

SECTION 534 - GENERAL BUSINESS DISTRICT (C-2)

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SECTION 534 - GENERAL BUSINESS DISTRICT (C-2)
(ADDED, BILL NO. 2007-19)

534.01. Purpose. The C-2 General Commercial District allows a wide variety of retail and service businesses that may serve a trade area encompassing Richfield and beyond. Despite the commercial nature of these land uses, the City expects them to have an attractive appearance from all sides, to be compatible with nearby residential properties, to minimize adverse effects on surface waters, and to not significantly degrade the level of service or safety on nearby roads.

534.03. Permitted uses. Subdivision 1. The uses listed in this Subsection are permitted uses in the C-2 District.

Subd. 2. Shopping centers or similar multi-tenant developments with 100,000 square feet or less of gross floor area.

Subd. 3. Retail, service, and office uses with 50,000 square feet or less of gross floor area (excluding those uses listed in Subsections 512.07 and 534.07 of this code). Permitted uses may exceed the 50,000 square foot size limitation if located within a shopping center or other multi-tenant building.

Subd. 4. Class IV (take-out only) restaurants that do not provide drive-up window service.

Subd. 5. Licensed day care businesses.

Subd. 6. Governmental buildings and public libraries.

Subd. 7. Public or private elementary and high schools, and other similar learning institutions.

Subd. 8. Religious institutions and related convents or parsonages.

Subd. 9. Adult business establishments as defined and regulated under Section 1196 of the City Code.

534.05. Accessory uses. Subdivision 1. The uses listed in this Subsection are allowable accessory uses in the C-2 District.

Subd. 2. Assembly, light manufacturing, or warehouse operations incidental to a permitted or conditional use, provided such use occupies not more than 50 percent of the gross floor area of the principal building or not more than 2,000 square feet, whichever is greater.

Subd. 3. Enclosed storage incidental to a permitted or conditional use, provided such use occupies no more than 30 percent of the gross floor area of the principal building.

Subd. 4. One accessory building which is 750 square feet or less in gross floor area. In addition to the general accessory building provisions of Subsection 509.09, accessory buildings must meet the following criteria:

- a) In the case of a corner lot, no accessory building shall be located in the yard area between the principal building and either street; and
- b) The architectural design and building materials of an accessory building shall be complimentary to the principal building.

Subd. 5. Roof-mounted television antennas

Subd. 6. Satellite dish antennas mounted on the outside of a building.

Subd. 7. Minor public utilities.

534.07. Conditional uses. Subdivision 1. The uses listed in this Subsection are conditional uses in the C-2 District, and are subject to the conditional use permit provisions outlined in Section 547.09 of this code.

Subd. 2. Shopping centers or similar multi-tenant developments with over 100,000 square feet of gross floor area.

Subd. 3. Retail, service, and office uses with over 50,000 square feet of gross floor area, unless located within a shopping center or other multi-tenant development.

Subd. 4. Funeral homes, provided the lot abuts an arterial or collector street.

Subd. 5. Theaters, provided the following conditions are met:

- a) For theaters located within shopping centers or otherwise utilizing a shared parking arrangement, the applicant shall submit an analysis of parking demand versus availability for review and approval (additional parking may be required based on this review); and
- b) Free standing theaters shall only be permitted when it can be demonstrated that vehicular ingress and egress may be accomplished without creating undue traffic congestion on area roadways.

Subd. 6. Class I (full service) restaurants and Class II (traditional/cafeteria) restaurants, provided that alcoholic beverages not be served unless the lot abuts an arterial or collector street.

Subd. 7. Class III restaurants (fast food/convenience/drive-in) and all other uses which provide drive-up window or teller service, provided the following conditions are met:

- a) Queuing space for at least four cars (70 feet) shall be provided per drive-up service lane, as measured from but not including the first drive-up service window, teller or order station. Such queuing space shall not interfere with parking spaces or traffic circulation;
- b) Any drive-up service window, teller or order station, or exterior loudspeaker shall be located at least 150 feet from any residential parcel;
- c) Exterior speakers shall comply with the noise control limits set by Section 930 of the City Code;
- d) The applicant shall demonstrate that such use will not significantly lower the existing level of service on streets and intersections; and
- e) Alcoholic beverages shall not be served.

