

520.05. B-3, highway commercial district. Subdivision 1. Purpose. A district to provide for the establishment of automobile oriented or dependent commercial and service activities.

Subd. 2. Permitted uses. Permitted uses in a B-3 district are:

- (a) all permitted uses allowed in B-1 and B-2 districts except as hereinafter modified;
- (b) auto accessory store;
- (c) garden, farm and feed supply stores;
- (d) motels, motor hotels, and hotels provided that the site shall contain not less than five hundred square feet of lot area per unit;
- (e) mortuary;
- (f) municipal and public utility buildings and structures;
- (g) restaurant, cafe, tea room, tavern and private clubs serving prepared food and beverages;
- (h) taxi terminals;
- (i) governmentally owned open parking lots and parking ramps.

Subd. 3. Permitted accessory uses. Permitted accessory uses in a B-3 district are:

- (a) all accessory uses allowed in B-1 and B-2 districts except as hereinafter modified;
- (b) state licensed bingo in a church or club, limited to three occasions per week. (Amended, Ord. No. 93-16, Sec. 2)

Subd. 4. Conditional uses. The uses described in this subdivision require a conditional use permit based upon procedures set forth in and regulated by subsection 535.01 of this code and are the following:

- (a) All conditional uses allowed in B-1 and B-2 districts except as hereinafter modified.
- (b) Drive-in establishments and convenience food establishments provided that:
 - (1) the architectural appearance and functional plan of the building and site shall not be so dissimilar to the existing buildings or area as to cause impairment in property values or constitute a blighting influence within a reasonable distance of the lot;
 - (2) at the boundaries of a residential use, a strip of not less than five feet shall be landscaped and screened in compliance with subsection 510.25, subdivision 2 of this code. Each light standard island and all islands in the parking lot landscaped or covered;
 - (3) parking areas shall be screened from view of abutting residential uses in compliance with subsection 510.25, subdivision 2 of this code;
 - (4) parking areas and driveways shall be curbed with continuous curbs not less than six inches high above the parking lot or driveway grade;
 - (5) all lighting shall be hooded and so directed that the light source is not visible from the public right-of-way or from an abutting residence and shall be in compliance with subsection 510.25, subdivision 2 of this code;
 - (6) the entire area shall have a drainage system which is subject to the approval of the city engineer;
 - (7) the entire area other than occupied by buildings or structures or plantings shall be surfaced with a material which will control dust and drainage and which is subject to the approval of the city engineer;
 - (8) vehicular access points shall create a minimum of conflict with through-traffic movement and shall be subject to the approval of the city engineer or city planner, or both;
 - (9) all signing and informational or visual communication devices shall be in compliance with subsection 410 of the city code and shall not impact surrounding or abutting residential uses;
 - (10) the provisions of subsection 535.01, subdivision 2(e) of this code are considered and satisfactorily met.

- (c) Car washes (drive-through and self-service) provided that:
- (1) the architectural appearance and functional plan of the building and site shall not be so dissimilar to the existing buildings or area as to cause impairment in property values or constitute a blighting influence within a reasonable distance of the lot;
 - (2) off-street parking space is constructed to accommodate that number of vehicles which can be washed during a maximum 30 minute period and shall be subject to the approval of the city engineer or city planner, or both;
 - (3) at the boundaries of a residential use, a strip of not less than five feet shall be landscaped and screened in compliance with subsection 510.25, subdivision 2 of this code. Each light standard island and all islands in the parking lot landscaped or covered;
 - (4) parking or car magazine storage space shall be screened from view of abutting residential uses in compliance with subsection 510.25, subdivision 2 of this code;
 - (5) the entire area other than occupied by the building or plantings shall be surfaced with material which will control dust and drainage which is subject to the approval of the city engineer;
 - (6) the entire area shall have a drainage system which is subject to the approval of the city engineer;
 - (7) all lighting shall be hooded and so directed that the light source is not visible from the public right-of-way or from an abutting residence and shall be in compliance with subsection 510.25, subdivision 5 of this code;
 - (8) vehicular access points shall create a minimum of conflict with through-traffic movement and shall be subject to the approval of the city engineer or city planner, or both;
 - (9) all signing and informational or visual communication devices shall be in compliance with section 410 of the city code and shall not impact surrounding or abutting residential uses;
 - (10) provisions are made to control and reduce noise;
 - (11) the provisions of subsection 535.01, subdivision 2(e) of this code are considered and satisfactorily met.

