

Article V. Business District (B).

Section 20-41. **Purpose.** The business district is intended to provide a district that will allow retail and general commercial uses in a convenient and safe manner.

Section 20-42. **Permitted Uses.** The following uses shall be permitted within the B – Business District:

- (a) Agricultural land uses.
- (b) Appliance stores and appliance repair.
- (c) Banks, savings and loans institutions, credit unions
- (d) Barber and beauty shops
- (e) Bicycle sales and repair shops
- (f) Book stores, but not adult books stores, stationary stores, antique or gift shops, art and school supplies
- (g) Bowling alleys
- (h) Candy, ice cream, soft drink or confectionery stores
- (i) Cabinet, carpenter shops or construction yard
- (j) Clothing, ready to wear stores, dry goods or notion stores
- (k) Delicatessens
- (l) Drug stores
- (m) Furniture stores
- (n) General store, department store, retail establishments, variety stores
- (o) Grocery, fruit, vegetable or meat store, bakery or pastry shop
- (p) Hardware stores
- (q) Landscape nursery, garden store and greenhouses
- (r) Laundrettes or self-service laundries

- (s) Marine, boat and sporting goods sales, subject to the following:
 - 1. The sale or rental of motor vehicles, trailers, campers, boats and other items that are not kept entirely within a building shall require approval of an open sales lot.
 - 2. Any outside or sales area adjacent to a residential district, or public road, shall be screened by a solid fence at least six (6) feet in height and additional landscaping, or by equivalent evergreen vegetation.
 - 3. All repairs shall be performed completely within a building.
 - 4. Outdoor speakers shall not be audible beyond the property line.
- (t) Miniature golf course, archery or golf driving range.
- (u) Motel and hotel
- (v) Professional offices, such as realtor, doctor, lawyer, therapeutic masseuse, or other professional service provider
- (w) Restaurant, cafés
- (x) Signs as regulated by this Chapter.
- (y) Government buildings for government use only, including, but not limited to, fire and police stations, post office of substations.

Section 20-43. Permitted Accessory Uses. The following accessory uses shall be permitted within the B Business District.

- (a) Adult use – accessory, subject to the following:
 - 1. Shall comprise no more than 10% of the floor area of the establishment in which it is located or shall comprise an area no greater than 100 square feet of a floor area in which it is located, whichever is smaller.
 - 2. Shall comprise no more than 20% of the gross receipts of the subject business operation at the subject location.
 - 3. Shall not involve or include any activity except the sale or rental of merchandise.
 - 4. Shall be restricted from and prohibit access by minors by the physical separation of such items from general public areas, according to the following:
 - a. Movie rentals. Display areas shall be restricted from general view and shall be located within a separate room, the access to which is in clear view and under the control of the persons

responsible for the operation.

- b. Magazines. Publications classified or qualifying as adult uses shall be covered in a wrapper or other means to prevent display of any material other than the publication title.
 - c. Other Use. Adult use/accessory activities not specifically cited shall comply with the intent of this section subject to the approval of the Township Zoning Administrator of his or her designee.
5. Adult use – accessory shall be prohibited from both internal and external advertising and signing of adult materials and products.
6. Adult use – accessory – signs. In addition to the sign regulations contained in the Chapter, the following regulations will apply to an adult use – accessory:
- a. All signs shall be flat wall signs and non-illuminated.
 - b. The amount of allowable sign areas shall be six (6) square feet.
 - c. No merchandise or pictures of the products or entertainment on the premises, advertisements, displays or other promotional materials depicting nudity, sexual conduct, sexual excitement, or sadomasochistic abuse shall be displayed in window areas or any area where they can be viewed from the sidewalks in front of the building or from any public right-of-way.
 - d. Window areas shall not be covered or made opaque in any way. No signs shall be placed in any window. A one-square foot sign may be placed on the door to state hours of operation and admittance to adults only.
 - e. In addition to any allowable sign under this Chapter, an adult use – accessory shall post on all entrances to the establishment, a sign no less in area than one square foot, stating that pursuant to the Township Zoning Ordinance, anyone under the age of 18 is prohibited from entering the premises.
- (b) Accessory uses customarily incidental to the uses permitted in the B Business District.
 - (c) Landscape features.
 - (d) Temporary Structures subject to Section 20-9 (t) of the Township Code.
 - (e) Portable Toilets. Provided they meet the requirements of Section 20-9 (k) of the zoning ordinance.

