

CHAPTER 1 "C-1" CENTRAL BUSINESS DISTRICT.

Subd. 1. Purpose.

The "C-1" Central Business District has been established to encourage the continuation of a viable downtown by allowing prime retail sales and service uses, office, entertainment facilities and public and semi-public uses. The purpose of this district is to provide specifically for regulation of the high intensity commercial uses located within the downtown core of the City.

Subd. 2. Permitted Uses.

A. The following are permitted uses in the shoreland and non-shoreland portions of the "C-1" Central Business District:

1. Barber shops and beauty parlors.
2. Convenience grocery stores, without motor fuel facilities.
3. Essential services.
4. Funeral homes and mortuaries.
5. Governmental and public related utility buildings and structures.
6. Laundromat/dry cleaning.
7. Municipal buildings/offices, libraries, Postal Service offices.
8. Professional and commercial leased offices.
9. Other retail and service uses, like the following examples:
 - Antique shops.
 - Apparel or clothing stores, tailor shops.
 - Appliance stores.
 - Art gallery or arts supply store.
 - Auto accessory stores.
 - Bakeries.
 - Bank or saving institutions.
 - Bars.
 - Bicycle sales and repair.
 - Book stores and newsstands.
 - Bus terminal.
 - Candy shop.
 - Dance hall, nightclub or tavern.
 - Department store.
 - Drug stores.
 - Florists.
 - Furniture stores.
 - Gift stores, novelty or souvenir shops.
 - Grocery stores.
 - Hardware stores.
 - Health club and gymnasium.
 - Interior decorating stores.

- Jewelry stores.
- Luggage and leather goods.
- Motels and hotels.
- Music studio.
- Newspaper and magazine sales.
- Novelty stores.
- Optical stores.
- Pet stores.
- Photography studios.
- Pottery stores.
- Printing shops.
- Private clubs or lodges serving food and beverages.
- Restaurants, not of the drive-in, convenience or drive-through type.
- Shoe and footwear sales and repair.
- Specialty stores.
- Sporting goods stores.
- Theatres.
- Travel bureau.
- Variety stores.

10. Uses determined by Planning Commission to be similar to those listed in this Subdivision.

Subd. 3. Accessory Uses.

The following are permitted accessory uses in the "C-1" Central Business District:

- A. Commercial or business buildings and structures for a use accessory to the principal use but such use shall not exceed thirty percent (30%) of the gross floor space of the principal use.
- B. Off-street parking facilities (not including semi-trucks) and off-street loading facilities as regulated by Chapter 20 of this Ordinance.

Subd. 4. Conditional Uses.

- A. The following are conditional uses in the shoreland and non-shoreland portions of the "C-1" Central Business District (Requires a conditional use permit based upon procedures set forth in and regulated by Chapter 23, Subd. 10 of this Ordinance):
 - 1. Commercial Planned Unit Developments as regulated by Chapter 17 of this Ordinance.
 - 2. Ground source heat pump systems in public waters may be permitted subject to the following:
 - 1. Approval from the Minnesota Department of Natural Resources.
 - 2. Written consent of all property owners and/or approval by an association in accordance with its adopted bylaws.
 - 3. Demonstrated compliance with applicable city permit requirements.

Subd. 5. Interim Uses.

- A. The following are interim uses in the shoreland and non-shoreland and portions of the "C-1" Central Business District (Requires an interim use permit based upon procedures set forth in and regulated by Chapter 23, Subd. 11 of this Ordinance):

1. Buildings combining residential and non-residential uses allowed in this District provided that:
 - a. Residential uses shall be confined to the second or third floor or rear portion of the building.
 - b. Minimum dwelling unit size requirements established in Chapter 7, Subdivision 5(F) of this Ordinance are achieved.
 - c. Off-Street Parking for residential uses are provided per Chapter 20 of this Ordinance.
 - d. The residential and non-residential uses shall not conflict in any manner.
2. A short-term use of a temporary building shall be permitted only after application for and issuance of a permit.

Subd. 6. Performance Standards.

