

**2B. Continued Public Hearing - Consideration of a request for Amendment to the Monticello Zoning Ordinance for the Retail Service Uses Including but Not Limited to Definition, Zoning Districts and Standards. Applicant: City of Monticello**

<b>Prepared by:</b> Northwest Associated Consultants (NAC)	<b>Meeting Date:</b> 07/05/22	<b>Council Date (pending Commission action):</b>  07/25/2022
<b>Additional Analysis by:</b> Community Development Director, Community and Economic Development Coordinator, Chief Building Official		

**ALTERNATIVE ACTIONS**

**Decision 1: Consideration of an amendment to the Zoning Ordinance to add definitions of retail businesses.**

1. Motion to adopt Resolution No. PC-2022-035 recommending approval of Ordinance No. \_\_\_\_ based on findings in said resolution.
2. Motion to deny the adoption of Resolution No. PC-2022-035 recommending denial Ordinance No. \_\_\_\_ based on findings to be made by the Planning Commission.
3. Motion to table action on Resolution No. PC-2022-035.

**REFERENCE AND BACKGROUND**

**Property:** Legal Description: NA  
PID #: NA

**Planning Case Number:** 2022-027

**Request(s):** 1. Amendment to the Zoning Ordinance

**Deadline for Decision:** NA  
NA

**Land Use Designation:** NA

**Zoning Designation:** NA

**Overlays/Environmental**

**Regulations Applicable:** NA

**Current Site Uses:** NA

**Surrounding Land Uses:** NA

**Project Description:** The adopted Pointes at Cedar (PCD) zoning district includes an allowance for “Retail Service” uses, which are not currently defined within the Zoning Ordinance. The proposed amendment is designed to close that gap and provide clarity as to the classification between general “Retail Commercial” uses and “Retail Service” uses. In addition, the proposed amendment provides for the zoning districts in which the “Retail Service” use would be allowed.

**ANALYSIS:**

The purpose of this proposed zoning ordinance amendment is to add specificity to uses intended to be allowed in the City’s various Business districts, but more specifically as to how those uses are addressed in the PCD, Pointes at Cedar District. The current zoning regulations address the definition of retail uses only in part.

As a result, a clarification to the existing “Retail Commercial Use” definition and a new definition for “Retail Services” are proposed.

In general, a retail transaction is one in which a provider of goods (or services) delivers the good to the end user on site. Most often, that good is a tangible product, such as groceries, a bicycle, or any other finished product. The key is that it is being provided to the end user of the product, and not sold for further manufacture or resale.

A retail service use is one in which the business may also create or manufacture goods or property to sell to the end user. Examples would be artistic creations which can be both intellectual or tangible property. As such, a “retail service” business is often one which is both creating and delivering this type of property for sale – again to the end user only.

Included below are the two proposed definitions.

**Amended Definition:**

RETAIL COMMERCIAL USES (OTHER): ~~Establishments primarily engaged in the sale of goods and materials to the general public not otherwise specifically defined in code. Retail commercial uses may include by are not limited to bookstores, antique stores, grocery stores and similar uses; but do not include sales from moveable motorized vehicles.~~

*A commercial land use where the establishment is primarily engaged in the sale of goods and materials to the general public, accepts payment or orders for, and delivers to the end user a good or service. Elements of the retail business include stock-in-trade held on the premises in the case of goods or provides a service to the end user on the premises. Retail business may arrange for delivery of a good rather than deliver the good concurrent with the transaction, or may accept payment or orders electronically in advance, for delivery of the good or service in person at a later date. Retail Commercial Uses do not include those businesses engaged primarily in delivery of goods for further treatment or finishing, or the sale of goods to businesses for subsequent resale, sale of goods from moveable motorized vehicles, or medical clinics. Where the Zoning Ordinance establishes a separate class of use for a specific business, such business shall be subject to the specific regulations applicable to such use.*

**New Definition:**

**RETAIL SERVICE:** *A form of Retail Commercial Use that creates a product of value (either good or service) on site and delivers said good or service to the end user on site. Examples include businesses which fabricate and/or craft creative goods on site and both display and sell such goods to the end user at the retail location such as artist studios, bicycle shops, photography studios or similar uses. Where the Zoning Ordinance establishes a separate class of use for a specific business, such business shall be subject to the specific regulations applicable to such use.*

**Allowance by District:**

The allowance for “Retail Service” uses is proposed to be added as a permitted principal use to the B-2, B-3 and B-4 districts, all commercial districts. In addition, it is proposed to be added as a permitted principal use to all sub-districts of the CCD and to The Pointes at Cedar district. Table 5-1 of the Zoning Ordinance is proposed to be amended accordingly.