Subd. 8. Hotels and motels, provided the following conditions are met:

- a) A buffer yard of not less than 35 feet in width shall be provided to separate all aspects of such use from abutting residential parcels -- the Council may reduce this requirement to not less than 25 feet if significant additional landscaping and berming are provided to screen the hotel/motel use; and
- b) Access to the site shall be only from arterial or collector streets.

Subd. 9. Hospitals and 24-hour urgent care clinics, provided the following conditions are met:

- a) The use site shall abut an arterial or collector street; and
- b) A buffer yard of not less than 25 feet in width shall be provided to separate all aspects of such use from any abutting parcel.

(Amended, Bill No. 2011-13)

Subd. 10. New auto or boat sales or lease businesses, provided the following conditions are met:

- a) The business shall be licensed under Section 1155 of the City Code;
- b) The use site shall not abut a lot which is in the R or R-1 District. For the purpose of this subdivision, a lot that merely adjoins the use site at one corner shall not be deemed to abut the use site;

- c) A buffer yard of not less than 15 feet in width shall be provided to separate all aspects of such use from abutting parcels;
- d) Landscaping for the site, including display areas, shall comply with the Performance Standards described in Section 544 of this code;
- e) Used auto or boat sales shall be permitted only as an integral part of a new auto or boat sales business (from the same land parcel and in close proximity to the new cars or boats).
- f) Inoperable vehicles shall not be stored on the premises, except in appropriately designed and screened areas as approved by the City;
- g) Parking of vehicles for sale or lease on public right-of-way shall be prohibited;
- h) All repair, assembly, disassembly, maintenance, and detailing of vehicles shall occur within an enclosed building, except minor maintenance such as tire inflation or adding windshield wiper fluid; and
- i) Any exterior speaker shall comply with the noise control limits set by Section 930 of the City Code.

Subd. 11. Service station or service station / convenience store provided the following conditions are met:

- a) The business shall be subject to the provisions of Section 1150 (Gasoline Service Stations) of the City Code;
- b) The use site shall not be located within 300 feet of the grounds of a school, church or hospital;
- c) If the use site abuts a residentially zoned lot, a buffer yard of not less than 25 feet in width and 75% all-season opacity from the ground to a height of six feet shall be provided to separate all aspects of such use from abutting residential parcels. The Council may reduce this requirement to not less than 15 feet if significant additional landscaping and fencing, with 100% all-season opacity, is provided to screen the service station use;
- d) A buffer yard of not less than ten feet in width shall be provided to separate all aspects of such use from abutting non-residential parcels;
- e) Vehicles that are waiting for repair shall be stored in appropriately designed and screened areas as approved by the City;
- f) Any repair, assembly, disassembly, or maintenance of vehicles shall occur within an enclosed building, except minor maintenance such as tire inflation, adding oil, or adding windshield wiper fluid;

- g) The minimum frontage on any street shall be 120 feet and the minimum area of the site shall be 12,000 square feet;
- h) Any exterior speaker shall comply with the noise control limits set by Section 930 of the City Code;
- i) Queuing space of at least 20 feet shall be provided in front of the pump island in each direction in which access can be gained to the pump -- this required space shall not interfere with internal circulation patterns or with designated parking areas, and shall not be permitted in any public right-of-way, private easement, or within the required parking lot setback;
- j) Pump islands shall be located not less than 20 feet from any property line;
- k) If the use is not located on a County road or State highway, it shall not be operated between the hours of 11:00 p.m. and 6:00 a.m.; and
- l) Canopies shall comply with the following regulations:
 - (i) The canopy may extend up to twelve feet beyond the center line of the pump island toward the street, but in no instance shall a canopy be located closer than six feet from any lot line;
 - (ii) Only one canopy shall be permitted per station, unless the station is located on a corner lot, in which case two canopies may be permitted;
 - (iii) The canopy shall be at least 14 feet in height, but not greater than 16 feet in height;
 - (iv) No signage of a permanent or temporary nature may be placed on a canopy; and
 - (v) All canopy lighting shall be recessed into the canopy ceiling.

