

SECTION 21: B-2" GENERAL BUSINESS DISTRICT

Subdivision 1: INTENT

The B-2 General Business District provides space for concentrated general business and commercial activities dependent upon high volumes of vehicular traffic. The intent of this section is to provide locations where the vehicular-oriented activities can be maximized with minimal infringement on residential neighborhoods and with minimal conflicts with uses allowed in the Central Business District. This district is suitable for areas guided to general commercial/business in the Comprehensive Plan.

Subdivision 2: PERMITTED USES

1. Individual retail establishments (sales of goods to individual consumers, usually in small quantities and not to be placed in inventory for resale) and individual wholesale establishments (sale of goods to retailers or jobbers, rather than the sale of goods to individual consumers, usually in large quantities to be placed in inventory for resale to the individual consumer) involved in the trade of goods such as automobile parts/accessories, building materials, consumer electronics, furniture and flooring, paint/wallpaper, hardware, household appliance sales/service, clothing/apparel, garden supplies, new passenger automobiles, used passenger automobiles, farm equipment and marine, motor sport and boating equipment provided: The gross floor area of an individual retail sales or wholesale establishment shall not exceed thirty-five thousand (35,000) square feet. This limitation shall be applied as follows:
 - a. For purposes of this section, the term "gross floor area" shall include indoor space utilized for retail and/or wholesale display, storage and sale of goods, wares or merchandise and the area of all portions of the site outside of the exterior walls of building(s) used for the display, storage, or sale of any goods, wares or merchandise, except that the gross floor area of a retail store shall not include exterior areas of not more than three thousand (3,000) square feet used for seasonal or temporary sales events under appropriate city permits or approvals.
 - b. The thirty-five thousand (35,000) square foot limitation shall apply to individual retail or wholesale establishments for which permits are sought and also to the cumulative sum of related or successive permits for retail or wholesale establishments that are part of a larger project, such as piecemeal additions to a building or multiple buildings on a lot or adjacent lots.
 - c. The gross floor area of adjacent stores shall be aggregated in cases where the stores (1) are engaged in the selling of similar or

related goods, wares or merchandise and operate under common ownership or management; (2) share check stands, a warehouse, or a distribution facility; (3) are owned, leased, possessed or otherwise controlled, in any manner, directly or indirectly, by the same individual(s) or entity(ies), including but not limited to corporation(s), partnership(s), limited liability company(ies) or trust(s), or by different individuals or entities, including but not limited to corporations, partnerships, limited liability companies or trusts where such individual(s) or entity(ies) have a controlling ownership or contractual right with the other individual(s) or entity(ies), or the same individual(s) or entity(ies) act in any manner as an employee, owner, partner, agent, stockholder, director, member, officer or trustee of the entity(ies), and are located within one or more separate buildings or structures within 800 feet of one another, regardless whether they are attached or detached; or (3) otherwise operate as associated, integrated or cooperative business enterprises.

2. Grouped Retail/Wholesale Trade. A combination of two or more individual retail and/or wholesale trade establishments (i.e. a multiple tenant commercial/shopping center) of goods such as automobile parts/accessories, building materials, consumer electronics, furniture and flooring, paint/wallpaper, hardware, household appliance sales/service, clothing/apparel, garden supplies, new passenger automobiles, used passenger automobiles, farm equipment and marine, motor sport and boating equipment provided: The aggregate gross floor area of an individual retail/wholesales establishment shall not exceed thirty-five thousand (35,000) square feet and provided the building(s) or structure(s) containing the grouped retail/wholesale trade establishments shall be limited to an aggregate gross floor area of 72,000 square feet. These limitations shall be applied as follows:
 - a. For purposes of this section, the term "gross floor area" shall include indoor space utilized for retail and/or wholesale display, storage and sale of goods, wares or merchandise and the area of all portions of the site outside of the exterior walls of building(s) used for the display, storage, or sale of any goods, wares or merchandise, except that the gross floor area of a retail store shall not include exterior areas of not more than three thousand (3,000) square feet used for seasonal or temporary sales events under appropriate city permits or approvals.
 - b. The square foot limitations shall apply to individual retail/wholesale establishments and structures for which permits are sought and also to the cumulative sum of related or successive permits for retail/wholesale establishments or structures that are part of a larger project, such as piecemeal additions to a building or multiple

buildings on a lot or adjacent lots.

