

SEC. 154.140 CENTRAL BUSINESS DISTRICT (C-2).

154.141 PURPOSE.

The purpose of this district is to encourage continuation of a viable downtown by allowing prime retail sales and service uses, office, entertainment facilities, public and semi-public uses, and in special circumstances, residential use; and to preserve and build on the historic character of the downtown using the historic and natural resources available to create a tourist draw as well as to provide a unique blend of retail and service businesses for the convenience of local residents.

154.142 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.

General Retail Sales and Services, including:

Antiques and collectibles.

Appliance sales and service.

Auto parts sales and indoor service.

Bakery.

Bicycle sales and indoor repair.

Books, magazine and newspapers.

Clothing and shoe stores and seamstress/repair services.

Electronics sales and services.

Florists.

Gifts and novelties.

Grocery stores.

Hair salons, barbers, and spas.

Hardware.

Household furnishings.

Interior decorating sales; sale of floor covering, paint, wallpaper, materials and objects of interior decorating.

Laundromat; self-service.

Licensed Tattoo Establishment.

Meat markets.

Pet shops provided the operation does not include boarding, maintenance of a pen(s) outside of the structure, or operates so as to cause an offensive odor or noise.

Photography and photo framing.

Printing and publishing.

Sporting goods.

Travel agency.

Variety store.

Video store.

Professional Services including:

Accounting.

Banks and financial institutions.

Legal.

Insurance agencies.

Real estate.

Drinking and Eating Establishments, including:

Brewery, micro-distillery, micro-brewery, micro-winery or tap room,

Cafes.

Class I and II restaurants.

Delicatessens.

Private clubs and lodges.

On and off-sale liquor; bars.

Health and Medical, including:

Clinic, medical.

Chiropractic.

Dental.

Optometrists.

Pharmacies.

Therapeutic massage.

Physical Recreation and Educational Facilities, including:

Bowling alleys provided they are not within 20 feet of a residential district.

Dance studios.

Fitness centers and gyms.

Martial arts.

Public and Private Human Services, Schools or Academies, including:

Daycare facilities.

Government offices and structures.

Government utility buildings and structures.

Library.

Music or performing arts.

Parks.

Performing arts center.

Postal service.

Religious institutions.

Schools or academies.

Repair Services and Sales, including:

Bicycle sales and indoor services.

Electrical appliance repair, conducted indoors.

Auto Sales - provided that all vehicles for sale are housed within a structure that has an overhead door installed prior to November 29th, 2011, and provides notification to pedestrians when vehicles are exiting the structure.

Storage of vehicles, trailers, and recreation vehicles are housed within a structure that has an overhead door installed prior to November 29th, 2011, and provides notification to pedestrians when vehicles are exiting the structure.

Residential Use, including :

Bed & Breakfasts.

Single-family residential dwellings provided the structure intended to be used is the structure originally constructed on the lot, the original historic use of the structure was residential, off-street parking is provided in conformance with the Off-Street Parking and Loading Spaces, and the impervious surface of the site is not increased.

154.143 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 SEC. 154.047 Conditional Use Permits shall be met in addition to the following conditions:

Apartments; located above the first floor provided off-street parking requirements are met.

Carwash; provided the site plan illustrates appropriate vehicular and pedestrian circulation and stacking of vehicles.

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.

Hotels and motels, provided there is sufficient off-street parking.

Dance Hall, provided off-street parking requirements are met and the site is at least 60 feet from a residential district.

Multiple-family dwellings; provided off-street parking requirements are met.

Outdoor seating area for food, on sale liquor establishments, and restaurants.

Pawn Shop.

Residential units on the ground floor of a commercial building. Subject to the following:

- (1) Only one single-family residential unit shall be permitted per structure;

- (2) The square footage of the residential unit is no more than 50% of the gross floor area of the first floor of the building, with the remaining 50%+ retained for commercial use;
- (3) The residential unit is located in the back of the commercial space;
- (4) A yard with usable open space exists in the rear of the building;
- (5) A separate rear entrance is provided for the residential structure that is not used for commercial purposes;
- (6) Off-street parking is provided in conformance with SEC. 154.220 Off-Street Parking and Loading Spaces;
- (7) The residential unit must meet Building Code, ADA and other applicable access requirements;
- (8) The requirements of SEC. 154.047 Conditional Use Permits are met.

Theater, not a drive-in; provided the site plan illustrates appropriate vehicular and pedestrian circulation and parking.

154.144 INTERIM USES.

Manufacturing and wholesaling. Subject to the following:

- (1) The use must not be disruptive to the viability of downtown and must be found to be complimentary to the downtown area.
- (2) The site plan must contain adequate provisions for loading, unloading, and inside storage of materials, including waste materials, and it shall include design elements consistent and compatible with the downtown image and objectives of this Section.
- (3) The use is proposed in a building with a history of manufacturing/wholesaling activity.
- (4) The use shall include a sunset date established by the Planning Commission and approved by the City Council.
- (5) Procedures outlined in the SEC. 154.051 Interim Use Permit.
- (6) Refuse. All waste material, debris, refuse, or garbage shall be kept in an enclosed building or properly contained in a closed container designed for such purposes.
- (7) Toxic or Noxious Matter. Any use shall be so operated so as not to discharge across the boundaries of the lot or through percolation into the atmosphere or the subsoil beyond the boundaries of the lot wherein such use is located, toxic or noxious matter in such concentration as to be detrimental to, or endanger the public health, safety, comfort or welfare, or cause injury or damage to property, business, or the environment.
- (8) Air Pollution. Any use shall be operated so as to control the emission of smoke or particulate matter conform to the regulations and standards adopted by the Minnesota Pollution Control Agency.

154.145 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. However, any incidental repair or processing necessary to conduct a permitted principal use shall not occupy more than 30% of the floor area.

Off-street parking and loading.

Signs.

Electronic amusement devices (machines) where the principal use is a Class I or Class II restaurant or a dry goods, drug, variety, hobby, or toy store. Up to four such devices are permitted. However if the area of the principal use is at least 15,000 square feet, up to (30) such devices are permitted.

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.

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

(A) One Principal Building. There shall be no more than one principal building on one lot except as provided under conditional use provisions.

154.147 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) Business Inside. All business, service, storage, merchandise, display and repair and processing, where permitted, shall be conducted wholly within an enclosed structure except where provided by conditional use permit.

(B) Storage. Open storage in conjunction with a permitted business shall be prohibited.

(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.

(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 separation and screening purposes;
- (5) Views 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) Design Permit. A design review permit is required for any/all site alterations in the Central Business District. Plans shall be consistent with the Central Business District Design Standards.

(F) Utilities. Shall be placed underground and meters shall be screened from view from the street.

(G) Required Parking. Development and modifications to all parcels and buildings are subject to the provisions of SEC. 154.220 Off-street Parking and Loading Spaces.

(H) Signs. Development and modification to all parcels, street uses and buildings are subject to the provisions of SEC. 154.240 Signs.

(I) Architecture and Materials. Development and modification to all parcels, structures, and buildings are subject to the provisions of SEC. 154.310 Architectural Control and Building materials and the Central Business District Design Standards.

154.148 OTHER CONTROLS.

This Section is in addition to and not in lieu of other official controls adopted by the City Council or the Secretary of Interior Standards for buildings on the national register of historic places. Where the standards, regulations or provisions contained in this Section are inconsistent or in conflict with other standards, regulations or provisions any provisions of the City Code, Secretary of the Interior, or the provisions of any other applicable statutes, rules, regulations or ordinances, the most restrictive provisions shall govern in order to preserve, protect, and enhance the historic character and charm of the central business district.