

SECTION 20: B-1" CENTRAL BUSINESS DISTRICT

Subdivision 1: INTENT

It is the intent of the B-1 District to provide for the establishment of commercial and service activities which draw from and serve customers from the community and its surrounding areas within the historic Main Street area of the City. The B-1 Central Business District is intended to provide areas appropriate for pedestrian oriented retail uses, professional office uses, professional services uses, single family uses, multiple family uses and mixed commercial/residential uses particularly in transitional situations between zones of varying intensities, within the original town site near the Broadway Street corridor and adjacent to intersections of collector/arterial streets in predominantly residential zones. This zone is appropriate for areas guided to Central Business development in the Comprehensive Plan. Furthermore, it is the intent of the City is to preserve and promote a traditional "Main Street" appearance with storefronts adjacent to sidewalk and parking in the rear or side of the buildings.

Subdivision 2: PERMITTED USES

1. Single family detached dwelling units, existing at the time of ordinance adoption.
2. Public uses including but not limited to government services, schools, libraries, transit services/terminals, etc.
3. Public parks/playgrounds.
4. Specialized retail establishments primarily intended to appeal to pedestrians (rather than through traffic) which may include, but are not limited to: artisan shops, hardware stores, fruit/vegetable/meat market(s), bakeries, candy store, ice cream shops, grocery stores, coffee shop, deli, drug store, self-service laundry, dry cleaning, florist shop, gift shop, soda shop, book store, hobby store, pet store (fully contained within the structure), apparel store, shoe store, audio/video media sales, variety store, sports store, café, taverns, pubs, bar/restaurant, and other similar uses.
5. Freestanding Daycare Facility.
6. State licensed residential facility or a housing with services establishment registered under MN Statutes serving six (6) or fewer persons. (MN Stat. 462.357, Subd. 7b).
7. Licensed day care facilities serving 12 or fewer persons. (MN Stat. 462.357 Subd. 7b).

8. State licensed residential facilities serving six (6) or fewer persons at one time.
9. Group family day care facilities serving fourteen (14) or fewer children, licensed under MN Rules 9502.0315 to 9502.0445 except a residential facility whose primary purpose is to treat juveniles who have violated criminal statutes relating to sex offenses or have been adjudicated delinquent on the basis of conduct. (MN Stat. 462.357 Subd. 7b).
10. Mixed specialized retail and multiple family residential uses within a single structure provided residential uses do not occupy the street level storefront of the structure (street level residential units are permitted in the rear portion of said street level). Specialized retail shall include, but may not be limited to: artisan shops, hardware stores, fruit/vegetable/meat market(s), bakeries, camera shops, candy store, ice cream shop, grocery store, deli, drug store, self-service laundry, dry cleaning, florist shops, gift shops, soda shop, book store, hobby store, pet store (fully contained within the structure), apparel store, shoe store, audio/video media sales, electronic store, variety store, sports store, café, neighborhood restaurants but not drive-thru types, and other similar uses.
11. Medical, optical and dental offices and services.
12. Offices or studios of business, professional and service occupations, including but not limited to banks, accountants, brokers, engineers, insurance agents, lawyers, physicians, realtors, chiropractors, travel agents, real estate title/closing services and the like.
13. Business and professional lease space.
14. Personal services, including but not limited to: barber/beauty shops, salons, manicurists, cosmetology services, photography studio and similar uses.
15. Household repair services, including but not limited to: small appliance repair service, radio/television/computer repair, bicycle repair service, jewelry repair and similar uses but not including automotive repair.
16. 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 .
17. Public utility buildings.
18. Museums.

19. Bed and Breakfast Establishments.
20. Bait shops, recreational equipment rental shops and similar tourism related facilities/activities.
21. Private non-profit clubs and lodges.
22. Food services including whose products are sold only at retail on the premises.
23. Indoor showrooms for articles to be sold at retail.
24. Recreational services contained within an enclosed structure including theaters and bowling lanes.

