

-(H) *B-1 Limited Business.*

(1) *Purpose.* The B-1 district is intended to allow areas for the development of limited business such as professional offices, clinics, and other similar uses that are compatible with residential neighborhoods. The district may be used as a transitional or buffer district between residential and commercial uses. The office uses allowed in this district are those in which there is limited contact with the public and no manufacturing and exterior display, or selling of merchandise to the general public is allowed. Although not in compliance with the designated uses for the B-1 District, documented legal nonconforming uses with a CUP, located on parcels that have been re-zoned or permitted prior to this adoption, shall be given reasonable consideration when a request is made to amend the CUP, to permit viable operation of the use (such as single-family homes, car wash, feed mill and bank).

(2) *Definitions.*

***BREWERY***, A facility which manufactures, processes and warehouses malt liquor for wholesale distribution in off-sale packages to retail liquor establishments and may retail malt liquor product for on site consumption in a taproom or for off site consumption as growlers. The annual production of malt liquor shall be more than twenty thousand (20,000) but less than two hundred fifty thousand (250,000) barrels.

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***BREWERY, SMALL***, A facility which manufactures, processes and warehouses malt liquor for wholesale distribution in off-sale packages to retail liquor establishments and may retail malt liquor product for on site consumption in a taproom or for off site consumption as growlers. The annual production of malt liquor shall be no more than twenty thousand (20,000) barrels.

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***CANNABIS MICROBUSINESS***, Defined by Minn. Stat §342.01, subd. 48.

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***CANNABIS MEZZOBUSINESS***, Defined by Minn. Stat §342.01, subd. 48.

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***CANNABIS RETAILER***, Defined by Minn. Stat §342.01, subd. 48.

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***CANNABIS WHOLESALER***, Defined by Minn. Stat §342.01, subd. 48.

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***CANNABIS DELIVERY SERVICE***, Defined by Minn. Stat §342.01, subd. 48.

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***CANNABIS EVENT ORGANIZER***, Defined by Minn. Stat §342.01, subd. 48

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***CLINIC***. A building in which a group of physicians, dentists, and/or allied professional assistants are associated for carrying on their profession. The ***CLINIC*** may include a dental or medical laboratory, but shall not include in-patient care or operating rooms for major surgery.

***CLUB AND LODGES, PRIVATE***. An association of persons who are bona fide members paying annual dues, which owns, hires or leases the building, property or a portion thereof; the use of the premises being restricted to members and their guests. It shall be permissible to serve food and meals on the premises, provided adequate facilities are available.

**DAY CARE CENTERS, LICENSED.** Any facility, public or private, which for gain or otherwise regularly provides one or more persons with care, training, supervision, habilitation, rehabilitation, or development guidance on a regular basis, for periods of less than 24 hours per day, in a place other than the client's own home. **LICENSED DAY CARE FACILITIES** include but are not limited to family day care homes, group family day care homes, day care centers, day nurseries, nursery schools, development achievement centers, and adult daycare centers.

**DRIVE-THROUGH.** Any restaurant, financial institution, product- or service-vending enterprise where business is transacted through a window or other mechanical device with a patron who is in a vehicle.

**FINANCIAL INSTITUTIONS.** A financial institution is a commercial banking establishment or savings and loan association chartered by the State of Minnesota or the United States.

**FUNERAL HOME.** A building that provides facilities for funerals; a chapel for funeral services; rooms for viewing the remains in caskets (slumber rooms, reposing rooms, viewing rooms, visitation rooms) before final services or cremation; rooms for preparation of bodies (embalming, cosmetic treatment and clothing of the deceased); displayed rooms and storage for caskets; garages for hearses and other equipment; and administrative offices. A **FUNERAL HOME** may include living quarters for the funeral director/owner.

**HEALTH AND RECREATIONAL CLUBS.** A building with the primary purpose of offering one or more facilities for instruction, training, encouragement, or assistance in physical fitness, in return for the payment of a fee entitling the member to the use of the facilities.

**LOWER-POTENCY HEMP EDIBLE RETAILER.** Defined by Minn. Stat §342.01, subd. 48.

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**LOWER-POTENCY HEMP WHOLESALER.** Defined by Minn. Stat §342.01, subd. 48.

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**MEDICAL CANNABIS COMBINATION BUSINESS.** Defined by Minn. Stat §342.01, subd. 48.

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**MICRO DISTILLERY.** A facility which manufactures, processes and warehouses distilled liquor for wholesale distribution in off- sale packages to retail liquor establishments.

