maintained to prevent deterioration. The display area shall be architecturally compatible with the principal structure of the site through the use of similar building materials or fencing around the perimeter of the display area. The display area shall be enhanced with appropriate, year round landscaping.

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(f) The display area shall not take up required parking spaces or landscaping areas. No outdoor display shall be permitted upon a sidewalk.

(g) All display of merchandise shall occur in a neat and orderly fashion without signage. The display of wearing apparel, highly flammable materials, and merchandise with wind movable parts and appendages shall be prohibited.

- * Maximum building height **greater** than (30) thirty feet, as measured to the eaves.

D. Interim Uses (Rev. 02-11-16; Ord. 729)

The following uses are permitted by the issuance of an interim use permit:

- * Churches and transitional/ interim churches provided that:
 - (a) The principal structure and any accessory structures used for assembly shall be located at least fifty feet (50') from any lot line adjacent to a residential zoning district.
 - (b) Joint parking arrangements allow for compliance with parking requirements for all uses (as regulated by Chapter VI, Performance Standards)
- * Dog Daycare, Training, and Grooming Facility with no overnight boarding.
- * Educational facilities provided that:
 - (a) Joint parking arrangements allow for compliance with parking requirements for all uses (as regulated by Chapter VI, Performance Standards)
- * Kennels with overnight boarding, provided that:
 - (a) Animals allowed outside only under direct supervision.
 - (b) A maximum number of animals allowed at the facility, as determined by the Planning Commission at the time of interim use permit issuance.
 - (c) Noise shall be mitigated so as to not create a public nuisance for adjoining properties.
 - (d) Indoor and outdoor facilities are to be kept in a clean, dry, and sanitary condition. Waste shall be picked up immediately and disposed of in a sealed container.
 - (e) Adequate storage and refrigeration shall be provided to protect food supplies against contamination and deterioration.

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- (f) Indoor facilities shall be adequately ventilated and have ample light heat.
- (g) Adequate screening shall be provided, as determined by the Planning Commission.
- (h) Hours of operation shall be reviewed and approved by the Planning Commission.
- * Mini-storage facilities, including exterior and interior only accessible facilities provided that:
 - (a) No building to exceed 4,000 square feet with no more than 4 buildings per site
 - (b) No site shall be closer than 1,000 feet from another mini-storage facility.
 - (c) No buildings shall be closer than 50 feet from a neighboring residential zone.
 - (d) Units are to be used for dead storage only. Units are not to be used for retailing, auto repair, human habitation, or any commercial activity. Storage of any flammable or hazardous material is prohibited.
 - (e) No outdoor storage is permitted.
 - (f) The facility shall be secured by either the walls of the structure and/or fencing. All doors on the units shall face inward and away from the street.
- * Outdoor storage of approved material, such as sand, gravel, fill dirt, or crushed material, provided that: (Rev. 10-13-11; Ord. 674)
 - (a) The specific project and site location where the material will be utilized is identified by the applicant and subject to the approval of the Planning Commission and City Council.
 - (b) The material storage area shall be clearly identified upon an approved site plan for the property.
 - (c) The material storage area shall meet the required front, side, and rear yard setbacks for the B-3 district.
 - (d) The maximum height of the material shall be determined by the Planning Commission and City Council, taking into consideration

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the following factors: the size, amount, and location of the material being stored, along with the proportion of the material storage area to any uses/buildings on site and/or adjacent to the subject property,

- (e) Temporary security fencing shall be provided around the material storage area by the applicant.
 - (f) Measures shall be taken to control dust and erosion.
 - (g) Screening measures, as determined appropriate by the Planning Commission and City Council, shall be provided when the subject property on which the material storage is proposed is adjacent to or across the street from a residentially-zoned property.
 - (h) No hazardous materials shall be allowed to be stored.
- * Pet Store selling cats or dogs under eight months of age with overnight boarding.
 - * Veterinary clinic with outside boarding facilities provided that:
 - (a) Animals allowed outside only under direct supervision.
 - (b) A maximum number of animals allowed at the facility, as determined by the Planning Commission at time of Interim use permit issuance.
 - (c) Noise shall be mitigated so as to not create a public nuisance for adjoining properties.
 - (d) Indoor and outdoor facilities are to be kept in a clean, dry, and sanitary condition. Waste shall be picked up immediately and disposed of in a sealed container.
 - (e) Adequate storage and refrigeration shall be provided to protect food supplies against contamination and deterioration.
 - (f) Indoor facilities shall be adequately ventilated and have ample light and heat.
 - (g) Adequate screening shall be provided, as determined by the Planning Commission.

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(h) Hours of operation shall be reviewed and approved by the Planning Commission.