Table 5-1 is proposed to be amended to include a reference to The Pointes at Cedar, Ordinance No. 776 rather than a full secondary table.

In addition, one small change for consistency with current definitions is proposed to Table 5-1. The ordinance currently provides definitions for both “Commercial Offices” and “Office – Professional Office – Services”. Table 5-1 is proposed to include both, allowing both as permitted uses as currently permitted.

**Use Standards:**

In regard to use standards for the proposed “Retail Service” use, the following are proposed to be added to *Chapter 5, Section 2 – Use-Specific Standards*.

**(2X) Retail Service**

- a) Repair of all goods shall occur within an enclosed building.
- b) Outdoor sales and display shall be conducted in accordance with this ordinance.
- c) Off-street loading and delivery shall be in accordance with this ordinance and shall not reduce the required off-street parking required for the site and use.
- d) Outdoor storage shall be prohibited.
- e) No process involved in a service operation shall produce noise, vibration, air pollution, fire hazard, or noxious emission which will disturb or endanger neighboring properties.
- f) If adjacent to a residential property, the use shall require installation of a buffer yard in accordance with this ordinance.

In addition, the Retail Commercial Uses (Other) use standards require amendment to eliminate reference to the previous ordinance for the CCD. With the adoption of the 2017 Downtown Small Area Plan, these standards became obsolete and/or were incorporated into the amendments located in the CCD section of the ordinance. The proposed amendments are as follows:

**(27) Retail Commercial Uses (Other)**

~~In the CCD, F-2 sub-district, the following conditions shall apply to retail sales in buildings having a retail floor area greater than 10,000 square feet:~~

~~(i) Building architecture shall be designed to vary façade height, fenestration, and other details to provide the appearance of several smaller retail buildings, rather than a single large structure.~~

~~(ii) Parking shall be oriented to wrap around buildings, rather than be located entirely in the front of the building.~~

~~(c) In the CCD, F-2 sub-district, the following conditions shall apply to retail sales accessory services: (i) Accessory service shall occupy no more than 40 percent of the main floor of any building.~~

~~(ii) Service may include activities that support the retail sales of goods on the premises, including repair, fabrication, rental, assembly, shipping, or similar activities.~~

~~(iii) Service activities may occur as an entity separate from retail sales, but shall meet the requirements of this section.~~

**STAFF RECOMMENDED ACTION**

Staff recommends Alternative 1, leading to adoption of the Ordinance establishing the additional definitions in the Zoning Ordinance, Section 8.4, and the addition of Retail Service uses to the B-2, B-3, B-4 and Pointes at Cedar District. Staff would further recommend the addition of the use in all sub-districts of the CCD.

**SUPPORTING DATA**

- A. Resolution PC-2022-035
- B. Ordinance No. XXX
- C. Ordinance Excerpts

**CITY OF MONTICELLO  
WRIGHT COUNTY, MINNESOTA  
PLANNING COMMISSION  
RESOLUTION NO. PC-2022-035**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MONTICELLO  
RECOMMENDING APPROVAL OF AN AMENDMENT TO THE ZONING ORDINANCE ADDING  
DEFINITIONS RELATED TO RETAIL BUSINESS**

**WHEREAS**, the City regulates land uses in its various zoning districts, including an allowance for various types of retail uses in specific zones; and

**WHEREAS**, the definitions of retail business currently rely on common understanding, but have limited specific definitions in the code; and

**WHEREAS**, the clarity of the code will advance by the addition of said definitions; and

**WHEREAS**, the zoning district amendments herein will accomplish the objectives of the City's land use plans and regulations; and

**WHEREAS**, the Planning Commission held a public hearing on July 5, 2022 on the application and the applicant and members of the public were provided the opportunity to present information to the Planning Commission; and

**WHEREAS**, the Planning Commission has considered all of the comments and the staff report, which are incorporated by reference into the resolution; and

**WHEREAS**, the Planning Commission of the City of Monticello makes the following Findings of Fact in relation to the recommendation of approval:

1. The usefulness of the zoning regulations require clarity and definition to avoid misinterpretation, and promote the effectuation of the City's land use objectives.
2. The proposed amendments add definition to terms used in the zoning ordinance, but which rely only on common usage and understanding.
3. The proposed amendments refine the understanding of the terms used, and therefore advance the City land use regulations and objectives.
4. The proposed amendments will improve the communication of the intent of the zoning regulations to property owners, businesses, and city officials.

