

## CHAPTER 24 - C-3, HIGHWAY COMMERCIAL DISTRICT

### SECTION

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#### **24.01: PURPOSE.**

The purpose of the Highway Commercial District is to accommodate the type of businesses which are oriented to the traveling public and require highway access and adequate vehicle parking. The businesses located in this district include those that benefit from access and visibility from the Highways 127 & 27 corridors, CSAH 3 & 51 corridors and future arterial highways.

#### **24.02: PERMITTED USES.**

Subject to applicable provisions of this Ordinance, the following are permitted uses in a C-3 District:

- A. General Retail Sales and Services that include the retail sale of new products or the provision of services to the general public that produce minimal off-site impacts. General retail sales and services include the following uses:
  - 1. Antiques and collectibles
  - 2. Automobile parts and accessories
  - 3. Bakery / catering service
  - 4. Barber shop / beauty salon
  - 5. Bookstore
  - 6. Bicycle sales and repair
  - 7. Clothing and accessories
  - 8. Department and discount stores
  - 9. Drug store
  - 10. Dry-cleaning establishment
  - 11. Electronics sales and repair
  - 12. Film developing / photographic supplies
  - 13. Florist
  - 14. Hardware store

15. Household furnishings and appliances
  16. Locksmith
  17. Musical instruments
  18. Office and school supplies
  19. Pet Store
  20. Picture framing
  21. Shoe repair / tailor
  22. Sporting goods / bait and tackle
  23. Videos Store
- B. Grocery store or market
  - C. Repair and maintenance services for small consumer electronics, household goods, bicycles and apparel
  - D. Professional offices and professional services, including but not limited to: financial institutions, accounting and attorney firms, real estate firms and chiropractic clinics
  - E. Building material sales and contractor (lumber) yards
  - F. Furniture Store
  - G. Garden Supply Store
  - H. Medical, optical and dental services
  - I. Beauty shops/salons and barber shops
  - J. Coffee shops, cafes and delicatessens
  - K. Eating and drinking establishments
  - L. Bowling allies, pool halls, video game arcades
  - M. Community/governmental buildings and public parks
  - N. Housing above the first floor, providing the lower level commercial use(s) are compatible with residential uses above
  - O. Automotive Repair, Minor
  - P. Automobile Sales
  - Q. Sports and Health Facility
  - R. Hotel, Motel

- S. Farm equipment/implement and marine, motor sport and boating equipment
- T. Cabinet and carpentry shops, electrical service, heating, plumbing, soft water service
- U. Business and professional lease space
- V. Personal services, including but not limited to: barber/beauty shops, salons, manicurists, cosmetology services, photography studio and similar uses
- W. Private non-profit clubs and lodges
- X. Recreational services contained within an enclosed structure including theaters and bowling lanes.
- Y. Amusement parks and facilities.
- Z. Grouped (multiple tenant) professional office/service establishments
- AA. Churches, worship facilities.
- BB. Limited production and processing uses that include activities that are consistent and compatible with retail sales and services. These uses produce minimal off-site impacts due to their limited nature and scale. Limited production and processing includes the following uses:
  1. Apparel and other finished products made from fabrics
  2. Computers and accessories, including circuit boards and software
  3. Electronic components and accessories
  4. Film, video and audio recording
  5. Food and beverage products, except no live slaughter or grain milling
  6. Jewelry, ornamental ceramics and pottery
  7. Precision medical and optical goods
  8. Signs and advertising devices
  9. Visual arts, not including performances
  10. Watches and clocks
  11. Wood crafting and carving
  12. Wood furniture and upholstery.
- CC. Licensed day care facility serving twelve (12) or fewer persons.
- DD. Group family day care facility licensed under Minnesota Rules, parts 9502.0315 to 9502.0445 to serve fourteen (14) or fewer children.

**24.03: CONDITIONAL USES.**

Subject to applicable provisions of this Ordinance, the following are conditional uses in a C-3 District and regulated by Chapter 7 of this Ordinance:

