

Section 520 - Zoning: commercial districts

520.01. B-1, Neighborhood commercial district. Subdivision 1. Purpose. A district to provide for the establishment of local centers for convenient, limited retail or services outlets not larger than 5,000 square feet of gross floor area, which deal directly with the customer for whom the goods or services are furnished. These centers are to provide services and goods only for the surrounding neighborhoods and are not intended to draw customers from the entire community.

Subd. 2. Permitted uses. The following are permitted uses in B-1 districts provided they are less than 2,000 square feet of gross floor area:

- (a) barbershops;
- (b) beauty parlors;
- (c) drug stores;
- (d) essential services;
- (e) grocery stores;
- (f) marine tropical fish sales and service;
- (g) medical and general office excluding counseling or training services, less than 2,000 square feet. (Added, Ord. No. 01-02; Ord. No. 07-06)

Subd. 3. Permitted accessory uses. Permitted accessory uses in a B-1 district are:

- (a) commercial or business buildings and structures for a use accessory to the principal use but such use shall not exceed 30% of the floor space or require over 30% of the gross man hours required to conduct the principal use;
- (b) off-street parking as regulated by subsection 510.17 of this code;
- (c) off-street loading as regulated by subsection 510.19 of this code;
- (d) signs as regulated by section 410 of the city code;
- (e) interior storage of merchandise solely intended to be retailed by the principal use;
- (f) solar energy devices that are an integral part of the principal structure;
- (g) bingo as an activity related to a civic celebration or by an organization which conducts four or fewer bingo occasions in a calendar year, subject to approval of city permit.

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

- (a) (Amended, Ord. No. 97-06; Deleted, Ord. No. 11-07)
- (b) General and medical offices excluding counseling or training services greater than 2,000 square feet but less than 5,000 square feet of gross floor area provided that: (Amended, Ord. No. 07-06)
  - (1) the services which are provided are for the local area rather than the community or region;
  - (2) the traffic generated will not raise traffic volumes beyond the capacity of the surrounding streets; and (Amended, Ord. No. 07-06)
  - (3) the architectural appearance of the building housing the office use shall reflect the building character of the area and shall not be so dissimilar as to cause impairment of property values or to constitute a blighting influence within the neighborhood. (Amended, Ord. No. 01-02)
- (c) Sales and installation of mobile electronics and accessories provided that:
  - (1) conformity with the surrounding neighborhood is maintained and required setbacks are met;
  - (2) equipment and materials are completely enclosed in a permanent structure with no outside storage and the architectural appearance of the structure housing the use shall reflect the building character of the area and shall not be so dissimilar as to cause impairment of property values or constitute blighting influence within the neighborhood;
  - (3) the traffic generated will not increase traffic volumes beyond the traffic capacity of surrounding streets;
  - (4) adequate screening from neighboring uses and landscaping is provided in accordance with subsection 510.25, subdivision 2 of this code.
- (d) Grocery stores larger than 2,000 square feet but less than 5,000 square feet provided that:
  - (1) the property is a corner lot;
  - (2) all signs and lighting be subject to city approval.
- (e) Buildings combining residential and permitted or conditional nonresidential uses allowed in this district provided that:

- (1) residential and nonresidential uses shall be in separate rooms and clearly defined spaces;
  - (2) the residential and nonresidential uses shall not conflict in any manner.
  - (3) the residential building standards as outlined in subsection 515.07 of this code are met.
- (f) Limited paperback book and antique sales provided that:
- (1) the retail area be no larger than 1,500 gross square feet;
  - (2) there is no outside storage;
  - (3) adequate screening from neighboring uses and landscaping is provided in accordance with subsection 515.25, subdivision 2 of this code;
  - (4) all parking areas be hard surfaced and have six inch high poured concrete curb and gutter installed around the perimeter.
- (g) On-site retail dry cleaning and shoe repair provided that:
- (1) the dry cleaning and shoe repair operation be no larger than 1,800 gross square feet;
  - (2) there is no outside storage;
  - (3) adequate screening from neighboring uses and landscaping is provided in accordance with subsection 510.25, subdivision 2 of this code;
  - (4) all parking areas be hard surfaced and have six inch high poured concrete curb and gutter installed around the perimeter.
- (h) Off-site parking which uses private property to meet the parking requirements of this code.
- (i) Use of public right-of-way to meet the parking requirements of this code.
- (j) Wind generators and other tower mounted energy devices.
- (k) Solar energy devices not an integral part of the principal structure.
- (1) Satellite antennas provided they are located in the rear yard and screened from public view.
- (m) Land reclamation involving 400 cubic yards or more of fill per section 510.21. (Amended, Ord. No. 01-02)