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**OFF-SALE.** Retail sale in the original package of any alcoholic beverages, intoxicating liquor, 3.2% malt liquor or other items, as part of a commercial transaction from the municipal liquor store for consumption away from the dispensary.

**ON-SALES.** A building with facilities for serving any alcoholic beverages, intoxicating liquor, 3.2% malt liquor or other items and short order foods.

**PERSONAL SERVICES.** Uses such as laundromats, barbershops or beauty salons, spas and photography studios.

**PHARMACY.** Retail sale of any pharmaceuticals or other similar items wherein the merchandise is exhibited or sold.

**PLACES OF WORSHIP.** A church, synagogue, temple, mosque, or other facility that is used for worship by persons of similar beliefs, or a special purpose building that is designed or particularly adapted for the primary use of conducting on a regular basis, religious services and associated accessory uses by a religious congregation and which building together with its accessory buildings and uses, is maintained and controlled by a religious body organized to sustain public worship.

**PROFESSIONAL AND BUSINESS OFFICE AND SERVICES.** A building in which professional and management duties and services are carried out, including psychiatrists and psychologists' offices; architectural, engineering, planning, legal offices, and photographic studios and businesses of a non-retail nature and clerical services and duties are carried out, ~~including, including~~ corporate banks, credit unions, insurance and real estate offices.

**PUBLIC BUILDINGS.** Buildings or structures owned and operated by the city.

**PUBLIC PARKS AND PLAYGROUNDS.** Includes all uses such as tennis courts, ballfields, picnic areas, and the like that are commonly provided for the public at parks, playgrounds, community centers and other sites, owned and operated by a unit of government for the purpose of providing recreation.

**RESTAURANTS, STANDARD.** An establishment whose principal business is the sale of food and/or beverages to customers in a ready-to-consume state, and whose principal method of operation includes one or both of the following characteristics:

1. Customers, normally provided with an individual menu, are served their foods and beverages by a restaurant employee at the same table or counter at which food and beverages are consumed;

2. A cafeteria-type operation where food and beverages generally are consumed within the restaurant building.

**RETAIL SHOPS AND SERVICES.** Stores and shops selling personal services or goods for final consumption or the provision of services to the general public that produce minimal off-site impacts.

**SCHOOLS.** A building with equipment, courses of study, class schedules, enrollment of pupils ordinarily in pre-kindergarten through grade 12 or any portion thereof, and staff meeting the standards established by the Commissioner of Education.

**SINGLE-FAMILY DETACHED RESIDENTIAL.** A detached dwelling containing one dwelling unit designed for occupancy by one family.

(3) *Special requirements.* All applications for building permits (in the case of new construction or expansion or certificates of occupancy (in the case of existing facilities) for improvements ~~within the B-1 District~~ in all districts shall be subject to submission of complete building plans, including landscape designs for any side or rear yard fencing a residential district to the Planning Commission. The Planning Commission shall review

and approve before a building permit and certificate of occupancy may be issued. The landscape design must identify and size all plants and screenings. Within 60 days of submission of such plans and designs, the Planning Commission shall recommend approval or disapproval of such plans and designs to the City Council, which shall make the final determination as to approval or disapproval.

WAREHOUSING. Warehousing is a commercial storage of merchandise and personal property.

(4) Permitted uses.

(a) Brewery.

(b) Brewery, Small.

(c) Cannabis Microbusiness.

(d) Cannabis Mezzobusiness.

(e) Cannabis Retailer.

(f) Cannabis Wholesaler.

(g) Cannabis Delivery Service.

(h) Cannabis Event Organizer.

(i) Clinic.

(~~bj~~) Club and lodges.

(~~ek~~) Day care centers, licensed.

(l) Distillation Process.

(~~em~~) Financial institutions without drive-through facilities including automated kiosks.

(~~en~~) Funeral home.

(o) Lower-Potency Hemp Edible Retailer.

(p) Lower-Potency Hemp Edible Wholesaler.

(q) Medical Cannabis Combination Business.

(r) Micro Distillery.

(~~fs~~) Off-sales.

(~~gt~~) Personal services.

(~~hu~~) Pharmacy.

(~~iv~~) Places of worship.

(~~iw~~) Professional and business office and services.

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~~(kx)~~ Public buildings.

~~(ly)~~ Public parks and playgrounds.

~~(mz)~~ Schools.

~~(naa)~~ Multi-tenant buildings provided that the uses are specified as permitted uses in the B-1 District.

~~(ebb)~~ Retail shops.