**NOW, THEREFORE, BE IT RESOLVED**, by the Planning Commission of the City of Monticello, Minnesota, that the Planning Commission hereby recommends that the Monticello City Council approves the Amendment to the Zoning Ordinance as specified in Ordinance No.

\_\_\_\_\_.

**CITY OF MONTICELLO  
WRIGHT COUNTY, MINNESOTA  
PLANNING COMMISSION  
RESOLUTION NO. PC-2022-035**

***ADOPTED*** this 5<sup>th</sup> day of July, 2022, by the Planning Commission of the City of Monticello, Minnesota.

MONTICELLO PLANNING COMMISSION

By: \_\_\_\_\_  
Paul Konsor, Chair

ATTEST:

\_\_\_\_\_  
Angela Schumann, Community Development Director

CITY OF MONTICELLO  
WRIGHT COUNTY, MINNESOTA

AN ORDINANCE AMENDING TITLE 10 OF THE MONTICELLO CITY CODE,  
KNOWN AS THE ZONING ORDINANCE, BY ADDING DEFINITIONS  
RELATED TO RETAIL USES

*THE CITY COUNCIL OF THE CITY OF MONTICELLO HEREBY ORDAINS:*

**Section 1.** Chapter 3 Title 10 – Zoning Districts is hereby amended by adding the following:

8.4 Definitions

~~RETAIL COMMERCIAL USE: Establishments primarily engaged in the sale of goods and materials to the general public not otherwise specifically defined in code. Retail commercial uses may include by are not limited to bookstores, antique stores, grocery stores and similar uses; but do not include sales from moveable motorized vehicles.~~

*A commercial land use where the establishment is primarily engaged in the sale of goods and materials to the general public, accepts payment or orders for, and delivers to the end user a good or service. Elements of the retail business include stock-in-trade held on the premises in the case of goods or provides a service to the end user on the premises. Retail businesses may arrange for delivery of a good rather than deliver the good concurrent with the transaction, or may accept payment or orders electronically in advance, for delivery of the good or service in person at a later date. Retail Commercial Uses do not include those business engaged primarily in delivery of goods for further treatment or finishing, or the sale of goods to businesses for subsequent resale, sale of goods from moveable motorized vehicles, or medical clinics. Where the Zoning Ordinance establishes a separate class of use for a specific business, such business shall be subject to the specific regulations applicable to such use.*

*RETAIL SERVICE: A Retail Service establishment is a form of Retail Business that creates a product of value (either good or service) on site and delivers said good or service to the end user on site. Examples of Retail Services include businesses which fabricate and/or craft creative goods on site and both display and sell such goods to the end user at the retail location such as artist studios, bicycle shops, photography studios or similar uses. Where the Zoning Ordinance establishes a separate class of use for a specific business, such business shall be subject to the specific regulations applicable to such use.*



ORDINANCE NO. \_\_\_\_

**Section 2.** Section 5.1, Table 5-1 shall be amended as follows:

Retail Service shall be established as a permitted principal use in the B-2, B-3, B-4, CCD (all sub-districts) and The Pointes at Cedar (all sub-districts).

**Section 3.** Section 5.1, Table 5.1 shall be further amended as follows:

Offices, *Commercial and Professional-Services*

**Section 4.** Section 5.1, shall be amended by adding Table 5-1B and adding the following:

***Table 5-1B THE POINTES AT CEDAR DISRICT (PCD)***

***See Ordinance No. 776***

Section 5. Section 5.2 for Use Specific Standards shall be amended by adding the following:

***(28) Retail Service***

- a) Repair of all goods shall occur within an enclosed building.***
- b) Outdoor sales and display shall be conducted in accordance with this ordinance.***
- c) Off-street loading and delivery shall be in accordance with this ordinance and shall not reduce the required off-street parking required for the site and use.***
- d) Outdoor storage shall be prohibited.***
- e) No process involved in a service operation shall produce noise, vibration, air pollution, fire hazard, or noxious emission which will disturb or endanger neighboring properties.***
- f) If adjacent to a residential property, the use shall require installation of a buffer yard in accordance with this ordinance.***

**Section 5.** Section 5.2(E) is hereby amended as follows:

***(27) Retail Commercial Uses (Other)***

***(a)*** If the retail sales includes consignment sales, the following standards shall apply:

- (i)*** Sales and storage shall not exceed 1,000 square feet in area.
- (ii)*** At least 80% of the sales shall be of consigned merchandise.
- (iii)*** No auctions shall take place on the premises.
- (iv)*** There shall be no outside storage.