- (n) Coffee house provided that:
  - (1) the coffee house operation be no larger than 1,500 gross square feet;
  - (2) there is no outside storage;
  - (3) adequate screening from residential uses and landscaping is provided in accordance with subsection 510.25, subdivision 2 of this code;
  - (4) all parking areas be hard surfaced and have six inch high poured concrete curb and gutter installed around the perimeter;
  - (5) that any live entertainment be licensed per section 1100.07, that said entertainment not use any amplification device of any kind or be audible at the property line;
  - (6) that there be no amusement devices; and
  - (7) that the hours of operation not be before 6:00 a.m. or after 10:00 p.m. (Added, Ord. No. 97-17)
- (o) (Added, Ord. No. 02-01, Sec. 1) Townhouse, cooperative, condominium development per section 515.09, provided that:
  - (1) the development is compatible with existing and planned use of the area and conflicts are not created between commercial and residential use and activities;
  - (2) the development is located adjacent to mass transit service.

Subd. 5. Additional restrictions. For uses other than principal uses, requirements as to lot size, setbacks, building, parking, landscaping, screening, etc., shall be at least comparable to similar uses in other districts, but also subject to additional provisions as provided by the city.

Subd. 6. Lot and setback requirements. The following minimum requirements shall be observed in a B-1 district subject to additional requirements, exceptions and modifications set forth in this code.

- (a) Lot area: 6,000 square feet. Lot area may be reduced to 1,500 square feet per unit for townhouse, cooperative and condominium development if it is located adjacent to mass transit service. (Amended, Ord. No. 02-01, Sec. 2)
- (b) Lot width: 50 feet. Lot width may be reduced for townhouse, cooperative and condominium development to 20 feet per section 515.09, subdivision 3(d)(8) if adjacent to mass transit service. (Amended, Ord. No. 02-01, Sec. 2)
- (c) Setbacks:

- (1) Front yards:
  - (i) not less than 10 feet; (Amended, Ord. No. 01-02)
  - (ii) in a block where a lot fronts on a side street next to a block which has its side facing the same side street, the setback on each lot shall be 15 feet from the side street (right-of-way).
- (2) Side yards:
  - (i) five feet;
  - (ii) side yards abutting a public right-of-way (street) shall not be less than 15 feet from the right-of-way;
  - (iii) 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;
  - (iv) a side yard that directly abuts a residential use or residential district shall be increased five additional feet over the minimum stated above and shall be screened and landscaped in compliance with subsection 510.25, subdivision 2 of this code.
  - (v) rear yards: 20% of lot depth and if abutting a residential district, shall be increased five feet and shall be screened and landscaped in compliance with subsection 510.25, subdivision 2 of this code.

Subd. 7. Building requirements.

- (a) Height. No structure shall exceed two stories or 25 feet except as provided in subsection 510.15, subdivision 1 of this code. Height may be increased to three stories or 30 feet for townhouse, cooperative, or condominium development adjacent to mass transit service. (Amended, Ord. No. 02-01, Sec. 3)
- (b) Exterior materials. The type of building materials used on exterior walls shall be modular brick, natural stone, and/or portland cement stucco. Accent materials may be tile, stone, metal and/or wood. The city council may waive these exterior material requirements for townhouse, cooperative and condominium development provided:
  - (1) the exterior materials are maintenance free and contain ornamental patterns;
  - (2) the development contains other architectural features (i.e. ornamental columns, unique roof lines, special exterior spaces such as porches and decks). (Amended, Ord. No. 02-01, Sec. 3)

Subd. 8. Parking requirements.

