

## **SECTION 10. GENERAL BUSINESS (B) DISTRICT**

### **SUBDIVISION 1. PURPOSE**

The General Business (B) District is established for areas that allows for a wide range of services and goods in compact and convenient limited highway-oriented businesses which are close to existing urban areas or major transportation routes. Such business developments are to be developed at standards that will not impair the traffic carrying capabilities of abutting roads and highways.

### **SUBDIVISION 2. PERMITTED USES**

The following uses shall be permitted within the General Business (B) District.

- A. Agriculture.
- B. Bowling alleys.
- C. Drive-in restaurants, drive-in theaters or similar uses that provide goods and services to patrons in automobiles.
- D. Florist shops, greenhouses and nurseries.
- E. Motel and Hotels.
- F. Professional, governmental offices and buildings.
- G. Restaurants.
- H. Retail sales and service.
- I. Wireless Telecommunications Service Antenna when located on existing towers.
- J. Antique sales, service and restoration.
- K. Seasonal produce stand.
- L. Sporting goods establishments, outfitters and bait shops.
- M. Building materials and sales.
- N. Self-Service Storage Facilities.
- O. Public Utility and Service Structures.

P. Small Solar Energy System.

Q. Grading, excavating or filling activities involving the movement of fifty (50) cubic yards or less of material that is not in connection with another permitted use. Activities associated with maintenance or improvement of public roads are exempt.

<b>Permitted Use</b>	<b>Permitted Use with Land Alteration(s) Plan</b>	<b>Land Alteration(s) Plan Requirements</b>
< 5 cubic yards within Bluff Impact Zone	<b>5-10</b> cubic yards within Bluff Impact Zone	Scaled site plan w/2-foot contours depicting existing and proposed topography. As-Built upon completion.
< <b>25</b> cubic yards outside Bluff Impact Zone	<b>25-50</b> cubic yards outside Bluff Impact Zone	<p><b><u>Parcels &lt; 5 acres:</u></b> Scaled site plan w/ 2-foot contours depicting existing and proposed topography. As-Built upon completion.</p> <p><b><u>Parcels 5-20 acres:</u></b> Scaled site plan w/ 5-foot contours depicting existing and proposed topography. As-Built upon completion.</p> <p><b><u>Parcels &gt; 20 acres:</u></b> Scaled site plan w/ 10-foot contours depicting existing and proposed topography. As-Built upon completion.</p>

**SUBDIVISION 3. CONDITIONAL USES**

The following uses shall be allowed in the General Business (B) District as Conditional Uses.

- A. Off-sale liquor stores.
- B. Taverns.
- C. Open and outdoor storage, sales and service.
- D. Animal hospitals and veterinary clinics and related facilities for the care and breeding of animals including kennels.

- E. Agriculture and Industrial machinery sales and service.
- F. Auditoriums.
- G. Automobile Sales, Service Stations and Repair.
- H. Medical Clinics and Hospitals.
- I. Car Washes.
- J. Commercial Orchards.
- K. Contractors and Construction Companies along with Shops and Yards.
- L. One (1) Temporary Dwelling for watchmen, supervisors, and their families, located on the premises where they are employed in such capacity provided the dwelling is under the same ownership as the principal use.
- M. Mineral Extraction.
- N. Winery.
- O. Indoor/Outdoor Commercial Recreational Area.
- P. Adult Uses.
- Q. Special Events.
- R. Non-Commercial Wind Energy Conservation Systems.
- S. Platted Business Subdivisions.
- T. Other business activities similar to those listed under the permitted uses in this Section and deemed suitable by the Department or appeals process and subject to all conditions imposed thereon.
- U. Off Premises Signs/Billboards.
- V. Illuminated Signs.
- W. Large Solar Energy System.
- X. Grading, excavating or filling activities within the bluff.