- (d) Motor fuel station, auto repair - minor, and tire and battery stores provided that:
- (1) the architectural appearance and functional plan of the building and site shall not be so dissimilar to the existing buildings or area as to cause impairment in property values or constitute a blighting influence within a reasonable distance of the lot;
 - (2) the entire site other than that taken up by a building, structure or planting shall be surfaced with a material to control dust and drainage which is subject to the approval of the city engineer;
 - (3) a drainage system subject to the approval of the city engineer shall be installed;
 - (4) a curb not less than six inches above grade shall separate the public sidewalk from motor vehicle service areas;
 - (5) the lighting shall be accomplished in such a way as to have no direct source of light visible from adjacent land in residential use or from the public right-of-way and shall be in compliance with subsection 510.25, subdivision 5 of this code;
 - (6) wherever fuel pumps are to be installed, pump islands shall be installed;
 - (7) at the boundaries of a residential use, a strip of not less than five feet shall be landscaped and screened in compliance with subsection 510.25, subdivision 2 of this code. Each light standard landscaped;
 - (8) parking or car magazine storage space shall be screened from view of abutting residential uses in compliance with subsection 510.25, subdivision 2 of this code;
 - (9) vehicular access points shall create a minimum of conflict with through-traffic movement and shall be subject to the approval of the city engineer or city planner, or both;
 - (10) all signing and informational or visual communication devices shall be in compliance with section 410 of the city code, and shall not impact surrounding or abutting residential uses;
 - (11) provisions are made to control and reduce noise;
 - (12) no outside storage except as allowed in compliance with subsection 520.05, subdivision 4(e) of this code;
 - (13) no outside sale or service except as allowed in compliance with subsection 520.05, subdivision 4(f) of this code.

- (14) all conditions pertaining to a specific site are subject to change when the council, upon investigation in relation to a formal request, finds that the general welfare and public betterment can be served as well or better by modifying the conditions;
 - (15) the provisions of subsection 535.01, subdivision 2(e) of this code are considered and satisfactorily met.
- (e) open or outdoor storage provided that:
- (1) the area is fenced and screened from view of neighboring residential uses or if abutting an R district in compliance with subsection 510.25, subdivision 2 of this code;
 - (2) storage is screened from view from the public right-of-way in compliance with subsection 510.25, subdivision 2 of this code;
 - (3) storage area is grassed or surfaced to control dust;
 - (4) all lighting shall be hooded and so directed that the light source shall not be visible from the public right-of-way or from neighboring residences and shall be in compliance with subsection 510.25, subdivision 2 of this code;
- (f) Open or outdoor service, sales and equipment rental as an accessory use or area of principal use provided that:
- (1) outside services, sales and equipment rental connected with the principal use is limited to 30% of the floor area of the principal use;
 - (2) outside sales areas are fenced or screened from view of neighboring residential uses or an abutting R district in compliance with subsection 510.25, subdivision 2 of this code;
 - (3) all lighting shall be hooded and so directed that the light source shall not be visible from the public right-of-way or from neighboring residences and shall be in compliance with subsection 510.25, subdivision 5 of this code;
 - (4) sales areas are grassed or surfaced to control dust;

- (g) Restricted production and repair limited to the following: art, needlework, clothing, custom manufacturing and alteration, jewelry from precious metals, watches, dentures and optical lenses, household appliances provided that:
- (1) all activities are totally enclosed within a structure and provisions are made to control and reduce noise. Noise control provisions shall be reviewed by the construction coordinator and are subject to his approval;
 - (2) no outside storage will be allowed;
 - (3) all signing and informational or visual communication devices shall be in compliance with section 410 of the city code and shall not impact surrounding or abutting residential uses;
 - (4) the architectural appearance and functional plan of the building and site shall not be so dissimilar to the existing buildings or areas as to cause impairment in property values or constitute a blighting influence within a reasonable distance of the lot;
 - (5) the entire site other than that taken up by a building, structure or planting shall be surfaced with a material to control dust and drainage which is subject to the approval of the city engineer;
 - (6) a drainage system subject to the approval of the city engineer shall be installed;
 - (7) the lighting shall be accomplished in such a way as to have no direct source of light visible from adjacent land in residential use or from the public right-of-way and shall be in compliance with subsection 510.25, subdivision 5 of this code.
 - (8) at the boundaries of a residential use, a strip of not less than five feet shall be landscaped and screened in compliance with subsection 510.25, subdivision 2 of this code. Each light standard landscaped;
 - (9) vehicular access points shall create a minimum of conflict with through-traffic movement and shall be subject to the approval of the city engineer or city planner, or both;
 - (10) parking or car magazine storage space shall be screened from view of abutting residential uses in compliance with subsection 510.25, subdivision 2 of this code;
 - (11) the location of such use will not encourage traffic through a residential district;
 - (12) adequate off-street parking is provided in compliance with subsection 510.17 of this code;