Section 20-44. Conditional Uses. The following uses may be allowed in the B Business District, subject to the Conditional Use Provisions in Section 20-213 and any additional standards listed below:

- (a) Drive-through restaurants, retail stores, service uses, or similar uses that provide goods and services to patrons in automobiles, subject to the following:
 - 1. The use shall have direct access to a paved road.
 - 2. The public address system, if provided, shall not be audible from a residential property.
 - 3. Adequate stacking space shall be provided.
 - 4. The operation shall be conducted in a manner that is consistent with the approved site plan for the site and the regulations in this Section.
- (b) Car washes, free-standing or accessory, subject to the following:
 - 1. Adequate parking space for vehicles shall be provided.
 - 2. Water from the car wash shall not drain across any sidewalk or into a public right-of-way.
 - 3. Vacuum and drying facilities shall be located in an enclosed structure or at a sufficient distance from any residential use to minimize the impact of noise.
 - 4. The facility shall meet all MPCA standards for water quality.
 - 5. The operation shall be conducted in a manner that is consistent with the approved site plan for the site and the regulations in this Section.
- (c) Other business activities of the same general character as listed in Section 20-42 of this Chapter.
- (d) Single family homes, when associated with the operation of a business located on the same parcel.
- (e) Drive-in theaters.
- (f) Hospitals, convalescent homes, nursing homes and medical clinics, subject to the following:
 - 1. Licensing by the appropriate agency.

2. Such facilities shall be located on a major street on a parcel of no less than one-half acre.
- (g) Mini-storage facilities.
 - (h) Utility power transmission lines and pipelines.
 - (i) Light manufacturing.
 - (j) Billboards, as regulated by off premise sign standards in Section 20 - 111 of this Chapter.
 - (k) Wireless communication towers, subject to the provisions of Article XI of this Chapter.

Section 20-45. Interim Uses.

- (a) Automobile service stations for the sale of gasoline, oil and accessories, and automobile repair, subject to the following:
 1. Any canopy, weather protections, pump island or building shall meet the minimum required building setback specified for the district.
 2. A minimum of twenty-five (25) foot landscaped yard shall be provided along all yards abutting rights-of-way lines, except where approved driveways occur.
 3. Whenever a service station abuts a residential lot, a solid screen not less than six (6) feet in height shall be erected and maintained along the side and rear property lien that abuts the residential lot.
 4. All vehicles awaiting repair or pickup shall be stored on the site within enclosed buildings or defined parking spaces, in compliance with the standards of this Chapter.
 5. All vehicles parked or stored on the site shall display a current license plate with a current license tab. Outdoor storage of automotive parts or junk vehicles is prohibited.
 6. A car wash facility, either attached or detached from the principal structure, may be permitted as an accessory use, meeting the standards for a car wash as found in this Chapter.
 7. All repairs shall be performed within a completely enclosed building.

8. Venting of odors, gas and fumes shall be directed away from residential uses. All storage tanks shall be equipped with vapor-tight fittings to preclude the escape of gas odors.
 9. Additional controls may be established to control noise during the operation of the facility, including controls on hours of operation.
 10. Operations shall be conducted in a manner that is consistent with the approved site plan for the property and the regulations in this Section.
- (b) Bed and Breakfast, subject to the following:
1. Vehicular access points shall create a minimum of conflict with through traffic movement.
 2. The facility shall maintain a guest register open to inspection by the Township.
 3. Guest stay shall be limited to fourteen (14) days.
 4. The applicant shall meet all applicable local, county, state and federal regulations.
 5. The operator shall carry liability insurance and shall provide proof of such insurance to the Town upon request.
- (c) Temporary proposed uses that are determined to be similar in nature to the uses listed in Section 20-42.
- (d) Commercial kennels, subject to the conditions listed in Section 20-35, subpart (e).