***(b)*** ~~In the CCD, F 2 sub-district, the following conditions shall apply to retail sales in buildings having a retail floor area greater than 10,000 square feet:~~

- ~~***(i)*** Building architecture shall be designed to vary façade height, fenestration, and other details to provide the appearance of several smaller retail buildings, rather than a single large structure.~~

**ORDINANCE NO. \_\_\_\_**

~~(ii) Parking shall be oriented to wrap around buildings, rather than be located entirely in the front of the building.~~

~~(c) In the CCD, F-2 sub-district, the following conditions shall apply to retail sales accessory services:~~

~~(i) Accessory service shall occupy no more than 40 percent of the main floor of any building.~~

~~(ii) Service may include activities that support the retail sales of goods on the premises, including repair, fabrication, rental, assembly, shipping, or similar activities.~~

~~(iii) Service activities may occur as an entity separate from retail sales, but shall meet the requirements of this section.~~

**Section 6.** The City Clerk is hereby directed to make the changes required by this Ordinance as part of the Official Monticello City Code, Title 10, Zoning Ordinance, and to renumber the tables and chapters accordingly as necessary to provide the intended effect of this Ordinance. The City Clerk is further directed to make necessary corrections to any internal citations that result from said renumbering process, provided that such changes retain the purpose and intent of the Zoning Ordinance as has been adopted.

**Section 7.** This Ordinance shall take effect and be in full force from and after its passage and publication. The ordinance in its entirety and map shall be posted on the City website after publication. Copies of the complete Ordinance and map are available online and at Monticello City Hall for examination upon request.

***ADOPTED BY*** the Monticello City Council this \_\_\_\_ day of \_\_\_\_\_, 2022

\_\_\_\_\_  
Lloyd Hilgart, Mayor

ATTEST:

\_\_\_\_\_  
Rachel Leonard, Administrator

AYES:

NAYS:

**CHAPTER 5: USE STANDARDS**

Section 5.1 Use Table

Subsection (A) Explanation of Use Table Structure

**(c) Interim Permitted Uses = I**

An “I” indicates that a use may be permitted for a brief period of time provided certain conditions are met, and a specific event or date can be established for discontinuance of the use. Inability of the City to establish conditions to adequately control anticipated impacts is justification for denial of an interim permitted use. Interim Permitted Uses may also be subject to special regulations as referenced in the “Additional Requirements” column.

**(d) Prohibited Uses = Shaded Cells**

A shaded cell indicates that the listed use is prohibited in the respective base zoning district.

**(e) Uses Not Provided for Within Zoning Districts**

In any zoning district, whenever a proposed use is neither specifically allowed nor denied, the Community Development Department shall determine if the proposed use is comparable in potential activities and impacts to a use listed within the zoning district and is acceptable related to land use compatibility, traffic, and/or nuisance issues and established conditions and standards relating to development of the use. Where such a determination is made, the requirements established for the listed use shall apply as minimum standards for the proposed use. Additional requirements may be applied to address differences between the listed use and the proposed use. If no comparable use determination can be made, the use will be considered prohibited in which case an amendment to the ordinance text would be required to clarify if, where and how a proposed use could be established.

**TABLE 5-1: USES BY DISTRICT**

Use Types “P” = Permitted “C” = Conditionally Permitted “I” = Interim Permitted	Base Zoning Districts													Additional Requirements				
	A O	R A	R 1	R 2	T N	R 3	R 4	M H	B 1	B 2	B 3	B 4	C C D		I B C	I 1	I 2	
<b>Agricultural Uses</b>																		
Agriculture	P	P	P	P	P	P	P	P	P	P	P	P	*SEE TABLE 5-1A	P	P	P	<a href="#">5.2(B)(1)</a>	
Agricultural Sales	P																	<a href="#">5.2(B)(2)</a>
Community Gardens	P	P	P	P	P	P	P	P	P									<a href="#">5.2(B)(3)</a>
Stables	C																	<a href="#">5.2(B)(4)</a>