- A. Owner Occupied, Single-family detached dwellings existing at the time of Ordinance adoption, provided that:
  - 1. Residential uses shall be limited and may be permitted only where they do not create conflicts present or future, between the non-residential and residential use and activities, both on and off the subject property.
  - 2. Residential use shall be governed by all applicable standards of the R-1 Zoning District, Building and Fire Codes.
- B. Automobile Gasoline/Convenience Facility
- C. Car Wash
- D. Automobile Repair, Major
- E. RV Park
- F. Grouped Retail/Wholesale Trade. A combination of two or more individual retail and/or wholesale trade establishments (i.e. a multiple tenant commercial/shopping center) of goods such as automobile parts/accessories, building materials, consumer electronics, furniture and flooring, paint/wallpaper, hardware, household appliance sales/service, clothing/apparel, garden supplies, new passenger automobiles, used passenger automobiles, farm equipment and marine, motor sport and boating equipment.
- G. Storage Facilities: Inside Storage.  
*(Approved May 6, 2013 under Ordinance #90)*
- H. Telecommunication Towers exceeding the maximum height requirement of this district.  
*(Approved March 2, 2015 under Ordinance #99)*
- I. Day Care Center, provided that:
  - 1. Only the rear yard shall be used for play or recreational areas. Said side area shall be fenced and controlled and screened.
  - 2. The site and related parking and service entrances are serviced by an arterial or collector street of sufficient capacity to accommodate the traffic which will be generated.
  - 3. Adequate off street parking is provided in compliance with this ordinance.
  - 4. Adequate off street loading is provided in compliance with this ordinance.
  - 5. Vehicular entrances to parking or service areas shall create a minimum of conflict with through traffic movement.
  - 6. When abutting a residential district, a buffer area with screening and landscaping shall be provided.
  - 7. All state laws and statutes governing such use are strictly adhered to and all operating permits are secured.
  - 8. All signing and informational or visual communication devices shall be in compliance with the applicable provisions of this code.
- J. B. Off-Premise Signs (billboards) subject to performance standards.

#### **24.04: ACCESSORY USES.**

Subject to applicable provisions of this Ordinance, the following are permitted accessory uses in the C-3 District:

- A. Accessory uses incidental and customary to uses allowed as permitted, conditional and interim uses within this Section.
- B. Signs as provided under Chapter 31, of this Ordinance.
- C. Parking as provided under Chapter 32, of this Ordinance.
- D. Fences as provided under Section Chapter 32, of this Ordinance.
- E. Telecommunication Towers not exceeding the maximum height requirement of this district and personal or accessory antenna as provided under Chapter 32, of this Ordinance.  
(Approved March 2, 2015 under Ordinance #99)

**24.05: INTERIM USES.**

The following uses require an Interim Use Permit within the C-3 District when occurring for more than seven consecutive days and/or when reoccurring more than five times per year and are further governed by Chapter 8 of this Ordinance.

- A. Temporary uses such as holiday tree lots, newsstands, sidewalk display sales, etc.
- B. Temporary buildings for construction purposes, for a period not to exceed construction
- C. Outdoor storage
- D. Outdoor dining

**24.06: HEIGHT, SETBACK AND LOT COVERAGE REQUIREMENTS.**

The following minimum requirements shall be observed in the C-3 District subject to additional requirements, exceptions and modifications set forth in this Ordinance.

- A. Minimum Lot Area. 15,000 square feet.
- B. Minimum Lot Width. 75 feet abutting a public right of way.
- C. Minimum Lot Depth. 100 feet.
- D. Minimum Front Setback. 30 feet.
- E. Minimum Side Setback. 10 feet, unless abutting a residential zoning district (not separated by a right-of-way), then a minimum side yard of thirty (30) feet shall be required. The required setback shall be landscaped as required by the Zoning Administrator so as to buffer the commercial use from the adjacent residential use.
- F. Minimum Rear Setback. Same as Side Setback.
- G. Maximum Impervious Surface Coverage: 75%

**24.07: BUILDING REQUIREMENTS.**

- A. A high level of design and architectural detail are preferred for structures in the C-3 Highway Commercial District. Complimentary architectural quality, façade materials and colors are desired in comparison to adjacent facilities.

- B. Buildings shall be designed to prevent the appearance of straight, unbroken lines in their horizontal and vertical surface. There shall be no more than two structures in a row without a break in the horizontal and/or vertical elevations. Facades facing a public right of way with more than forty (40) feet in width or height shall feature breaks/divisions in materials, separate entrances/entrance treatments, variations in roof lines and/or variations in building setbacks.
- C. At least fifty (50) percent of the area of all facades of new construction and/or reconstructed facades facing public rights-of-way shall be comprised of brick, stone, stucco, decorative concrete block or architectural tilt-up/tip-up panels and/or windows doors. Projects renovating or rehabilitating existing structures shall provide as much adornment as possible to existing facades facing public rights-of-way.
- D. Provision for handling all freight shall be on those sides of any buildings which do not face on any street or proposed street. In the event loading docks must face a public street the dock shall be fully screened from the view the roadway.
- E. Common Areas. All common areas shall be maintained by the property owner.