Subdivision 3: PERMITTED ACCESSORY USES

1. The following in buildings primarily occupied by medical, optical and dental services: retail sales of drugs, prescription items, patent medicines, sickroom supplies, prosthetic devices or items related to the aforementioned and coffee shops, cafeterias, licensed therapeutic massage enterprises, etc provided the use is definitively incidental to an allowed commercial or business use.
2. Non in-home daycare facilities providing said facilities occupy less than 30% of the facility.
3. Private garages and parking spaces when clearly incidental to an allowed principal use provided said accessory building structure footprint is no more than 20% of the principal building footprint and the accessory building height is no greater than the average height of the principal structure.
4. The following in conjunction with residential uses: home occupations regulated by Section 9 of this ordinance; gazebos and screen porches/houses provided the maximum lot coverage standard is not exceeded; and playhouses, play structures, play features, trampolines and items similar in nature that are of a type typical of home use.
5. Personal satellite antenna of a nature typical to residential uses.
6. Courtyards, outdoor dining areas, outdoor areas of assembly and the like provided: public sidewalks are not negatively impacted, appropriate trash receptacles are provided, alcoholic beverages served only in enclosed areas and/or activities are limited to the hours of 7:00 a.m. and 11 p.m.
7. Fences as regulated by this Ordinance.

8. Off street parking and loading areas as regulated by this Ordinance. Off street parking and loading areas located in the rear or side of the structure are preferred and highly recommended.
9. Signs as regulated by this Ordinance.
10. Accessory uses not specifically permitted by this paragraph shall be prohibited unless authorized by an interim use permit granted pursuant to Section 28 of this Ordinance.

Subdivision 4: CONDITIONAL USES

The following uses require a Conditional Use Permit based on the procedures set forth in this Ordinance:

1. Private colleges and institutions.
2. Mortuaries/crematoriums.
3. Commercial parking or fee for parking lots adjacent to commercial uses or mixed uses.
4. Churches.
5. State licensed residential facility serving more than six (6) persons at one time provided that: Adequate off-street parking and loading is provided; and The facility meets all State licensing requirements pursuant to Minnesota Statutes 245A.02 and 245A.11, as amended, except a residential facility whose primary purpose is to treat juveniles who have violated criminal statutes relating to sex offenses or have been adjudicated delinquent on the basis of conduct.
6. State licensed day care or nursery school facility serving more than twelve (12) persons at one time provided: Sufficient off-street parking and loading facilities are provided; and the facility meets all State licensing requirements pursuant to Minnesota Statutes 245A.02 and 245A.11, as amended.
7. State licensed residential facility serving from 7 through 16 persons or a licensed day care facility serving from 13 through 16 persons, except a residential facility whose primary purpose is to treat juveniles who have violated criminal statutes relating to sex offenses or have been adjudicated delinquent on the basis of conduct.
8. Freestanding multiple family dwellings unit structures provided they are not on lots abutting Broadway Street between Pine Street and County Road 8 and provided they are designed to match with the "Main Street".

9. Multiple family units located above retail or other store fronts containing more than two (2) dwelling units.
10. Uses the City Council determines to be substantially similar to those listed in this zoning district and not detrimental to the City's general health, welfare and safety.

Subdivision 5: INTERIM USES

The following uses require an Interim Use Permit based on the procedures set forth in this Ordinance.

1. Temporary uses such as Christmas tree lots, newsstands, sidewalk display sales, fireworks, etc.
2. Temporary buildings for construction purposes, for a period not to exceed construction.
3. Outdoor storage fenced in.

Subdivision 6: LOT, YARD, AREA AND HEIGHT REQUIREMENTS

1. The minimum lot depth shall be 100 feet and the minimum lot width 50 feet, except lots fronting on Broadway Street shall be exempt from depth and width requirements.
2. Setbacks:
 - iii. Front yard setback shall be thirty (30) feet or the average setback of structures on abutting lots, except if abutting Broadway Street, where setbacks may be reduced providing the parcel fronts on an improved public pathway/sidewalk of sufficient width and adequate site distance is available at street intersections.
 - iv. Side yard setback shall be ten (10) feet, plus one-half (1/2) foot for every one (1) foot of structure height in excess of two (2) stories or thirty-five (35) feet whichever is less except for interior lots abutting Broadway Street wherein no minimum setbacks are required provided fire suppression techniques are incorporated to the satisfaction of the building official and fire marshal.
 - v. The rear yard setback shall be five (5) feet, except that:
 - i. If the lot directly abuts a residential district the setback shall be twenty (20) feet.
 - ii. If the lot directly abuts an alley the setback shall be ten (10) feet.