TABLE 5-1: USES BY DISTRICT (cont.)																	
Use Types “P” = Permitted “C” = Conditionally Permitted “I” = Interim Permitted	Base Zoning Districts														Additional Requirements		
	A O	R A	R 1	R 2	T N	R 3	R 4	M H	B 1	B 2	B 3	B 4	D O O	I B C		I 1	I 2
<b>Residential Uses</b>																	
Attached Dwelling Types															5.2(C)(1)		
- Duplex				P		C											5.2(C)(2)(a)
- Townhouse				C		P											5.2(C)(2)(b)
- Multiple-Family				C		P	C		C								5.2(C)(2)(c)
Detached Dwelling	P	P	P	P	P				P								5.2(C)(2)(d)
Group Residential Facility, Single Family	P	P	P	P	P												None
Group Residential Facility, Multi-Family				C		C	C										5.2(C)(3)
Mobile & Manufactured Home Park				C		C	C	P	C								5.2(C)(4)
<b>Civic &amp; Institutional Uses</b>																	
Active Park Facilities (public)	P	P	P	P	P	P	P	P	P	P	P	P		P	P	P	None
Active Park Facilities (private)	P	P	P	P	P	P	P										5.2(D)(1)
Assisted Living Facilities				C		P	C		C	P							5.2(D)(2)
Cemeteries	C	C	C	C	C	C	C										5.2(D)(3)
Clinics/Medical Services									C	P		P		C			None
Essential Services	P	P	P	P	P	P	P	P	P	P	P	P		P	P	P	None
Hospitals									C	P		P		C			5.2(D)(4)
Nursing/Convalescent Home	C	C	C	C	C	C	C	C	C	P		P					5.2(D)(5)
Passenger Terminal											C	C	C	C			None
Passive Parks and Open Space	P	P	P	P	P	P	P	P	P	P	P	P		P	P	P	None
Place of Public Assembly			C	C	C	C	C			P	C						5.2(D)(6)
Public Buildings or Uses	C	C	C	C	C	C	C	P	C	C	P	P		C	P	P	5.2(D)(7)
Public Warehousing Temporary												I			I	I	5.2(D)(8)
Schools, K-12			C	C	C	C	C							C	I	I	5.2(D)(9)
Schools, Higher Education														C			None
Utilities (major)										C					C	C	5.2(D)(10)

\*SEE TABLE 5-1A

\*SEE TABLE 5-1A

**CHAPTER 5: USE STANDARDS**

Section 5.1 Use Table

Subsection (A) Explanation of Use Table Structure

<b>TABLE 5-1: USES BY DISTRICT (cont.)</b>																		
Use Types “P” = Permitted “C” = Conditionally Permitted “I” = Interim Permitted	Base Zoning Districts														Additional Requirements			
	A O	R A	R 1	R 2	T N	R 3	R 4	M H	B 1	B 2	B 3	B 4	C C D	I B C		I 1	I 2	
<b>Commercial Uses</b>																		
Adult Uses																P	P	<a href="#">3.7(K)</a>
Auction House																	C	<a href="#">5.2(E)(2)</a>
Auto Repair – Minor												C	C			P	P	<a href="#">5.2(E)(3)</a>
Automotive Wash Facilities												P	C					<a href="#">5.2(E)(4)</a>
Bed & Breakfasts	C	C	C	C	C													<a href="#">5.2(E)(5)</a>
Brew Pub												P	P					<a href="#">5.2(E)(6)</a>
Business Support Services												P	P	P	P	P	P	None
Commercial Lodging												C	P			P		<a href="#">5.2(E)(7)</a>
Commercial Self-Storage												C				P		<a href="#">5.2(F)(3)</a>
Communications/Broadcasting													P		P	P	P	<a href="#">5.2(E)(8)</a>
Convenience Retail										C	P	P	P					<a href="#">5.2(E)(9)</a>
Country Club	C																	<a href="#">5.2(E)(10)</a>
Day Care Centers										C	C		P		P	C		<a href="#">5.2(E)(11)</a>
Entertainment/Recreation, Indoor Commercial												P	P	C	C	C	C	<a href="#">5.2(E)(12)</a>
Entertainment/Recreation, Outdoor Commercial	C											C	C			C		<a href="#">5.2(E)(13)</a>
Event Center												C	C	C				<a href="#">5.2(E)(14)</a>
Financial Institution												P	C	P				<a href="#">5.2(E)(15)</a>
Funeral Services												P		P				<a href="#">5.2(E)(16)</a>
Kennels (commercial)	C																	<a href="#">5.2(E)(17)</a>
Landscaping / Nursery Business	P																	<a href="#">5.2(E)(18)</a>
Offices												P	P	P	P	P	P	<a href="#">5.2(E)(20)</a>
Personal Services												C	P	P	P			<a href="#">5.2(E)(22)</a>
Production Brewery or Micro-Distillery without Taproom																P	P	<a href="#">5.2(F)(12)</a>
Production Brewery or Micro-Distillery with Taproom or Cocktail Room													C	C	C	C	C	<a href="#">5.2(E)(23)</a> <a href="#">5.2(F)(13)</a>
Recreational Vehicle Camp Site	C																	<a href="#">5.2(E)(24)</a>
Repair Establishment												C	P		P	P	P	<a href="#">5.2(E)(25)</a>
Restaurants												C	P	P		C		<a href="#">5.2(E)(26)</a>