- Y. Grading, excavating or filling activities involving the movement of more than (50) fifty cubic yards of material that is not in connection with another permitted use. Activities associated with maintenance or improvement of public roads are exempt.

Conditional Use	Conditional Use Requirements
<p>&gt;10 cubic yards within Bluff Impact Zone</p>	<p>Scaled site plan w/2-foot contours depicting existing and proposed topography. As-Built upon completion.</p> <p><b>Site Plan(s) and As-Built completed by a surveyor or engineer.</b></p>
<p>&gt;50 cubic yards outside Bluff Impact Zone</p>	<p><b><u>Parcels &lt; 5 acres:</u></b> Scaled site plan w/ 2-foot contours depicting existing and proposed topography. As-Built upon completion.</p> <p><b><u>Parcels 5-20 ac:</u></b> Scaled site plan w/ 5-foot contours depicting existing and proposed topography. As-Built upon completion.</p> <p><b><u>Parcels &gt; 20 ac:</u></b> Scaled site plan w/ 10-foot contours depicting existing and proposed topography. As-Built upon completion.</p> <p><b>Site Plan(s) and As-Built completed by a surveyor or engineer.</b></p>

**SUBDIVISION 4. PERMITTED ACCESSORY USES AND STANDARDS**

The following uses shall be permitted accessory uses within the General Business (B) District.

**A. ACCESSORY STRUCTURES**

1. In the General Business (B) District that have lot sizes less than five (5) acres shall conform to the following structure areas and maximum structure heights.

Lot Size	Maximum Structure Area	Maximum Structure Height
Less than 1 acre	2,000 square feet	20 feet
1-1.99 acres	3,600 square feet	20 feet
2-4.99 acres	4,000 square feet	25 feet

2. Outside wall dimensions shall be used to determine maximum structure area, except where a roof projects out further than two (2) feet from the sidewall; roof area shall be used to determine maximum structure area.

3. No accessory structures shall be constructed or developed on a lot prior to construction of the principal structure.
4. Commercial or business structures for use accessory to the principal use but not exceeding thirty (30) percent of the floor space of the principal use and meeting all other setback and parking requirements of this section.

#### B. SEPARATION REGULATIONS

1. In case an accessory structure is attached to the principal structure, it shall be made structurally a part of the principal structure and shall comply in all respects with the requirements of this Ordinance applicable to the principal structure.
2. An accessory structure shall not be closer than five (5) feet to the principal structure.
  - a. In case an accessory structure is attached to the principal structure, it shall be made structurally a part of the principal structure and shall comply in all respects with the requirements of this Ordinance applicable to the principal structure.

#### C. SWIMMING POOL. PERMANENT

1. No pool shall be located within ten (10) feet of a septic tank.~~/drain field.~~
2. No pool shall be located within twenty (20) feet of a septic drain field.
3. No pool shall be located beneath overhead electrical lines or over underground utility lines of any type.
4. No pool shall be located within any private or public utility, walkway, drainage, or other easement.
5. Lighting for the pool shall be oriented so as not to cast light onto adjacent properties.
6. A fence of at least five (5) feet in height shall completely enclose the pool area and the access to the pool area shall be controlled.

#### D. DRAINAGE

Adequate drainage shall be provided and the drainage shall be directed away from adjacent private property.

#### E. PARKING

Off-street parking and loading.

#### F. LANDSCAPING AND SCREENING

## G. PERMITTED SIGNAGE

### 1. **Ground/Pylon Signs**

- a. The maximum height of a sign is thirty (30) feet.
- b. No more than one (1) ground/pylon sign shall be permitted per every thirty five (35) lineal feet of road frontage.
- c. The square foot area of such signs shall not exceed two hundred (200) square feet.
- d. Ground/pylon signs shall be set back a minimum of ten (10) feet from property lines and/or right-of-way.

### 2. **Wall signs**

- a. Wall signs on any structure shall not exceed twenty (20) percent of the wall area.
- b. Wall signs shall not project above the roof level.