Section 20-46. Prohibited Uses. The following uses are prohibited in the B Business District:

- (a) Final disposal facility for mixed municipal solid waste, hazardous waste, industrial waste, incinerator ash, or infectious waste.
- (b) Incineration or treatment, disposal, or processing of mixed municipal solid waste, hazardous waste, industrial waste, and infectious waste.
- (c) Solid waste, hazardous waste, or land application of mixed municipal waste transfer station.
- (d) Sanitary landfill.
- (e) Junk yards and the outdoor storage of junk or inoperable equipment.

- (f) Disposal of waste tires.
- (g) Open dumps.
- (h) Mass gatherings.
- (i) The use of semi-trailers and manufactured homes for storage purposes.
- (j) Land application of contaminated soils.
- (k) Demolition waste transfer stations.
- (l) Salvage yards.
- (m) Temporary equipment placement and/or operations, such as a bituminous plant, ready mix plant, or contractor's yard for the purpose of stockpiling materials, for highway/road construction.

All uses not listed as permitted, conditionally permitted, or permitted with an interim use permit shall be considered prohibited.

Section 20-47. Height, Yard, Lot Width and Lot Coverage Regulations.

- (a) Height Regulations. No building shall hereafter be erected or structurally altered to exceed two (2) stories or thirty-five (35) feet in height.
- (b) Front Yard Setback Regulations. There shall be a front yard of not less than:
 - 1. 130 feet from highway, expressways, four-lane highways, rights-of-way, including U. S. and State highways.
 - 2. 130 feet from the centerline of all County roads.
 - 3. 120 feet from the centerline of all Township roads.
 - 4. Where a lot is located at the intersection of two or more roads or highways, there shall be a front yard setback for each yard abutting a road or highway.
- (c) Side Yard Setback Regulations.
 - 1. There shall be a minimum side yard setback of not less than fifteen (15) feet for all buildings or structures.
 - 2. No building shall be located within thirty (30) feet of any side lot line abutting a lot in any residential or agricultural district.
- (d) Rear Yard Setback Regulations. There shall be a minimum rear yard

setback of not less than fifty (50) feet.

Section 20-48. Landscaping Requirements.

All required yards shall be either open landscaped and green areas or left in a natural state, except as provided in the General Regulations Section of this Chapter. If any yards are to be landscaped, they shall be landscaped attractively with lawn, either seeding or sod, trees, shrubs, etc. Any areas left in a natural state shall be properly maintained in a slightly and well kept condition. Yards that directly adjoin any residential use shall be landscaped with vegetative screening. Plans for such screening shall be included in the site plan approval submission. Landscaping shall be installed as part of the initial construction.

Section 20-49. Lot Width Regulations.

Every lot or tract shall have a width of not less than one hundred (100) feet abutting a public road as well as at the front building setback line.

Section 20-50. Lot Area Regulations.

Every lot or tract of land on which a permitted or conditional use is constructed shall have an area of not less than one (1) acre of buildable land area. If on-site sewage treatment is to be provided, each lot must be able to accommodate two (2) separate drainfield sites.

Section 20-51. Storage of Materials.

Open storage of materials in any required front or side yard shall be prohibited. Any outside storage shall be located or screened so as not to be visible from adjoining residential property

Section 20-52. Lot Coverage Regulations.

No more than fifty percent (50%) of the lot or parcel shall be occupied by buildings.

Section 20-53. Signage Regulations.

- a) No more than one (1) free standing or pylon sign of not more than thirty-five (35) square feet in surface area is allowed.
- b) The total surface area of all business signs on a lot shall not exceed the sum of three (3) square feet per lineal foot of lot frontage or twenty percent (20%) of the front building face area, or three hundred (300) square feet in area, whichever is less.
- c) No business sign shall project above the permitted building height.

- (d) For regulations of off-premise advertising or billboard signs and for general regulations governing signage, see the section of this Chapter regarding Special Provisions.

Section 20-54. General Regulations.

- (a) Where structures exist on adjoining side lots of a proposed building site, consideration may be given to alter the front yard setback of the proposed development to meet the setbacks of those existing structures. If, however, one of more the existing structures is less than fifty percent (50%) structurally sound (based upon the Minnesota Building code definition), then the structure(s) will not be considered a viable building for determining applicable setbacks and this provision will not apply to the proposed development.
- (b) Additional requirements for signs, parking and other regulations for the B-1 District are set forth in the General Regulations and Performance Standards sections of this Chapter.