Subd. 12. Auto mechanical or body repair shops, provided the following conditions are met:

- a) The use site shall not be located within 300 feet of the grounds of a school, church or hospital;
- b) If the use site abuts a residentially zoned lot, a buffer yard of not less than 25 feet in width and 75% all-season opacity from the ground to a height of six feet shall be provided to separate all aspects of such use from abutting residential parcels. The Council may reduce this requirement to not less than 15 feet if significant additional landscaping and fencing, with 100% all-season opacity, is provided to screen the auto mechanical or body repair shop use; (Amended, Bill No. 1996-7, Sec. 2)
- c) A buffer yard of not less than 15 feet in width shall be provided to separate all aspects of such use from any abutting parcel;

- d) Vehicles that are inoperable shall not be stored on the premises, except in appropriately designed and screened areas as approved by the City. In accordance with Section 1320 of the City Code, inoperable vehicles cannot be stored on any property for more than 96 hours;
- e) Vehicles that are waiting for repair shall be stored in appropriately designed and screened areas as approved by the City;
- f) If the use is not located on a county road or state highway, it shall not be operated between the hours of 11:00 p.m. and 6:00 a.m.; and
- g) All repair, assembly, disassembly, and maintenance of vehicles shall occur within an enclosed building, except minor maintenance such as tire inflation or adding oil or windshield wiper fluid.

Subd. 13. Auto detailing businesses licensed under Section 1195 of the City Code.

Subd. 14. Car washes licensed under Section 1125 of the City Code.

Subd. 15. Accessory car washes, provided the following conditions are met:

- a) A buffer yard of at least 15 feet in width shall be provided to separate such car wash facilities and related queuing areas from any abutting residential parcel or street right-of-way;
- b) Queuing space for at least six cars (105 feet) shall be provided, as measured from but not including the wash station. Such queuing space shall not interfere with parking spaces or traffic circulation;
- c) The car wash and site shall be designed to prevent icing and muddying of public streets;
- d) The driveway between the exit door of the car wash and the street right-of-way shall be at least 40 feet in length; and
- e) The car wash shall comply with the noise control limits set by Section 930 of the City Code.

Subd. 16. Pawn operations, secondhand goods operations that require a license under Section 1186 or 1187 of the City Code, auction houses, and consignment auction houses, provided the following conditions are met:

- a) Such uses shall be located not less than 250 feet from residentially zoned property;
- b) The business operator shall secure all applicable licenses and approvals from the City, County, State, or other applicable jurisdictions before the conditional use permit shall become effective;

- c) Such uses shall be contained within a completely enclosed building, and no outside storage, display, or sale of merchandise shall be permitted;
- d) Exterior loudspeakers or public address systems shall not be audible from any residential parcel;
- e) Auction houses and consignment auction houses shall have designated on-site loading and drop-off areas which are designed to avoid interfering with traffic and pedestrian movements;
- f) Such uses that were legally established on or before November 22, 1993 shall be classified as legal nonconforming uses, and subject to the provisions of Subsection 509.25 of this code.

Subd. 17. Firearms-related uses provided the following conditions are met:

- a) Such uses shall be licensed under Section 920 of the City Code;
- b) Such uses shall be located not less than 300 feet from any school, church, daycare center, public library, or governmental building;
- c) Such uses shall be located not less than 1,000 feet from other gun or ammunition sales/repair businesses or firearms related uses;
- d) Such uses shall be located not less than 100 feet from residentially zoned property;
- e) Firearms-related uses shall not operate before 8:00 a.m. or after 9:00 p.m.;
- f) Firearms-related uses shall only be allowed within an enclosed structure that is soundproofed to prevent the sound to be heard by persons on adjoining property;
- g) No firearms-related use shall be allowed in a trailer or other non-permanent building;
- h) Any firing-range existing in the City on or prior to January 1, 2004 shall be allowed to continue;
- i) The design and construction of any firearm-related use shall totally confine all ammunition rounds within the building and in a controlled manner. The design and construction of the firing range shall be certified by a registered architect and engineer in the State of Minnesota. The certified plans shall include the specifications and construction of the bullet trap(s), ceilings, exterior and interior walls, and floors. The certified plans shall state what type and caliber of ammunition the range is designed to totally confine;
- j) No ammunition shall be used in any firearms-related use that exceeds the certified design and construction specifications of the firing range;

