

C-1 Neighborhood Commercial

Subdivision 1. Purpose. The purpose of the C-1 neighborhood commercial district is to provide for offices, low intensity small scale retail or service businesses, and compatible limited residential uses. Retail and service uses allowed in this district are intended to be at the lower end of the size range for commercial uses and have little or no impact on adjacent uses. Neighborhood commercial uses typically provide goods and services on a limited community or neighborhood market scale. They are to be located at the edge of a residential area on a site adequately served by collector or arterial street facilities. Motor vehicle oriented uses are prohibited in the C-1 district; such uses include motor vehicle parts stores, drive-thru establishments, car washes, fueling stations, motor vehicle repair and motor vehicle sales.

Subd. 2. Permitted Principal Uses.

- a) The following uses are permitted.
 - 1) Essential services.
- b) The following uses are permitted, provided they do not exceed 10,000 square feet of gross floor area and are not open before 6:00 a.m. or after 9:00 p.m.
 - 1) Offices including leased, commercial, professional, public, medical, dental, insurance, real estate, funeral homes not including cremation, and banks or similar financial institutions.
- c) The following uses are permitted, provided they do not exceed 5,000 square feet of gross floor area and are not open before 6:00 a.m. or after 9:00 p.m.
 - 1) Retail stores, including incidental repair as an accessory use not to exceed 30% of the gross floor area.
 - 2) Schools that are typically commercial in nature such as business, music, dance and martial arts schools.
 - 3) Veterinary clinic, provided there are no outdoor facilities.
- d) The following uses are permitted, provided they do not exceed 2,500 square feet of gross floor area and are not open before 6:00 a.m. or after 9:00 p.m.
 - 1) Bakeries.
 - 2) Laundromat, to include pick-up stations for laundry and dry cleaning, but not to include dry cleaning or plant accessory thereto.
 - 3) Off-sale liquor, wine or beer establishments.
 - 4) Locksmith.
 - 5) Personal services limited to barber shops, beauty parlors, body piercing, day spas, nail salons, pet grooming, sauna or steam bath, tanning salon, tattooing, and therapeutic massage.

- 6) Photography studio.
- 7) Eating establishments, including cafes, coffee shops, delicatessens, ice cream shops and restaurants, together with on-sale liquor, wine or beer provided such use is accessory and subordinate to the eating establishment and occupies no more than 30% of the gross floor area of the eating establishment.
- 8) Sewing repair, tailoring or mending.
- 9) Shoe repair.

Subd. 3. Permitted Accessory Uses.

- a) Off-street parking as regulated by subsection 515.17 of this Code but not including semi-trailer trucks or parking ramps.
- b) Off-street loading as regulated by subsection 515.17 of this Code.
- c) Prepared food sales as an accessory use to retail food uses such as supermarkets or convenience stores. The term "prepared food sales" means the sale of food consisting of individual servings of ready-to-consume prepared food, beverages and condiments, in or on disposable or edible containers without eating utensils, for consumption off the premises of the principal use.
- d) On-sale liquor, wine or beer as an accessory use to an eating establishment. Such use is permitted only if it is clearly subordinate to the eating establishment. In no event shall such use occupy more than 30% of the total floor area of the establishment or comprise more than 30% of its gross sales.
- e) Signs as regulated by section 405 of the city code.
- f) Fences and walls, subject to the provisions of subsection 515.13, subdivision 7.
- g) Antennas and towers for amateur radio operations licensed by the FCC, together with necessary guy wires and anchors. Such structures shall be made of unpainted metal or other visually unobtrusive material, subject to the approval of the zoning administrator. Such structures shall not be located in any front yard, side yard, or side street side yard. Such structures shall be set back at least 15 feet from any lot line; except for necessary guy wires and anchors, which shall be set back at least 3 feet from any rear or side lot line; and except for antennas made only of wire less than ¼ inch in diameter, which shall be set back at least 3 feet from any rear or side lot line.
- h) Roof-mounted television and radio receiving antennae, not including satellite dishes, not to exceed 12 feet above the roof, and not projecting more than 2 feet into any yard.
- i) Satellite dishes not to exceed 40 inches in diameter and not to exceed 4 feet above the roof.
- j) An assembly or gathering space that is accessory and subordinate to a permitted principal or conditional use in this district, provided that it does not operate before 6:00 a.m. or

after 9:00 p.m. and there is adequate off-street parking to accommodate the use. Assembly or gathering spaces that are not accessory and subordinate to a permitted principal or conditional use in the C-1 district are conditional uses in accordance with Subd. 4 b) of this sub-section.

Subd. 4. Conditional Uses.

- a) Governmental and public utility buildings and structures necessary for the health, safety and general welfare of the community provided that:
 - 1) Side setbacks shall be double that required for the district.
 - 2) Equipment and materials are completely enclosed in a permanent structure with no outside storage, unless in compliance with 515.49 Subd. 4 f).
 - 3) The city council determines that all applicable requirements of subsection 515.05, subdivision 3 a) and section 520 are considered and satisfactorily met.