- c. The gross floor area of adjacent establishments and structures shall be aggregated in cases where the stores (1) are engaged in the selling of similar or related goods, wares or merchandise and operate under common ownership or management; (2) share check stands, a warehouse, or a distribution facility; (3) are owned, leased, possessed or otherwise controlled, in any manner, directly or indirectly, by the same individual(s) or entity(ies), including but not limited to corporation(s), partnership(s), limited liability company(ies) or trust(s), or by different individuals or entities, including but not limited to corporations, partnerships, limited liability companies or trusts where such individual(s) or entity(ies) have a controlling ownership or contractual right with the other individual(s) or entity(ies), or the same individual(s) or entity(ies) act in any manner as an employee, owner, partner, agent, stockholder, director, member, officer or trustee of the entity(ies), and are located within one or more separate buildings or structures within 800 feet of one another, regardless whether they are attached or detached; or (3) otherwise operate as associated, integrated or co-operative business enterprises.

3. Freestanding day care facilities.
4. Cabinet and carpentry shops, electrical service, heating, plumbing, soft water service.
5. Upholstery or air conditioning service shop.
6. Convenience store without fuel facilities.
7. Drive through establishments such as restaurants and frozen desserts.
8. Restaurants with and/or without incidental liquor licenses.
9. On and off-sale liquor establishments.
10. Motels and hotels.
11. Public buildings and public uses.

Subdivision 3: CONDITIONAL USES

The following uses require a conditional use permit within the B-2 District under the process described in this Title.

1. Animal Hospitals or Kennels.

2. Car wash.
3. Convenience stores with motor fueling stations or stand-alone motor fueling stations but not automobile repair shops provided:
 - a. The subject property abuts an intersection two arterial streets or an arterial and a collector street.
 - b. The sale of food items is in compliance with state and county standards and subject to the approval of a Health Inspector who shall provide specific written sanitary requirements for each proposed sale location.
 - c. The approximate area and location devoted to non-automotive merchandise sales shall be specified in general terms in the application.
 - d. Motor fuel facilities are installed in accordance with state standards.
 - e. Adequate space shall be provided to access gas 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 minimize conflict with circulation, access and other activities on the site.
 - f. Wherever fuel pumps are to be installed, pump islands shall be installed.
 - g. A protective canopy located over the pump island(s) may be an accessory structure on the property however adequate visibility both on and off site shall be maintained.
 - h. An internal site pedestrian circulation system shall be defined and appropriate provisions made to protect such areas from encroachments by parked cars or moving vehicles.
4. Commercial planned unit developments subject to facility size standards in Section 26 of this ordinance.
5. Commercial parking lots.
6. Churches and private schools, including music and dance schools, day-care centers, and nurseries when located within a church.
7. New passenger motor vehicle sales, powers sports vehicle sales (four wheelers, snowmobiles, jet skis) or marine sales when part of a planned development pursuant to Section 26 of this Code.

8. Bicycle sales, canoe sales, ski shops, etc pursuant to Section 26.
9. Used motor vehicle sales pursuant to Section 26 of this Code.
10. Minor automobile repair of passenger vehicles excluding buses and limited to the replacement of any part or repair of any part which does not require removal of the engine head or pan, engine transmission or differential; incidental body and fender work, minor painting and upholstering service but not including rebuilding or reconditioning of engines, body work, framework, welding and major painting service .
11. Rental of equipment or tools (storage areas must be screened from public view).
12. Uses the City Council determines to be similar in nature to the listed permitted and conditional uses above and not detrimental to the City's general health and welfare.

Subdivision 4: INTERIM USES

The following uses are permitted subsequent to the issuance of an interim use permit.

1. Outdoor seasonal sales.
2. Exterior displays intended to persist for more than 24 hours provided:
 - a. Exterior displays do not interfere with accessibility to the principal structure.
 - b. Exterior displays do not block fire lanes.
 - c. Exterior displays do not interfere with required parking areas and/or drive isles.
 - d. Exterior displays do not interfere with pedestrian traffic.
 - e. Exterior displays do not contain advertising.
 - f. Exterior displays do not create litter/garbage.
 - g. Exterior displays are maintained in a neat manner.
 - h. The display is compliant with other provisions of this Ordinance.
3. Exterior/Outdoor storage of materials under Section 9 of this Ordinance.