- k) A written log of users of any firing range or other firearms-related use shall be maintained by the range operator. The log shall include the name and address of the range user, and the time and date the user was in the range. The name and address of the user shall be verified by photo identification;
- l) An alarm system, cut wire protected, shall be supplied to provide security for a building containing any firearm-related use;
- m) Firearms that are stored on the premises shall be stored in a vault when the range is closed for business. An alarm system, independent of the general alarm system and cut wire protected, shall be supplied for the firearm vault;
- n) Ammunition shall not be stored in the firearm vault;
- o) On site supervision at any firearm-related use shall be supplied at all times by an adult with credentials as qualified range master;
- p) An outside security plan for the general grounds of any firearm-related use shall be submitted to the City Manager or designee for review and approval;
- q) The transport of firearms on the premises shall conform to State Law;
- r) Minors shall not be allowed in any firearm-related use unless accompanied by an adult at all times. This provision shall not be interpreted to prohibit minors from participating in a firearm safety class, which is supervised by an adult instructor; and
- s) The Council reserves the authority to review or modify the performance standards for the range.

Subd. 18. Tattoo establishments, provided the following conditions are met:

- a) Such uses shall be licensed under Section 630 of the City Code;
- b) Such uses shall be located not less than 100 feet from any residentially zoned property;
- c) Such uses shall be located not less than 350 feet from any school, church, park, day care center, or public library;
- d) Such uses shall be located not less than 350 feet from any establishment selling and/or serving alcoholic beverages;
- e) Such uses shall be located not less than 100 feet from the right-of-way of an entry street to the City. For purposes of this subdivision, an entry street is defined as Penn Avenue, Lyndale Avenue, Nicollet Avenue, Portland Avenue, Cedar Avenue and 12th Avenue; and
- f) Such uses shall be located not less than 1,000 feet from other tattoo establishments.

Subd. 19. Emergency shelters within non-residential buildings (e.g., schools or churches) provided the following conditions are met:

- a) The shelter shall serve no more than 16 persons at one time; and
- b) Meals for those served by the shelter shall be prepared in a kitchen approved for commercial use.

Subd. 20. Cemeteries (may include mausoleums and crematories) that comply with the R District provisions and requirements, as set out in Section 514.07, Subd. 6 of this code.

Subd. 21. Apartments within commercial buildings.

Subd. 22. Telecommunications towers in conformance with Section 544.25 of this Code.

Subd. 23. Major public utilities.

Subd. 24. Accessory outdoor animal relief area to animal kennel, provided the following conditions are met:

- a) The outdoor relief area shall not be located in the front yard;
- b) The outdoor relief must meet setback requirements;
- c) The outdoor relief area shall be screened from view of neighboring properties as approved by the City;
- d) The outdoor relief area shall be for the use of dogs only;
- e) No dogs shall remain unattended in the outdoor relief area;
- f) The outdoor relief area shall not be used as an outdoor kennel, animal run, animal play area or any other use not specifically identified in the conditional use permit;
- g) The outdoor relief area shall be maintained in a clean and sanitary condition at all times;
- h) Solid waste material shall be removed a minimum of once per day and disposed of in a sanitary manner; and
- i) If required by the Public Works Department, a filtration bed shall be constructed to ensure that liquid waste will not enter into the ground or the City's storm water system.

(Added, Bill No. 2011-19)

534.09. Prohibited uses. Subdivision 1. Prohibited uses are listed in Section 512.07.

Subd. 2. Any land use not listed as Permitted, Accessory or Conditional in this section or Subsection 512.07 is prohibited in the C-2 District unless the use is found to be

substantially similar to a use listed, as determined by the City in accordance with Subsection 509.23 of this code.