\*SEE TABLE 5-1A

TABLE 5-1: USES BY DISTRICT (cont.)																	
Use Types “P” = Permitted “C” = Conditionally Permitted “I” = Interim Permitted	Base Zoning Districts														Additional Requirements		
	A O	R A	R 1	R 2	T N	R 3	R 4	M H	B 1	B 2	B 3	B 4	C C D	I B C		I 1	I 2
Retail Commercial Uses (other) Buildings Less than 10,000 SF										P	P	P					<a href="#">5.2(E)(27)</a>
Retail Commercial Uses (other) Buildings Over 10,000 SF										C	P	P					<a href="#">5.2(E)(27)</a>
Specialty Eating Establishments									C	P	P	P					<a href="#">5.2(E)(28)</a>
Vehicle Fuel Sales										C	C	C					<a href="#">5.2(E)(29)</a>
Vehicle Sales and Rental											C						<a href="#">5.2(E)(30)</a>
Veterinary Facilities (Rural)	C																<a href="#">5.2(E)(31)</a>
Veterinary Facilities (Neighborhood)										C	C	C					<a href="#">5.2(E)(31)</a>
Wholesale Sales														P	P	P	None
<b>Industrial Uses</b>																	
Auto Repair – Major											C				P	P	<a href="#">5.2(F)(1)</a>
Bulk Fuel Sales and Storage															P	P	<a href="#">5.2(F)(2)</a>
Contractor's Yard, Temporary														I	I	I	<a href="#">5.2(F)(4)</a>
Extraction of Materials	I														I	I	<a href="#">5.2(F)(5)</a>
General Warehousing														C	P	P	<a href="#">5.2(F)(6)</a>
Heavy Manufacturing																C	<a href="#">5.2(F)(7)</a>
Industrial Services															C	P	None
Industrial Self-Storage Facilities															C	C	<a href="#">5.2(F)(8)</a>
Land Reclamation	C	C	C	C	C	C	C	C	C	C	C	C		C	C	C	<a href="#">5.2(F)(9)</a>
Light Manufacturing														P	P	P	<a href="#">5.2(F)(10)</a>
Machinery/Truck Repair & Sales															P	P	<a href="#">5.2(F)(11)</a>
Recycling and Salvage Center															C	C	<a href="#">5.2(F)(14)</a>
Truck or Freight Terminal															C	C	<a href="#">5.2(F)(15)</a>
Waste Disposal & Incineration																C	<a href="#">5.2(F)(16)</a>
Wrecker Services											C					P	<a href="#">5.2(F)(17)</a>