- (a) Reduction of parking. Reduction of parking stalls may be allowed when the provision of space required for parking stalls, due to the particular nature of the proposed use or other considerations, would be an unnecessary hardship. Adequate open space shall be provided to satisfy the total number of required parking stalls.
- (b) Waiver of parking design, driveway and setback requirements. The city council may waive some of the design, driveway, and setback requirements for parking areas of six or less spaces which are affiliated with a townhouse, cooperative, or condominium development adjacent to mass transit service. (Added, Ord. No. 02-01, Sec. 4)
- (c) Additional parking. When the provisions for parking space required for specific district uses is inadequate the city may require that additional off-street parking be provided.
- (d) Parking ratio. At least one off-street parking space shall be provided for each 200 square feet of gross floor area in the B-1 district, except: (Amended, Ord. No. 01-02)
  - (1) at least one off-street parking space shall be provided for each five seats for all theaters, churches, lodges, and other assembly facilities;
  - (2) at least one off-street parking space shall be provided for each 250 square feet of gross floor area for general office use; (Amended, Ord. No. 01-02)
  - (3) at least one off-street parking space shall be provided for each 110 net square feet of gross floor area. (Amended, Ord. No. 01-02)
  - (4) at least one off-street parking stall shall be provided for each 200 square feet of speculative gross floor area; (Amended, Ord. No. 01-02)
  - (5) at least one handicap off-street parking space shall be provided for each 50 spaces or fraction thereof.
  - (6) at least one and one-half off-street parking spaces shall be provided for each dwelling unit of a townhouse, cooperative, or condominium development. (Added, Ord. No. 02-01, Sec. 5)
- (e) Design requirements.
  - (1) Stall sizes:
    - (i) regular parking stalls shall be at least 8 1/2 feet wide and 18 feet long;
    - (ii) compact parking stalls shall be at least 7 1/2 feet wide and 16 feet long;
    - (iii) handicap parking stalls shall be at least 12 feet wide and 18 feet long;
    - (iv) only 25% of the required parking may be compact size.
  - (2) Drainage. All driveways and parking areas, except those for less than four vehicles, shall be graded according to a drainage plan which has been approved by the city.

- (3) Lighting. Any lighting used to illuminate an off-street parking area shall be shielded (concealed light source). (Amended, Ord. No. 02-01, Sec. 6)
  - (4) Curbing. The entire perimeter of all parking areas in excess of four stalls, access driveways, truck loading spaces or other hard surface areas that handle motor vehicle traffic shall be curbed with a poured six inch high concrete curb.
    - (i) curbing shall be required around safety islands;
    - (ii) curb cuts and ramps for the handicapped shall be installed as required by state law;
    - (iii) construction shall be in accordance with curbing specifications on file at the city;
    - (iv) the city may exempt curbing where the parking lot directly abuts a sidewalk which is sufficiently higher than the grade of the parking lot and satisfies the curbing requirements, or where the city has approved future expansion.
- (f) Driveway requirements:
- (1) a maximum driveway width of 35 feet at the curb opening, excluding the entrance radii can be constructed;
  - (2) the parking aisle shall be a minimum of 25 feet in width for two-way traffic and according to Table I, subsection 510.17, subdivision 2(d) of this code, for one-way traffic;
  - (3) the edge of the curb opening shall not be closer to the nearest portion of a street right-of-way intersection than 75 feet or two-thirds of the lot width, whichever is smaller;
  - (4) where a T intersection exists, a driveway may be located opposite the end of the intercepted street;
  - (5) the minimum driveway angle to the street shall be 60 degrees;

- (g) Parking setback requirements. (Amended, Ord. No. 02-01, Sec. 7)
  - (1) no closer than five feet from any street right-of-way. A direct parking access may encroach in this five feet; (Amended, Ord. No. 01-02)
  - (2) no closer than five feet from any side lot line, or one foot if a guard rail approved by the city is installed. A common drive approved by both adjoining property owners may be allowed by the city; (Amended, Ord. No. 01-02)
  - (3) no closer than five feet from any rear lot line. A direct parking access may encroach into the five feet; (Amended, Ord. No. 01-02)
  - (4) no closer than five feet from the main building or one foot if a guard rail approved by the city is installed. (Amended, Ord. No. 01-02).
  
- (h) Loading docks:
  - (1) outside loading docks shall be located in the rear or side yard and be properly screened;
  - (2) the space needed for the loading docks must be adequate to handle the loading and unloading needs, without obstructing the public right-of-way.
  
- (i) Off-street parking shall be provided for all vehicles concerned with any use on the lot.
  
- (j) Parking lots with more than four parking stalls shall be striped.
  
- (k) Sufficient concrete areas may be required for motorcycle parking in addition to the required vehicle parking stalls.
  