534.11. Dimensional requirements. Subdivision 1. The following dimensional requirements apply to the C-2 District. All dimensions are in feet unless otherwise indicated.

Minimum lot width	Interior lot: 75	Corner lot: 90
Minimum lot area	9,000 square feet	
Maximum impervious surface coverage	85 percent	

Setbacks – building	Principal building	Accessory building
Front (see also Subd. 2)	35	35
Adjacent to arterial roads	See Subdivision 2	
Rear (see also Subd. 4)		
Adjacent to R, R-1 or MR-1 District	15	8
Adjacent to non-R, R-1 or MR-1 District	5	5
Street / corner side (but see Subd. 3)	25	25
Interior side (see also Subd. 4)		
Adjacent to R, R-1 or MR-1 District	15	8
Adjacent to non-R, R-1 or MR-1 District	0	0
Maximum building height (but see Subd. 5)	40	15
Story limitations	3 stories	1 story

Setbacks – parking	
Front (but see Subd. 6)	8
Street / corner side (but see Subd. 6)	8
Interior lot line	
Adjacent to R, R-1 District	15
Adjacent to non-R, R-1 District	5

(Amended, Bill No. 2011-13; 2011-19)

Subd. 2. Front setback reductions and maximums.

- a) The front setback requirement for a principal building on a lot may be reduced to no less than the average existing front setback of the existing principal building(s) abutting such lot, to a minimum of 30 feet, except when adjacent to a single-family house.
- b) The front setback requirement for a principal building on a lot located along an arterial road may be reduced to five (5) feet when a customer entrance is provided along that wall of the building. (Added, Bill No. 2011-19)
- c) The maximum front setback for a principal building on a lot located along an arterial road is 40 feet or the average setback of the existing principal building(s) abutting such lot, whichever is greater. In no case shall the front setback for a principal building exceed 60 feet. (Added, Bill No. 2011-19)

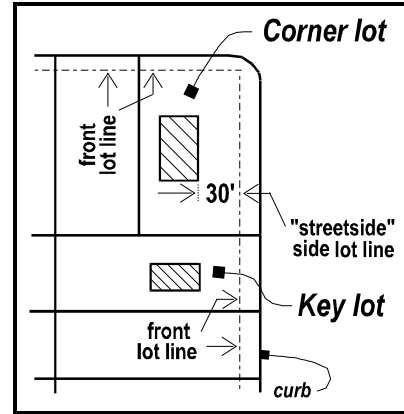


Figure 13

Subd. 3. Structures located on a corner lot that abuts a key lot. The side yard setback of a commercial building that abuts a “key lot” shall be equal to the front setback of the key lot. (See Figure 13.)

Subd. 4. Vehicle access door facing a side or rear lot line. Whenever any building (principal or accessory) is located in such a manner that a vehicle access door faces a side or rear lot line, such side or rear setback requirements shall be not less than 20 feet.

Subd. 5. Maximum height exception. The maximum height of principal buildings may be increased to 100 feet in the case of property located within the I-494 Corridor, defined as that area east of I-35W, west of trunk Highway 77, south of 77th Street, and north of 78th Street. (Added, Bill No. 1997-18)

Subd. 6. Parking lot setback reduction. All new parking lots shall locate 8 feet from the right-of-way. In cases where modifications are being made to an existing lot, the 8-foot setback may be reduced to 3 feet if the applicant can demonstrate that the greater setback is not possible due to site constraints and if the applicant is able to meet landscape requirements without the setback.

534.13. Other requirements. Subdivision 1. The following additional requirements apply to the C-2 District.

Subd. 2. Site plan review. All developments in the C-2 District are subject to Site Plan Review as described in Section 547.13.

Subd. 3. Performance standards. All developments shall be constructed and maintained in accordance with the applicable performance standards set out in Section 544 of this code.

Subd. 4. Signs. Signs within the C-2 District shall be regulated by Section 549 of this code.

Subd. 5. Design guidelines. All property located within a design district or corridor overlay district shall be subject to such district's additional requirements and/or modifications.