- (13) no outside sale or service except as allowed in compliance with subsection 520.05, subdivision 4(e) of this code;
 - (14) all conditions pertaining to a specific site are subject to change when the council, upon investigation in relation to a formal request, finds that the general welfare and public betterment can be served as well or better by modifying the conditions;
- (h) Retail fence sales and service provided that:
- (1) no outside storage except as allowed in compliance with subsection 520.05, subdivision 4(e) of this code;
 - (2) no open or outdoor sales or service except as allowed in compliance with subsection 520.05, subdivision 4(f) of this code.
- (i) Privately owned open parking lots as a principal use provided that:
- (1) access is from and onto a collector or arterial street;
 - (2) entrances and exits create a minimum of conflict with through-traffic movement;
 - (3) sufficient magazine space is provided within the structure or on the site to minimize or eliminate the blocking of traffic in the public right-of-way;
 - (4) parking spaces and aisle or driveways shall be developed in compliance with subsection 510.17 of this code and are subject to the review and approval of the city engineer or city planner, or both;
 - (5) the location is at least 60 feet from the boundary of an R-1 or R-2 district;
 - (6) when abutting an R-1 or R-2 district, a buffer area with screening and landscaping in compliance with subsection 510.25, subdivision 2 of this code shall be provided;
 - (7) when abutting a residential use which is not related to the parking ramp or open parking lot, a setback of at least 30 feet shall be provided from the property line and this area shall be screened and landscaped in compliance with subsection 510.25, subdivision 2 of this code;
 - (8) all signing and informational or visual communication devices shall be in compliance with section 410 of the City code and shall not impact surrounding or abutting residential uses;

- (j) Automobile sales showroom provided that:
 - (1) no automobile repair or maintenance activities are conducted upon the site;
 - (2) there shall be no exterior storage or display of either new or used automobiles upon the site;
 - (3) no stock of either new or used automobiles, except for those utilized for display purposes, shall be maintained upon the site.
- (k) Repair, testing and assembly of electrical appliances, apparatuses and related equipment. The above would be restricted to light assembly and limited warehouse activities.
- (l) Shared parking.
- (m) Automobile sales with exterior display of vehicles provided that: (Added, Ord. No. 11-05)
 - (1) the use is accessory to an auto repair (minor) service conditional use;
 - (2) the outdoor display of automobiles occupies less than 30% of the principal building main floor area;
 - (3) the outdoor display and/or storage of vehicles shall not be located within a front yard;
 - (4) the outdoor display and/or storage of vehicles shall not be allowed in the required parking for the auto repair service conditional use;
 - (5) a site plan is required showing the parking spaces designated to the auto sales conditional use consistent with Section 510.17;
 - (6) the use shall be screened from adjacent residential uses in conformance with section 510.25;
 - (7) no vehicles exceeding a gross weight of 9,000 pounds may be displayed or stored outdoors;
 - (8) no inoperable or unregistered vehicles, outdoor storage of parts, tires, or other waste associated with the use, and no outside maintenance or repair of vehicles will be permitted;
 - (9) there shall be no pennants, streamers, string lighting or spotlights allowed. Only indirect lighting shall be permitted;
 - (10) no visual messages or sales information beyond vehicle warranty required by state law may be attached or affixed to vehicles; and

- (11) no public address or paging system is permitted to be audible outside of the building.
- (n) Small brewery with or without a taproom in compliance with Minnesota Statutes Section 340A.301 and the licensing requirements in city code section 1200 and provided that:
 - (1) 1 parking space per 400 sq. ft. for brewery, processing, production, storage or cooler areas and 1 parking space per 200 sq. ft. for taproom and office areas;
 - (2) All bulk deliveries shall be to the rear of the building and screened from residential uses;
 - (3) There is no outdoor storage of any brewing materials; and
 - (4) Outdoor taproom seating and service areas shall require a conditional use permit and shall be regulated by city code section 1200.03, subd. 5 and 1205.23, subd. 4.

(Added, Ord. No. 14-21)

Subd. 5. Lot and setback requirements. The following minimum requirements shall be observed in a B-3 district subject to additional requirements, exceptions, and modifications set forth in this ordinance.

- (a) Lot area: no minimum
- (b) Lot width: no minimum
- (c) Setbacks:
 - (1) Front yard: five feet.
 - (2) Side yard: Zero unless
 - (i) a side yard that contains a driveway shall be at least 15 feet if there is one-way traffic movement or at least 20 feet if there is two-way traffic movement;
 - (ii) A side yard that directly abuts a residential use or residential district shall be increased ten additional feet over the minimum stated above and shall be screened and landscaped in compliance with subsection 510.25, subdivision 2 of this code.
 - (3) Rear yard: 12 feet and if abutting a residential use or residential district shall be screened and landscaped in compliance with subsection 510.25, subdivision 2 of this code.

Subd. 6. Building requirements.