- (l) Bike racks may be required by the city in an area that is convenient to each major building entrance and will not disrupt pedestrian or vehicular traffic or fire lanes.
  
- (m) Safety signs, markings and traffic control devices may be required to promote vehicular and pedestrian safety.

Subd. 9. Landscape requirements:

- (a) All open areas of any site, except for areas used for parking, driveways or storage shall be landscaped and be incorporated in a landscape plan.
  
- (b) The landscape plan shall be submitted for approval by the city and indicate the location, size and species, and method and quantity of all proposed plants, including designation of any existing vegetation which is to be removed or which will remain with construction.
  
- (c) Underground lawn sprinkling systems or other provision for watering shall be provided to maintain the lawns and landscaping within the boulevards, front, and side yard areas.

Subd. 10. Performance standards:

- (a) Parking facilities: All driveways, parking areas, and loading docks shall be surfaced with blacktop, concrete or other hard surface material approved by the city.
- (b) Exterior storage: All materials and commercial equipment shall be kept in a building and nothing shall be stored outside.
- (c) Refuse: All waste materials, refuse or garbage shall be contained in closed containers as required by section 605 of the city code.
- (d) Screening:
  - (1) All required screening shall be according to subsection 510.25, subdivision 2 of this code.
  - (2) Plantings shall not be placed so as to obstruct lines of sight at street corners and driveways.
  - (3) Screening of off-street parking shall be required for:
    - (i) any off-street parking area requiring more than four spaces or adjoining a residential district;
    - (ii) any driveway to a parking area of four or more spaces within 30 feet of an adjoining residential district.
  - (4) All trash or garbage storage receptacles must be located in the rear or side yard and be totally screened from view from any public right-of-way. Provisions must be taken to protect screening from vehicle damage.
  - (5) All roof equipment, except alternate energy devices must be screened from public view unless the equipment is designed as an integral part of the building and is compatible with the lines of the building. The required screening must be consistent with subsection 510.25, subdivision 2(h). (Amended, Ord. No. 01-02)
- (e) Drainage and grade requirements: A finished ground grade shall be established such that natural drainage away from all buildings is provided. The following minimum criteria shall apply: (Amended, Ord. No. 02-01, Sec. 8)
  - (1) the minimum elevation of finished grade shall not be less than one-fourth inch rise per horizontal foot of setback measured from curb grade;
  - (2) the city may specify a minimum finished ground grade for any structure in order to allow proper drainage and connection to city utilities.

- (f) Landscaping: The following shall be minimum criteria for landscaping:
  - (1) it shall be the owner's responsibility to see that all required landscaping is maintained in an attractive, well kept condition;
  - (2) all vacant lots, tracts or parcels shall be properly maintained in an orderly manner free of litter and junk;
  - (3) all uses shall provide water facilities to yard areas for maintenance and landscaping.
  
- (g) Maintenance: It shall be the responsibility of the property owner to ensure that:
  - (1) Every exterior wall, foundation and roof of any building or structure shall be reasonably watertight, weathertight, and rodentproof, and shall be kept in a good state of maintenance and repair. Exterior walls shall be maintained free from extensive dilapidation due to cracks, tears or breaks of deteriorated plaster, stucco, brick, wood or other materials that gives evidence of long neglect.
  - (2) The protective surface on exterior walls of a building shall be maintained in good repair and provide a sufficient covering and protection of the structural surface against its deterioration. Without limiting the generality of this section, a protective surface of a building shall be deemed to be out of repair if:
    - (i) more than 25% of the area of any plane or wall on which the protective surface is blistered, cracked, flaked, scaled or chalked away; or
    - (ii) more than 25% of the pointing of any brick or stone wall is loose or has fallen out.
  - (3) Every yard and all structures, walls, fences, walks, steps, driveways, landscaping and other exterior developments shall be maintained in an attractive, well kept condition.
  - (4) The boulevard area of a premise shall be properly maintained, groomed, and cared for by the abutting property owner.
  
- (h) Essential services: (Amended, Ord. No. 01-02)
  - (1) connection is required on each lot served by city sanitary sewer;
  - (2) connection is required on each lot served by city water line.
  
- (i) Signs. All signs shall comply with section 410 of the city code and consistent with the Downtown Robbinsdale Architectural Design Guidelines. (Added, Ord. No. 02-01, Sec. 9)