- vi. Maximum Building Height: Two (2) stories or thirty (30) feet whichever is less, unless the parcel abuts Broadway Street in which case the City may allow the building height to be increased providing proper fire suppression techniques are incorporated to the satisfaction of the building official and the fire marshal.
 - vii. Lot Coverage: Per Section 33 of this Ordinance.
3. Exterior Finish. All new construction and alterations to an existing building or structure must meet the following requirements. Steel is acceptable provided the lower four (4) feet of the building's face (excluding windows and doors) consists of a material other than steel or corrugated metal.
 4. Used for Residential Purposes:
 - R-1 Single Family Residential District – refer to procedure set forth in Section 17.
 - R-2 Two Family Residential District – refer to procedures set forth in Section 18.
 - R-3 Multiple Family Residential District – refer to procedures set forth in Section 19.

Subdivision 7: OTHER BUILDING REQUIREMENTS

1. A high level of design and architectural detail are required for structures within the B-1 District. Building designs should balance the need to serve their purpose and while being oriented to the outside, striving to create a coordinated 'sense of place' which adds to the quality of life. Architectural features such as windows, doorways, balconies and cornices help ensure buildings and the uses they showcase relate to people. Uniform or complimentary window shapes, cornice lines, doorways and façade materials and colors are desired. The City may appoint an Architectural Review Panel to review and comment on proposed building or development plans prior to their consideration by the Planning Commission and/or City Council.
2. For structures abutting Broadway Street, at least fifty (50) percent of the net area of all facades of new construction shall be comprised of granite (Rockville granite is highly encouraged), brick, stone, decorative concrete block or architectural tilt-up/tip-up panels. Said granite, brick, stone and/or concrete masonry may be used as structural components or applied as a veneer. Projects renovating or rehabilitating existing structures shall provide as much adornment as possible to existing facades facing public rights-of-way. Tile, glass, copper, metal and wood may be used for accent materials. The City may appoint an Architectural Review Panel to review and comment on proposed building or development plans prior to their consideration by the Planning Commission and/or City Council.

3. Buildings shall be designed to prevent the appearance of straight, unbroken lines in their horizontal surface. 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.
4. Common areas and places for people to congregate are highly encouraged. Such common areas such as courtyards, squares, fountains, gardens and the like should offer a variety of activities for persons to sit outside, walk, meet friends, enjoy a meal, etc. All common areas shall be maintained by the property owner or other method, development agreement, homeowners assoc. etc.
5. Provision shall be made for possible decks, balconies or additions as part of the initial dwelling unit building plan. Balconies are encouraged for residential portions of mixed use structures.
6. On-site circulation systems should encourage safe, efficient passageways for cars, pedestrians and other transportation options. Off-street parking, when required, should be located to the rear of the building. Parking lots may be located in side yards in areas; however, rear yard parking is preferred. Parking lots with landscaped amenities are highly recommended.
7. Landscaping treatments along walkways, in courtyards, in areas complementary to the building design and within parking areas which enhance pedestrian's experience and which are complimentary to the area are highly encouraged.
8. Awnings constructed of durable, pliable, protective and water repellant materials in complimentary colors are highly encouraged for street level commercial/office facilities. Awnings shall not extend across multiple storefronts or buildings. The City may appoint an Architectural Review Panel to review and comment on proposed site plans prior to their consideration by the Planning Commission and/or City Council.
9. 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').

10. Building and signage lighting shall be indirect with light source(s) hidden from direct pedestrian and motorist view. Uniform or complimentary lighting styles are preferred and encouraged. The City may appoint an Architectural Review Panel to review and comment on proposed site plans prior to their consideration by the Planning Commission and/or City Council.
11. Franchise architecture at the City's discretion may be required to be altered so as to remain compatible with adjacent structures and/or the goals of this section.
12. When a redevelopment project disturbs the existing streetscape, proposed replacement streetscape elements shall be reviewed by the by the Planning Commission.
13. Development Plan Required. No building permit shall be issued until the Zoning Administrator reviews the development plan 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. Single family homes are exempt from this requirement. The developer shall provide the following items to the Zoning Administrator for any development located in the B-1 Central 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. If required, a copy of proposed covenants and/or association agreement(s).
- p. Any other fencing, screening, or building accessories to be located in the development area.
- q. When required, evidence of completion of National Pollutant Discharge Elimination System (NPDES) permitting program and/or the City of Rockville Storm Water Pollution Prevention Program (SWPPP).
- r. 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.
- s. Required Fee/Agreement.
 - i. 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 100% 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.

- ii. **Payment Required.** Any person filing a petition requesting development plan review shall pay a fee according to the schedule established by the City Council.
- iii. **Amount.** Fees payable under this section for development plan review shall be in an amount as established by 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.