- b) Public or semi-public institutional uses including recreational buildings; neighborhood service or community centers; assembly or gathering spaces not accessory and subordinate to a permitted principal or conditional use in the C-1 district; governmental agencies or non-profit organizations providing social, educational and recreational services to members of the community; public and private educational institutions including day care, nursery school, pre-school, elementary, junior high and senior high schools; and religious institutions such as churches, chapels, temples and synagogues; provided that:
 - 1) The city council finds that there is adequate off-street parking to accommodate the use; and
 - 2) The facility is served by arterial, collector or municipal state aid streets and such pedestrian facilities as are necessary to accommodate the traffic generated by the facility.
 - 3) The city council determines that all applicable requirements of subsection 515.05, subdivision 3 a) and section 520 are considered and satisfactorily met.

- c) Storage buildings as an accessory use provided that:
 - 1) The principal use is either a permitted use or an approved conditional use.
 - 2) The storage building is located on the same lot as the principal use.
 - 3) No detached accessory building shall be located closer to an abutting street than the principal structure.
 - 4) The storage building does not exceed 30% of the gross floor area of the principal use.

- 5) Occupancy and use of the storage building is directly related to principal use and the same party has full control and use of both the storage building and the principal use.
 - 6) The city council determines that the architectural style is compatible with the principal building and surrounding land uses.
 - 7) The city council determines that such use will not conflict with the character of development intended for this zoning district.
 - 8) The city council determines that all applicable requirements of subsection 515.05, subdivision 3 a) and section 520 are considered and satisfactorily met.
- d) For uses permitted in parts b), c) and d) of Subdivision 2 of this Subsection, a Conditional Use Permit may be granted to allow less restrictive hours of operation limitations, provided that:
- 1) The applicant has submitted a detailed description of the proposed use containing sufficient information for the Planning Commission and City Council to make findings pertaining to the application.
 - 2) The proposed use would be reasonable and appropriate in a neighborhood context and consistent with the purpose of the C-1 district; and
 - 3) The proposed use would not significantly impact the surrounding residential area; and
 - 4) Rezoning the subject property to C-2 General Commercial would not be desirable.
 - 5) Conditions may be imposed to ensure that the proposed use will meet these criteria and be consistent with the purpose of the C-1 district. Such conditions may include but are not limited to an expiration date, non-transferability, periodic renewal requirements, and provisions for revocation if the use is not in strict conformance with the use described in the written request and in full compliance the imposed conditions.
 - 6) The City Council determines that all applicable requirements of Subsection 515.05, Subdivision 3 a) and Section 520 are considered and satisfactorily met.
- e) Limited residential uses:
- 1) The city council finds that establishment of the residential use would not adversely impact adjacent non-residential uses.
 - 2) The property must continue to principally be a commercial use in accordance with subdivision 2, Permitted uses for the C-1 district.

- 3) The gross floor area of the residential use shall not exceed the gross floor area of the permitted principal use.
 - 4) Parking spaces for both the commercial and the residential uses shall be provided in accordance with the requirements of section 515.17; except that if the residential use is located within an existing building and the residential use will not increase parking demand compared with the existing use of the space, then no additional off-street parking is required.
 - 5) To maintain the commercial character of the district when considering a specific application, the city council may impose additional requirements related to the building exterior, ingress and egress, and site conditions.
 - 6) The city council determines that all applicable requirements of subsection 515.05, subdivision 3 a) and section 520 are considered and satisfactorily met.
- f) Telecommunications towers in accordance with the requirements of section 515.21.

Subd. 5. Minimum lot requirements. Lots in the C-1 district shall meet all of the following requirements:

- a) Minimum lot area of 10,000 square feet.
- b) Minimum lot width of 80 feet.
- c) Minimum lot depth of 100 feet.

Subd. 6. Coverage and Height Limitations.

- a) Lot Coverage. No more than 75% of the lot shall be covered by structures.
- b) Height Limitations.
 - 1) No building or structure shall exceed 3 stories or 40 feet in height, whichever is less.
 - 2) Exceptions:
 - i) Chimneys.
 - ii) Church spires and steeples.
 - iii) Flagpoles.
 - iv) Monuments.
 - v) Poles, towers and other structures for essential services.

- vi) Antennas and towers for amateur radio operations licensed by the FCC, together with necessary guy wires and anchors. Such structures shall not exceed 75 feet in height.
- vii) Roof-mounted television and radio receiving antennae, not including satellite dishes, and not to exceed 12 feet above the roof.
- viii) Satellite dishes not to exceed 40 inches in diameter and not to exceed 4 feet above the roof.

Subd. 7. Setbacks.

a) Front Setback.