\*SEE TABLE 5-1A

**CHAPTER 5: USE STANDARDS**

Section 5.1 Use Table

Subsection (A) Explanation of Use Table Structure

<b>TABLE 5-1A: CENTRAL COMMUNITY DISTRICT (CCD) USES</b>						
	<b>SUB-AREA</b>					
	Riverfront (A)	Broadway (B)	Walnut & Cedar (C)	Pine (D)	General CCD	Notes
Use Types	Entertainment and open space, supported by retail	Retail, supported by entertainment; Housing 2nd	Retail, supported by housing and services	Office, large space retail users, and retail service	Housing, supported by limited retail and services	
<b>Additional Use requirements applicable per 5.2 of this ordinance.</b>						
<b>Uses:</b>						
<b>Residential Uses</b>						
Single Family		<b>P*</b>			<b>CUP</b>	*Upper floors only
Multi 3 du or under		<b>P*</b>	<b>CUP*</b>		<b>P</b>	* Upper floors only
Townhouse	<b>CUP</b>	<b>CUP*</b>	<b>CUP</b>		<b>P</b>	*Townhouses on Broadway east of Pine only
Multi 4-12du	<b>CUP</b>	<b>CUP</b>	<b>CUP</b>		<b>CUP</b>	
Multi 13+ du	<b>CUP</b>	<b>CUP</b>	<b>CUP</b>	<b>CUP</b>	<b>CUP</b>	
Ground-Floor		<b>CUP*</b>	<b>P</b>		<b>P</b>	*Allowed on ground floor for townhouses on Broadway east of Pine
<b>Commercial</b>						
Brew Pub <10,000 sq. ft.	<b>P</b>	<b>P</b>	<b>P</b>	<b>P</b>		
Brew Pub >10,000 sq. ft.	<b>CUP</b>	<b>P</b>	<b>CUP</b>	<b>P</b>		
Commercial Day Care			<b>CUP</b>	<b>CUP</b>	<b>P</b>	
Commercial Lodging	<b>P</b>	<b>CUP</b>	<b>CUP</b>	<b>P</b>		
Entertainment/Recreation, Indoor Commercial (including theaters)	<b>CUP*</b>	<b>CUP*</b>	<b>CUP*</b>	<b>CUP</b>		<10,000 sq. ft. only
Entertainment/Recreation Outdoor Commercial						
Event Centers	<b>CUP</b>	<b>CUP</b>	<b>CUP</b>	<b>CUP</b>	<b>CUP</b>	Subject to 5.2 (F)(14)
Funeral Services					<b>CUP</b>	
Personal Services	<b>P</b>	<b>P</b>	<b>P</b>	<b>P</b>	<b>CUP</b>	
Places of Public Assembly	<b>CUP</b>	<b>CUP</b>	<b>CUP</b>	<b>CUP</b>	<b>CUP</b>	
Production Brewery/Taproom	<b>P</b>	<b>P</b>	<b>P</b>	<b>P</b>		
Micro Distillery/Cocktail Room	<b>P</b>	<b>P</b>	<b>P</b>	<b>P</b>		
Professional Office -Services and Retail	<b>CUP*</b>	<b>P</b>	<b>P</b>	<b>P</b>	<b>P</b>	Upper floors preferred
Commercial Office		<b>CUP* - not allowed on ground floor</b>	<b>P/CUP* on ground floor</b>	<b>P/CUP* on ground floor</b>	<b>P</b>	Upper floors preferred
Financial		<b>P</b>	<b>P</b>	<b>P</b>	<b>P</b>	Drive thru by CUP
Restaurants, Bars <10,000 sq. ft.	<b>P</b>	<b>P</b>	<b>P</b>	<b>P</b>	<b>CUP</b>	
Restaurants, Bars >10,000 sq. ft.	<b>CUP</b>	<b>P</b>	<b>CUP</b>	<b>P</b>	<b>CUP</b>	

**CHAPTER 5: USE STANDARDS**

Section 5.1 Use Table

Subsection (A) Explanation of Use Table Structure

Retail Sales <10,000 sq. ft.	<b>P</b>	<b>P</b>	<b>P</b>	<b>P</b>	<b>P</b>	
Retail Sales >10,000 sq. ft.	<b>CUP</b>	<b>CUP</b>	<b>CUP</b>	<b>P</b>	<b>CUP</b>	
Retail with Service	<b>CUP</b>	<b>P</b>	<b>P</b>	<b>P</b>	<b>P</b>	
Specialty Eating Establishments <10,000 sq. ft.	<b>P</b>	<b>P</b>	<b>P</b>	<b>P</b>	<b>CUP</b>	
Vehicle Fuel Sales				<b>CUP</b>		
Veterinary Facilities <10,000 sq ft		<b>CUP</b>	<b>CUP</b>	<b>CUP</b>	<b>CUP</b>	No outdoor uses
<b>Industrial Uses</b>						
Industrial PUD			<b>PUD Only</b>		<b>PUD Only</b>	
<b>Civic &amp; Institutional Uses</b>						
Clinics/Medical Services		<b>CUP</b>	<b>CUP</b>	<b>P</b>	<b>P</b>	
Public Buildings or Uses (incl. public parks)	<b>P</b>	<b>CUP</b>	<b>P</b>	<b>CUP</b>	<b>CUP</b>	
Schools Pre-K-12		<b>CUP</b>	<b>CUP</b>	<b>CUP</b>		