Subdivision 5: PERMITTED ACCESSORY USES

1. Off-street parking and loading areas this Ordinance permits or requires.
2. Used motor vehicle sales incidental/ancillary to new motor vehicle sales.
3. Exterior displays intended to persist for less than 24 hours provided:
 - a. Exterior displays do not interfere with accessibility to the principal structure.
 - b. Exterior displays do not block fire lanes.
 - c. Exterior displays do not interfere with required parking areas and/or drive isles.
 - d. Exterior displays do not interfere with pedestrian traffic.
 - e. Exterior displays do not contain advertising.
 - f. Exterior displays do not create litter/garbage.
 - g. Exterior displays are maintained in a neat manner.
 - h. The display is compliant with other provisions of this Ordinance.
4. Minor repair of motor vehicles accessory to Class I motor vehicle sales.
5. Signs per the requirements of Section 12 of this Ordinance.
6. Temporary buildings for construction purposes for a period not to exceed construction.

Subdivision 6: LOT, YARD HEIGHT AND AREA REQUIREMENTS FOR THE B-2 GENERAL BUSINESS DISTRICT

1. **Lot Area:** Minimum lot size shall be 20,000 square feet.
2. **Lot Width.** Lot width must be at least one hundred fifty (150) feet at the established building line.
3. **Minimum Lot Frontage.** The minimum lot frontage shall be 75 feet.
3. **Setbacks.**
 - A. **Front Yard Setback.** The front yard setback must be at least forty (40) feet.

- B. Side Yard Setback. The side yard setback must be at least fifteen (15) feet, except that the side yard setback on corner lots must be at least twenty (20) feet.
 - C. Rear Yard Setback. The rear yard setback must be at least twenty (20) feet.
 - D. Lot Coverage: Per Section 33 of this Ordinance.
- 4. **Setbacks Adjoining Residentially Zoned Property**. All B-2 uses must be setback at least at least one hundred (100) feet from adjoining residentially zoned property.
 - 5. **Building Height**. Structures may not exceed thirty-five (35) feet in height.
 - 6. **Floor-area-ratio**. The floor-area-ratio may not exceed one point zero (1.0).
 - 7. **Exterior Finish**. Steel and corrugated metal is permitted provided that at least twenty-five percent (25%) of the building face (excluding windows and doors) of any side of the building facing a street consists of a material other than steel or corrugated metal.

Subdivision 7: OTHER BUILDING REQUIREMENTS

- 1. A high level of design and architectural detail are preferred for structures in the B-2 General Business District. Complimentary architectural quality, façade materials and colors are desired in comparison to adjacent facilities.
- 2. Buildings shall be designed to prevent the appearance of straight, unbroken lines in their horizontal and vertical surface. There shall be no more than two structures in a row without a break in the horizontal and/or vertical elevations. Structures more than forty (40) feet in width shall feature breaks/divisions in materials, separate entrances/entrance treatments, variations in roof lines and/or variations in building setbacks.
- 3. At least fifty (50) percent of the net area of all facades of new construction and/or reconstructed facades facing public rights-of-way (excluding windows and doors) shall be comprised of brick, stone, stucco, decorative concrete block or architectural tilt-up/tip-up panels. Projects renovating or rehabilitating existing structures shall provide as much adornment as possible to existing facades facing public rights-of-way.
- 4. Provision for handling all freight shall be on those sides of any buildings which do not face on any street or proposed street. In the event loading docks must face a public street the dock shall be fully screened from the

view the roadway.

5. Landscaping. Per Section 9A of this Ordinance.
6. Required Side/Rear Yard Screening. Where a nonresidential use is adjacent to property guided for residential use as illustrated on the Future Land Use map contained in the Comprehensive Plan a landscaped buffer shall be provided. It is the objective of the landscaped buffer to lessen, rather than completely eliminate land use conflicts between such uses. It is not expected that landscaped buffers will totally screen such uses. It is expected that the landscaped buffer design elements identified below will provide immediate lessening of land use conflicts and such buffering will be enhanced over time as landscaping matures. Landscaped buffers may include a combination of elements including setback distances as separation, tree and shrubs, solid fencing, and/or berming. It is encouraged that existing topography and vegetation be included in the design of the landscaped buffer as approved by the City. Retention of existing mature trees is strongly encouraged in meeting the requirements of this Section. Rear and side yard landscaped buffers shall have a minimum depth of fifteen feet (15').
7. Non-vegetative screening shall not be permitted to extend within the front yard.
8. Common Areas. All common areas shall be maintained by the property owner.
9. Development Plan Required. No building permit shall be issued until the Zoning Administrator reviews a development plan drafted by a professional in a corresponding discipline to determine that the use and development is compatible with adjacent land uses, consistent with the stated intent of this zone and consistent with existing ordinances/laws. Upon the request of the Zoning Administrator or the Developer, the development plan may be referred to the Planning Commission and the City Council who will make the final determination on site plan approval. The developer shall provide the following items to the Zoning Administrator for any development located in the B-2 General Business District.
 - a. Building location on the lot, drawn to scale.
 - b. A Certificate of Survey if required by the Zoning Administrator or Planning Commission.
 - c. Building elevations; front, rear and side.
 - d. Building exterior materials and color.