(cc) Warehousing.

(5) *Permitted accessory uses.*

(a) Accessory structures, private garages.

(b) Fences.

(c) Landscaping and decorative features.

(d) Off-street loading.

(e) Off-street parking.

(f) Signs.

(g) Temporary buildings located for the purpose of construction on the premises for a period not to exceed the time necessary for such construction.

(6) *Conditional uses.*

(a) Grain elevators, grain storage structures and feed mills, provided the following requirements are met:

1. The maximum height may be extended for the following associated structures and apparatuses:

a. Grain leg distributor towers and spouting: 150 feet.

b. Grain storage structures and elevator buildings: 100 feet.

(b) Financial institutions with drive-through facilities including automated kiosks.

(c) Health and recreational clubs.

(d) Multi-tenant buildings provided that the uses are specified as permitted or conditional uses in the B-1 District.

(e) On-sales.

(f) Restaurants, standard excluding drive-through facilities.

(g) Single-family detached residential.

(7) *Minimum lot requirements and setbacks.*

- (a) Minimum lot depth: 75 feet.
- (b) Maximum lot coverage: 80%.
- (c) Maximum height, principal and accessory: ~~35-45~~ feet.
- (d) Minimum front setback: 10 feet.
- (e) Minimum rear setback: 30 feet.
- (f) Minimum side yard setback: 15 feet; corner lot: 10 feet.

(8) Prohibited Uses.

(a) Acid Manufacturing.

(b) Asphalt Plant.

(c) Creosote Treatment Plant.

(d) Junkyards.

(e) Livestock Feeding Yards, Slaughter Processing Plant

(f) Manufacturer of Explosives.

(g) Mining Operations.

(h) Petroleum or Ethanol Refineries.

(i) Rendering Plants.

(j) Landfills.

(k) Sanitary Landfills.

(l) Sludge Disposal.

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(89) Other standards.

(a) Building design and construction materials. In addition to other restrictions of this section and any other chapter, any building or structure within the B-1 District shall meet the following standards:

1. All buildings shall be designed to be compatible with surrounding uses.
2. All exterior wall surfaces shall consist of one or more of the following:
  - a. Face brick.
  - b. Breakoff brick.
  - c. Breakoff block.
  - d. Stone or glass curtain wall.

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e. Stucco.

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ef. Specifically designed precast concrete units if the surfaces have been integrally treated with an applied decorative material or textures.

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3. All subsequent additions and outbuildings constructed after the erection of an original building construction and shall be designed in a manner conforming with the original architectural design and appearance.

~~4. All exterior trash enclosures or other accessory structures shall be constructed of the same materials and colors as the principal building. The height of these structures shall not exceed that of the principal structure.~~

54. All mechanical equipment, whether roof mounted or ground mounted, shall be completely screened from the ground-level view of adjacent properties and public street.

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(b) *Landscaping.* All areas in the B-1 District not covered by buildings, driveways, and paved parking lots shall be sodded, or covered by ground cover deemed acceptable by the Planning Commission. Installation of this landscaping during periods of frost, snow, or drought may be cause for the Planning Commission to require a letter of credit or escrow account. The city may require the screening or fencing of any side or rear yard facing a residential district.

(c) *Lighting.* Lighting shall be consistent in character throughout the entire property site, in both design and bulb type. Any light fixture must be placed in such a manner that no light-emitting surface is visible from any residential area or public/private roadway, walkway, trail or other public way when viewed at ground level. ~~Light directed upward is prohibited. Externally lit signs, display, building, and aesthetic lighting must be lit from the top and shine downward.~~ Lighting must be shielded to prevent direct glare. The level of lighting shall not exceed 0.5 lumens at any residential property line or 1.0 lumens at any non-residential property line. The maximum height for exterior lighting is 20 feet. All nonessential lighting will be required to be turned off after business hours, leaving only the necessary lighting for site security.

(d) *Parking requirements.* Parking requirements given in § [153.077](#) are adopted in their entirety as though repeated verbatim in this section.

(e) *Signage requirements.* Signage requirements given in § [153.079](#) are adopted in their entirety as though repeated verbatim in this section.

(f) *Performance standards.* The following rules shall apply to all uses in this district except that legal nonconforming uses may continue at the same performance level at which they operated before they became nonconforming in relation to this section:

1. All uses and activities shall be inside buildings, with no outside storage or activity allowed, unless a conditional use permit is granted.

2. There shall be no noise carrying beyond a lot upon which a business is located, except for normal automobile and pedestrian activity.