- A. No minimum lot size for permitted or accessory uses. Lot size may be established by Planning Commission for conditional use.
- B. Minimum lot width: none.
- C. Setbacks (measured from lot lines). When more than one setback applies to a site, structures and facilities must be located to meet all setbacks. Where structures exist on the adjoining lots on both sides of a proposed building site, structure setbacks may be altered without a variance to conform to the adjoining setbacks including but not limited to, front, side and rear setbacks and setbacks from the ordinary high water level, provided the proposed building site is not located in a shore impact zone or in a bluff impact zone. Structures shall be located as follows:
 1. Front yard: None
 2. Side yard: None, twenty (20) feet if abutting a residential district.
 3. Rear yard: None, twenty (20) feet if abutting a residential district.
 4. Structures and independent sewage treatment facilities shall be setback from the Ordinary High Water Mark as follows:

Lake	Structures on unsewered lots	Structures on sewered lots	Sewage treatment system
Minnie Lake	100 feet	75 feet	75 feet
Linneman, Ochotto, & Lake Anna	150 feet	150 Feet	150 Feet
Middle & Lower Spunk Lakes	75 feet	50 feet	50 feet
Spunk Creek	100 feet	50 feet	

5. All structures shall be setback a minimum of thirty (30) feet from the top of the bluff and in accordance with standards contained in Chapter 22 (General Provisions), Chapter 16 (Land Preservation) and Chapter 15 (Surface Water Management).

Note: in the case of a corner lot, that yard with the shortest dimension on a public street shall be considered the front.

- D. Maximum Building Height: Thirty-five (35) feet or three (3) stories.
- E. Maximum Site Coverage:

1. Non-shoreland overlay areas: No structure or combination of structures/impervious surface shall occupy more than eighty-five (85) percent of the lot area.
 2. Shoreland overlay areas: No structure or combination of structures/impervious surface shall occupy more than eighty-five (85) percent of the lot area, providing:
 - a. Appropriate structures and practices are in place for the treatment of storm water runoff and/or prevention of storm water from directly entering a public water as approved by the City Engineer.
 - b. Wherein surface water management standards and erosion control measures identified in Chapters 15 and 16 of this code are achieved/observed/maintained.
 - c. All applicable State and Federal regulations for the management of storm water runoff in shoreland areas based on the proposed level of impermeable surface have been met.
 3. Within the shoreland overlay district structures or combinations of structures on lots not in conformance with sub-items a., b., and c. above shall not occupy more than twenty-five (25) percent of the lot area.
- F Uses without water oriented needs shall be located on lots or parcels without public waters frontage, or, if located on lots or parcels with public waters frontage, shall be substantially screened from view from the water by vegetation or topography, assuming summer leaf-on conditions.
- G Surface water-oriented commercial uses with needs to have access to and use of public waters may be located on parcels or lots with frontage on public waters. Those uses with water-oriented needs must meet the following standards:
1. In addition to meeting impervious coverage limits, setbacks, and other zoning standards in this ordinance, the uses must be designed to incorporate topographic and vegetative screening of parking areas and structures;
 2. Uses that require short-term watercraft mooring for patrons must centralize these facilities and design them to avoid obstructions of navigation and to be the minimum size necessary to meet the need; and
 3. Uses that depend on patrons arriving by watercraft may use signs and lighting to convey needed information to the public, subject to the provisions contained in Chapter 19 (Signs) and Chapter 22, Subd. 11 (Lighting).
- B. Additional requirements, including but not limited to, shoreland, surface water, home occupation, parking, sign, and general district provisions as set forth within the appropriate Chapters of this Ordinance, as may be amended.
- C. **REQUIRED FIRE ACCESS EQUIPMENT:** Every commercial or industrial or multi-family residential dwelling containing 4 or more units within the City of Avon shall be equipped with a Knox Box approved by the Fire Chief. The cost of the Knox Box shall be the responsibility of the property owner. The cost shall be determined by the Council and established in the Fee Schedule.

Additional regulations regarding parking, accessory structures, fences, and other items are found in other sections of this ordinance.