### 3. **Electronic Messageboard Signs/Dynamic Signs**

- a. Shall not flash.
- b. Any portion of the sign display shall be a minimum duration of ten (10) seconds and must be a static image.
- c. Lighting shall comply with the exterior lighting standards of this Section.

### 4. **Electronic Graphic Display Signs**

- a. Shall not flash.
- b. Any portion of the sign display shall be a minimum duration of ten (10) seconds and must be a static image.
- c. The sign shall not exceed illumination levels of five thousand (5,000) candela per square meter (NITS) between dusk and dawn and five hundred (500) NITS during the daytime.
- d. Lighting shall comply with the exterior lighting standards of this Section.

H. Other accessory uses customarily incidental to the uses permitted in Subdivision 2 and 3 of this Section.

## **SUBDIVISION 5. DIMENSIONAL REGULATIONS**

### **A. SETBACK EXEMPTIONS/STRUCTURE EXPANSIONS**

- ~~1. Where proposed additions do not encroach further into the front, side, or rear yard than the existing structure, such additions will be permitted provided the use and the structure are in conformance with the following restrictions:~~
  - ~~a. The use of the structure is conforming to the zoning district in which it is located.~~
  - ~~b. The expansion of the structure shall not be located closer to the property line than the existing building line, and at least one-half of the required setback is provided between the building line of the expansion and the lot line.~~
  - ~~c. The expansion of the structure will not reduce any other required setback below the minimum standards of this Ordinance.~~
  - ~~d. The expansion of the structure will conform to all other restrictions of this Ordinance, including but not limited to, density, lot coverage, and structure height.~~
  - ~~e. The height of the expansion shall not be greater than the existing structure at the existing building line.~~

### **B. FRONT YARD SETBACKS**

1. There shall be a front yard setback of not less than one hundred (100) feet from any right-of-way.
2. When a lot is located at the intersection of two (2) or more roads, there shall be a front yard setback on each road right-of-way.
3. All components of an onsite Subsurface Sewage Treatment System (SSTS) shall be twenty (20) feet from all road right-of-ways.
4. All components of an onsite Subsurface Sewage Treatment System (SSTS) for a non-conforming Lot of Record shall be ten (10) feet from all road right-of-ways.
5. The required front yard of a corner lot shall be unobstructed above a height of three (3) feet in a triangular area, two (2) sides of which are the lines running parallel along the right of way lines between the road intersection and a point fifty (50) feet from the intersection, and the third side of which is the line between the latter two (2) points.
6. No trees or shrubs shall be planted within ten (10) feet from any right-of-way.

### C. SIDE YARD SETBACKS

There shall be a minimum side yard setback of not less than fifteen (15) for all structures.

### D. REAR YARD SETBACKS

1. All principal structures shall have a rear yard setback of not less than forty (40) feet.
2. All accessory structures shall have a rear yard setback of not less than ten (10) feet
3. No structures shall be located within fifty (50) feet of any Residential or Agricultural District.

### E. BLUFF SETBACKS

1. All structures shall be set back from the top and/or toe of the bluff:
  - a. Thirty (30) feet for bluffs with slopes eighteen (18) to thirty (30) percent.
  - b. Fifty (50) feet for bluffs with slopes greater than thirty (30) percent,
  - c. **Existing Building Sites**. All structures shall be set back thirty (30) feet from the top or toe of the bluff.
2. SSTS shall be set back thirty (30) feet from the top or toe of the bluff.
  - a. For an existing dwelling, SSTS upgrade and/or replacement tank(s):
    1. Shall be exempt from bluff setback.
    2. May be located within the bluff impact zone.
    3. Shall not be located within the bluff.
3. If the adjacent bluff is actively eroding, the Department may increase the setback requirement.
4. Structures and accessory facilities, except stairways and landings, must not be placed within bluff impact zones.