- e. Locations of ingress and egress points.
 - f. Dumpster and solid waste pick-up areas and proposed screening material.
 - g. Sign location and dimensions.
 - h. Lighting standard and hood detail.
 - i. Parking and loading areas identified.
 - j. Drainage by the use of contours.
 - k. Screening of heating, ventilation, air-conditioning and similar facilities.
 - l. Landscaping material including the location, type of plant and size.
 - m. Fire hydrant and fire lane locations.
 - n. Utility locations.
 - o. A description of provisions which shall be made on the site for adequate open space, recreational areas, transit options, etc. to properly serve patrons of the facility including a discussion of the perceived needs of the patrons (i.e. senior citizens, students, families with children).
 - p. If applicable, a copy of proposed covenants and/or association agreement(s).
 - q. Any other fencing, screening, or building accessories to be located in the development area.
 - r. When required, evidence of completion of National Pollutant Discharge Elimination System (NPDES) permitting program and/or Stearns County Storm Water Pollution Prevention Program (SWPPP).
 - s. If applicable, evidence of compliance with federal, state and local pollution and nuisance laws and regulations, including, but not limited to glare, smoke, dust, odors and noise. The burden of proof for compliance with appropriate standards shall lie with the applicant.
10. Required Fee/Agreement.
- a. Development Agreement. In the event additional review by the City

or its assigns is anticipated and/or needed during implementation of Development Plan, or other similar circumstance, the City shall require the property owner(s) and/or developer(s) enter into a development agreement with the City. The development agreement shall stipulate the conditions for approval and the City's authority to inspect the development. The agreement shall further require the owner or developer, as the case may require, furnish a cashier's check, escrow account or irrevocable letter of credit in favor of the City in an amount equal to 110% of all costs associated with City's review of the development, including but not limited to, engineering, legal, fiscal and administrative, as estimated by the City. Such escrow or letter of credit shall be in the form approved by the City Attorney, shall be conditioned upon the approval of the development plan.

- b. Payment Required. Any person filing a petition requesting development plan review shall pay a fee according to the schedule established by the City Council.
- c. Amount. Fees payable under this section for development plan review shall be in an amount as established by resolution of the City Council. Preparation and review of all elements of the required development plan, as listed and described above, is to be at the sole expense of the developer and at no expense to the public. The fee is payable at the time of filing a petition and is not refundable. In addition to the above fees and in the event the City incurs professional fees, either legal, engineering or professional planners, or any other cost, including but not limited to, postage and publication expenses, the applicants shall reimburse the City for those fees, and the City officials may require an escrow deposit, cashier's check or letter of credit for these fees prior to the final action on the application for development plan review. Such escrow or letter of credit shall be in the form approved by the City Attorney.

Subdivision 8: YARD COVER

All landscaping required by this ordinance shall be installed prior to occupancy or commencement of a use. If the landscaping cannot be installed prior to occupancy or commencement of a use because of climatic conditions, the building inspector may issue a temporary certificate of occupancy and grant a delay of landscaping installation until the calendar date of July 1 immediately following the date of said temporary certificate of occupancy. Every yard on a premise shall be provided with lawn or combined lawn cover of vegetation, gardens, hedges, shrubbery, and related decorative materials and such yards shall be maintained consistent with prevailing community standards. Motor vehicles may not be left parked or unattended on or within a yard. Grass shall

be maintained in compliance with the weed ordinance and so not to exceed a height of eight (8) inches.

Subdivision 9: ADDITIONAL REQUIREMENTS

Uses may be subject to additional requirements contained in this Ordinance including, but not limited to the sections governing parking, home occupation, floodplain, signs, etc.