Section 5.3(D)(14):  
Drive Through  
Service

2. Site lighting shall utilize fixtures similar in style to that designated by the City for use in public areas of the “CCD” district.
3. The building, site, and signage meet the standards for the “CCD” district and design review is conducted by the Planning Commission.
4. Drive through facilities comply with the requirements of Section 5.3(D)(14).
5. The proposed use demonstrates compatibility and consistency with the City’s Comprehensive Plan and the Downtown Revitalization Plan.

**(27) Retail Commercial Uses (Other)**

- (a)** If the retail sales includes consignment sales, the following standards shall apply:
  - (i)** Sales and storage shall not exceed 1,000 square feet in area.
  - (ii)** At least 80% of the sales shall be of consigned merchandise.
  - (iii)** No auctions shall take place on the premises.
  - (iv)** There shall be no outside storage.
- (b)** In the CCD, F-2 sub-district, the following conditions shall apply to retail sales in buildings having a retail floor area greater than 10,000 square feet:
  - (i)** Building architecture shall be designed to vary façade height, fenestration, and other details to provide the appearance of several smaller retail buildings, rather than a single large structure.
  - (ii)** Parking shall be oriented to wrap around buildings, rather than be located entirely in the front of the building.
- (c)** In the CCD, F-2 sub-district, the following conditions shall apply to retail sales accessory services:
  - (i)** Accessory service shall occupy no more than 40 percent of the main floor of any building.
  - (ii)** Service may include activities that support the retail sales of goods on the premises, including repair, fabrication, rental, assembly, shipping, or similar activities.
  - (iii)** Service activities may occur as an entity separate from retail sales, but shall meet the requirements of this section.

**CHAPTER 8: RULES & DEFINITIONS**

Section 8.4 Definitions

Subsection (B) Lots

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**RECREATIONAL VEHICLE CAMP SITE:** A lot or parcel of land occupied or intended for occupancy by recreational vehicles for travel, recreational, or vacation usage for short periods of stay subject to the provisions of this ordinance.

**RECYCLING AND SALVAGE CENTER:** A facility engaged solely in the storage, processing, resale, or reuse of recyclable and recovered materials.

**REGIONAL FLOOD:** A flood which is representative of large floods known to have occurred generally in Minnesota and reasonably characteristic of what can be expected to occur on an average frequency in the magnitude of the 100-year recurrence interval. Regional flood is synonymous with the term "base flood" used in the Flood Insurance Study.

**REGULATORY FLOOD PROTECTION ELEVATION:** The regulatory flood protection elevation shall be an elevation no lower than one foot above the elevation of the regional flood plus any increases in flood elevation caused by encroachments on the flood plain that result from designation of a floodway.

**REPAIR ESTABLISHMENT:** An establishment primarily engaged in the provision of repair services for TV's, bicycles, clocks, watches, shoes, guns, canvas products, appliances, and office equipment; including tailor; locksmith; and upholsterer.

**RESTAURANT:** An establishment where meals or prepared food, including beverages and confections, are served to customers for consumption on or off the premises. Such a facility may include indoor and outdoor seating and/or drive through services.

**RETAIL COMMERCIAL USES (OTHER):** Establishments primarily engaged in the sale of goods and materials to the general public not otherwise specifically defined in code. Retail commercial uses may include by are not limited to bookstores, antique stores, grocery stores and similar uses; but do not include sales from moveable motorized vehicles.

**RIVER, AGRICULTURAL:** Rivers that run through intensively cultivated areas, mainly in the southern and western area of Minnesota.

**RIVER, FORESTED:** Rivers that are in forested, sparsely to moderately populated areas with some roads; typically found in northeast, southwest and north-central Minnesota

**RIVER, REMOTE:** Rivers that are primarily in roadless, forested, sparsely populated areas in northeastern Minnesota.

**RIVER, TRANSITION:** Rivers that are in a mixture of cultivated, pasture and forest lands.