### F. WETLAND SETBACKS

All structures shall be setback a minimum of seventy five (75) feet from the wetland boundary of any Type three (3) through eight (8) wetland.

### G. ADDITIONAL SETBACKS

1. When more than one (1) setback applies to a site, structures must be located to meet all setbacks.



2. All structures shall be setback fifty (50) feet from a cemetery.

#### H. LOT AREA

The minimum lot area shall contain an area of not less than forty thousand (40,000) square feet.

#### I. LOT WIDTH

Every lot or tract shall have a width of not less than seventy five (75) feet abutting a public right-of-way.

#### J. BUILDABLE LOT STANDARDS

1. A Lot of Record, or other lot, tract, or parcel legally recorded with the County Recorder that meets the requirements of this Ordinance and which has frontage on an improved and maintained public road, or an approved and maintained private road or easement is considered a buildable lot. The buildable lot shall have the contiguous required lot area of which not more than ten (10) percent is comprised of:
  - a. Area of a slope in excess of eighteen (18) percent.
  - b. An impact zone.
  - c. Floodplain.
  - d. Wetlands.
2. Each new building site created after the adoption of this ordinance must have a minimum of 40,000 square feet of contiguous buildable lot area.
- ~~3. Each new building site created after January 23, 1996 must have sufficient area for a minimum of two (2) onsite sewage treatment systems.~~
3. All lots created after January 23, 1996 must have a minimum of two (2) soil treatment and dispersal areas that can support Type 1 systems as described in Minnesota Rules, Chapters 7080 through 7083, as amended from time to time.
4. Lots of Record that are substandard in area must conform to all other applicable regulations herein to qualify for placement of a structure.

#### K. LOT COVERAGE

Not more than fifty (50) percent of the lot shall be covered by impervious surface.

#### L. HEIGHT

1. No structure shall hereafter be erected or structurally altered to exceed three (3) stories or forty five (45) feet in height.

2. For parcels greater than five (5) acres, there shall be a maximum height limitation of one hundred and fifty (150) feet on all structures. Any structure including but not limited to tower, spire and similar type structure, only after obtaining a letter of clearance from the Federal Aeronautics Administration and the Airport Commission for any airport located within ten (10) miles of the structure proposed to exceed the height limitation.

#### M. STRUCTURE AREA

Outside wall dimensions shall be used to determine maximum structure area, except where a roof projects out further than two (2) feet from the sidewall; roof area shall be used to determine maximum structure area.

#### **SUBDIVISION 6. ACCESS DRIVES, ACCESS AND SERVICE ROADS**

- A. Access drives onto any public roads shall require a review by the Road Authority. The Road Authority shall determine the appropriate location, size, and design of such access drives along public roads and may limit the number of access drives in the interest of public safety and efficient traffic flow.
- B. Access drives shall be constructed and maintained to meet all of the following:
  1. A minimum driving surface width of fourteen (14) feet.
  2. Inslope no greater than 4 to 1, as measured horizontal to vertical.
  3. Base material depth sufficient to support access by emergency vehicles.
  4. Unobstructed width of not less twenty (20) feet.
  5. Unobstructed vertical clearance of not less than thirteen (13) feet, six (6) inches.
- C. Access drives in excess of one hundred fifty (150) feet in length shall provide a minimum turn-around of sixty (60) feet in width by sixty (60) feet in length.
- D. Access drives shall have a twenty (20) foot long flat grade directly adjacent to the road that the drive accesses.
- E. All lots or parcels with dwellings shall have direct physical access of adequate size for emergency vehicles along the frontage of the lot or parcel from either an existing or dedicated public roadway.
- F. A service road shall be constructed when two (2) or more General Business (B) properties are contiguous and when required by the Road Authority.
- G. Access drives shall not be located within the bluff impact zone.

**SUBDIVISION 7. GENERAL REGULATIONS**

A. All land uses and development shall follow all other applicable regulations of this Ordinance.