E. Yard Requirements For B–3 District

	All Uses
A. Lot area minimum	10,000 sq. ft. (or existing lots of record as of date of passage of this ordinance)
B. Lot width minimum feet	75 feet
C. Maximum lot coverage	60%
D. Front yard minimum	20 feet ¹
E. Side yard minimum	5 feet ²
F. Rear yard minimum	20 feet ³
G. Maximum height	30 feet ⁴

¹ Business that is abutting a highway shall have two front yards.

² Side yard setback - 5 feet, except when abutting a residential district then the side yard shall be 15 feet. On a corner lot, the side yard on any street side shall conform to the predominant setback on the side street, but in no case shall the side yard be less than 15 feet.

³ Rear yard setback - 30 feet when abutting a residential district

⁴ Maximum building height - three stories in height or as measured 30 feet to the eaves. This requirement may be waived upon demonstration of adequate fire protection.

F. Exterior/Interior Building Materials (Rev. 07-14-16; Ord. 738)

Buildings with in the General Business District shall be faced with the following:

- a. Face brick;
- b. Natural or synthetic stone;
- c. Stucco or EFIS;
- d. Prefinished metal panels;
- d. Glass and or curtain wall construction;
- e. Integrally colored split face (rock face) burnished or glazed concrete masonry units (excluding smooth, plain or painted).
- f. Precast concrete panels;
- g. Fiber-cement siding;

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- h. Windows are required in the front of the building pending planning review and demonstration of need; e.g. security, etc;
- i. Or other materials approved by the Planning Commission, such as insulated concrete form, structures and pole type structures if determined to have a similar or better longevity and durability as material listed above, and maintains the integrity of the surrounding structures while meeting the requirements for building materials in the General Business District. Pole type construction must have a site plan review including an architectural design review with the Planning Department Staff and/or the Zoning Administrator.

G. Parking Requirements

- a. For every building erected or structurally altered, off-street parking shall be provided according to the schedule provided in this ordinance.
- b. All off-street parking areas shall include unpaved landscaped islands that are distributed throughout the parking area. These islands shall be located to break up expanses of paved areas and facilitate traffic control.
- c. Landscaped islands shall be equal or greater than the size of a parking stall (180 s.f.). Such parking areas shall devote not less than three hundred sixty (360) square feet of land to internal landscape islands (in addition to required traffic safety islands) for each one thousand five hundred (1,500) square feet of parking space after the first one thousand five hundred (1,500) square feet. Such islands shall be bounded by concrete curbing. Trees may be installed in approved traffic safety islands to delineate parking spaces from drive aisles and other areas. The land area devoted to internal landscape islands may be decreased in cases where the land area devoted to traffic islands meets or exceeds the above requirement.
- d. No landscaping or screening shall interfere with driver or pedestrian visibility for vehicles entering or exiting the premises.

H. Screening Fence Requirement

- a. Commercial uses which are adjacent to residential area shall be screened to minimize visual impact. Loading docks and refuse containers shall also be screened. Fencing/screening shall be provided according to this ordinance. This provision shall not be construed as requiring a screening fence in any required front or adjacent to a public alley.

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I. Landscaping

- a. All landscaping requirements shall meet the provisions outlined within this Ordinance. In addition, fifty percent (50%) of the building perimeter shall be landscape in an area not less than 5 feet in width.

J. Utilities

- a. All lots are to be served by underground utilities.

K. Plans and Specifications

- a. All plans and specifications pertaining to site use design shall be approved by the Planning Commission before any building permit is issued for a principal use in this district. Any applicant that fails to comply with the time frame and provisions of the plan review shall be guilty of a misdemeanor, except those violations specifically subject to administrative fines under this ordinance. Each day that a violation is permitted to exist shall constitute a separate offense. If the applicant feels the request was unjustly denied, the applicant may appeal to the Board of Adjustments for relief.
- b. All business condominiums shall follow the Uniform Condominium Act of the State of Minnesota.
- c. A business condominium coverage of a lot shall follow the parking requirements and all other requirements in the business zone in which the condominium will be located.

L. Accessory Structures. Architectural and building material standards as outlined in this section shall apply to accessory buildings. No accessory structure (except signs) shall exceed the height of the principal structure.

M. General Design Criteria.

- a. Building facades shall be designed to avoid monolithic or monotonous appearance by employing designs which prevent the appearance of straight, unbroken lines in their horizontal and vertical surfaces.
- b. Portions of buildings facing or oriented toward public rights-of-way or residentially zoned or designated parcels shall features breaks/divisions in materials, separate entrances/entrance treatments, variation in roof lines and/or variation in building setbacks.