- 1) 60 feet from the centerline of the street, but not less than 30 feet from the front lot line.
- 2) Exceptions:
 - i) Awnings projecting not more than 2 feet into the setback.
 - ii) Landings not exceeding 6 feet by 6 feet together with steps necessary to reach grade.
 - iii) Chimneys projecting not more than 2 feet into the setback.
 - iv) Flagpoles.
 - v) Eaves projecting not more than 2 feet into the setback.
 - vi) Handicap ramps; provided no part may be closer than 5 feet to any lot line.
 - vii) Fences and walls, subject to the provisions of subsection 515.13. subdivision 7.
 - viii) Driveways and parking areas in accordance with the requirements of subsection 515.17.
 - ix) Sidewalks not to exceed 6 feet in width.
 - x) Satellite dishes, with a dish diameter not to exceed 40 inches, mounted to the principal building and not extending more than 2 feet into the required setback.
 - xi) Signs in accordance with section 405 of Crystal city code.

b) Rear Setback.

- 1) 10 feet from the rear lot line.

2) Exceptions:

- i) Awnings projecting not more than 2 feet into the setback.
- ii) Landings not exceeding 4 feet by 4 feet together with steps necessary to reach grade.
- iii) Chimneys projecting not more than 2 feet into the setback.
- iv) Flagpoles.
- v) Eaves projecting not more than 2 feet into the setback.
- vi) Handicap ramps; provided no part may be closer than 5 feet to any lot line.
- vii) Detached accessory structures, including patios, decks, storage sheds and gazebos; provided no part may be closer than 3 feet to any lot line.
- viii) Detached garages; provided no part may be closer than 3 feet to any lot line; and in instances where the overhead doors face an alley or side street, the garage shall be set back a minimum of 20 feet from the lot line abutting the alley or side street.
- ix) Air conditioning or heating equipment; provided no part may be closer than 3 feet to any lot line but in no case within 10 feet of a building on adjoining property.
- x) Fences and walls, subject to the provisions of subsection 515.13, subdivision 7.
- xi) Driveways and parking areas in accordance with the requirements of subsection 515.17.
- xii) Sidewalks not to exceed 4 feet in width.
- xiii) Antennas and towers for amateur radio operations licensed by the FCC, together with necessary guy wires and anchors, provided that all parts of the structure are set back at least 15 feet from the rear lot line; except for necessary guy wires and anchors, which shall be set back at least 3 feet from the rear lot line; and except for antennas made only of wire less than ¼ inch in diameter, which shall be set back at least 3 feet from the rear lot line.
- xiv) Satellite dishes, with a dish diameter not to exceed 40 inches, mounted to the principal building and not extending more than 2 feet into the required setback.
- xv) Signs in accordance with section 405 of Crystal city code.

c) Side Setback:

- 1) 10 feet from the side lot line.
- 2) Exceptions:
 - i) Awnings projecting not more than 2 feet into the setback.
 - ii) Landings not exceeding 4 feet by 4 feet together with steps necessary to reach grade.
 - iii) Chimneys projecting not more than 2 feet into the setback.
 - iv) Eaves projecting not more than 2 feet into the setback.
 - v) Handicap ramps; provided no part may be closer than 5 feet to any lot line.
 - vi) Fences and walls, subject to the provisions of subsection 515.13, subdivision 7.
 - vii) Driveways and parking areas in accordance with the requirements of subsection 515.17.
 - viii) Sidewalks not to exceed 4 feet in width.
 - ix) Guy wires and anchors necessary for antennas and towers for amateur radio operations licensed by the FCC and located in the rear yard, and antennas made only of wire less than $\frac{1}{4}$ inch in diameter, shall be set back at least 3 feet from the side lot line.
 - x) Satellite dishes, with a dish diameter not to exceed 40 inches, mounted to the principal building and not extending more than 2 feet into the required setback.
- d) Side Street Setback:
 - 1) 60 feet from the centerline of the side street, but not less than 30 feet from the side street lot line.
 - 2) Exceptions:
 - i) Awnings projecting not more than 2 feet into the setback.
 - ii) Landings not exceeding 6 feet by 6 feet together with steps necessary to reach grade.
 - iii) Chimneys projecting not more than 2 feet into the setback.
 - iv) Flagpoles.
 - v) Eaves projecting not more than 2 feet into the setback.

- vi) Handicap ramps; provided no part may be closer than 5 feet to any lot line.
 - vii) Fences and walls, subject to the provisions of subsection 515.13, subdivision 7.
 - viii) Driveways and parking areas in accordance with the requirements of subsection 515.17.
 - ix) Sidewalks not to exceed 6 feet in width.
 - x) Satellite dishes, with a dish diameter not to exceed 40 inches, mounted to the principal building and not extending more than 2 feet into the required setback.
 - xi) Signs in accordance with section 405 of Crystal city code.
- e) General setback exception for minor errors for existing structures.
1. Structures existing on the effective date of this ordinance and encroaching into a setback required by this code shall be considered conforming to the setback requirement if the encroachment does not exceed 1 foot or 10% of the required setback, whichever is less.
 2. Building permits may be issued for additions to structures qualifying under item 1 above, and such additions shall henceforth be considered conforming to the setback requirement, provided that the encroachment of the addition does not exceed the encroachment of the existing structure.
 3. This general exception shall not be applicable to any new structure built after the effective date of this code.