

**17.6.13 CC - City Center District.**

**Subd. 1 Intent.** The intent of the CC City Center District is to encourage and foster the further development and enhancement of the downtown (city center) area. The district requirements recognize the unique characteristics of the city center area as the heart of the city. The city center provides a mix of traditional downtown uses that are consistent with the vision for the area as expressed in the Comprehensive Plan, including retail, entertainment, offices, services, government facilities, and a mixture of residential uses. However, the district also includes a variety of industrial uses, some of which may not be compatible with the City's vision for the district. The general intent of the district is to preserve and enhance those uses that are compatible with the vision of the area and to encourage uses that are not compatible with the vision for the city center to relocate to appropriate districts in the city. See Section 17.5.14 Design Standards for the West End and Downtown Business Districts.

**Subd. 2 Permitted Uses.** The following uses shall be permitted herein, without special application requirements or conditions attached:

- A. Bank or financial institutions.
- B. Clinic.
- C. Club or association.
- D. Dwelling, combined with a permitted commercial or conditional use.
- E. Eating and Drinking Places.
- F. Government or community service use.
- G. Office.
- H. Open space: public or private.
- I. Personal service.
- J. Public park.
- K. Religious institution.
- L. Single-Family Residential Use - provided that the use was in existence prior to the adoption of this Chapter.
- M. Retail: convenience or general.
- N. Seasonal market.
- O. Theater.
- P. Hotels and Tourist Homes (ie. Bed and Breakfast, pursuant to *Section 17.5.09.*)
- Q. Veterinary clinic: small animal, except that no kennels nor outdoor runs shall be allowed.
- R. Other uses not specifically listed in this Chapter, but for which the City Planner/Zoning Administrator or Planning Commission of the City has

determined that the use is consistent with the intent of permitted uses in this district.

S. Sexually Oriented Businesses subject to the following:

- (1) No sexually oriented business shall be located closer than five hundred (500) feet from any other sexually oriented business. Measurements shall be made in a straight line, without regard to intervening structures or objects, from the nearest point of the actual business premises of the sexually oriented business to the nearest point of the actual business of any other sexually oriented business.
- (2) No sexually oriented business shall be located closer than five hundred (500) feet from any place of worship, school, public park, state licensed family day care home, state licensed group family day care home, public library, or state licensed child care center. Measurements shall be made in a straight line, without regard to intervening structures or objects, from the nearest point of the actual premises used as a place of worship, school, park, or state licensed family day care home, state licensed group family day care home, or state licensed child care center.
- (3) No sexually oriented business shall be located closer than five hundred (500) feet from any of the following residential use districts. Measurements shall be made in a straight line, without regard to intervening structures of objects, from the nearest point of the actual business premises of the sexually oriented business to the nearest boundary of the residential use district:
  - a. R-1, Single-Family Residence District;
  - b. R-2 One- and Two-Family Residence District; and
  - c. R-3, Multiple-Family Residence District.
- (4) A sexually oriented business must also comply with existing licensing requirements of the City of Cloquet.
- (5) The operation or maintenance of more than one (1) of the following uses in the same building or structure shall be prohibited:  
Adult Body Painting Studio; Adult Book Store; Adult Car Wash; Adult Companionship Establishment; Adult Entertainment Facility; Adult Modeling Studio; Adult Oriented Cabaret; Adult Sauna; Adult Motion Picture Theater; and, Adult Mini-Motion Picture Theater.
- (6) Sign Restrictions. In order to protect children from exposure to lurid signs and materials and in order to preserve the value of property surrounding sexually oriented businesses, the following sign regulations shall apply to all sexually oriented businesses in the City in lieu of the provisions of Section 17.5.13 of the Cloquet Zoning Ordinance:

- a. All signs shall be flat wall signs. No signs shall be freestanding, located on the roof, or contain any flashing lights, moving elements, or electronically or mechanically changing messages. No sign shall contain any message or image which identifies specified sexual activities or specified anatomical areas as defined herein.
- b. The amount of allowable sign area shall be one (1) square foot of sign area per foot of lot frontage on a street, not to exceed eighty (80) square feet.
- c. No merchandise, photos, or pictures of the products or entertainment on the premises shall be displayed in window areas or any area where they can be viewed from the sidewalk or public right-of-way adjoining the building or structure in which the sexually oriented business is located.
- d. No signs shall be placed in any window. A one (1) square foot sign may be placed on the door to state hours of operation and admittance to adults only.

T. Brew Pub, Brewery Taproom, Cocktail Room and Micro-Distillery.

U. Lower-Potency Hemp Retail Business

**Subd. 3 Conditional Uses.** The following are conditional uses in the CC City Center District subject to the special requirements of this section and to the issuance of a Conditional Use Permit as specified in *Section 17.2.6* and pursuant to all applicable specific use standards:

- A. Any industrial use (as determined) by the City Planner/Zoning Administrator or other Authorized Agent of the City) that was in existence on the subject parcel on the date of adoption of this Chapter (and was a conforming use at that time) shall be a conditional use on the subject parcel provided that the use has not lapsed for more than twelve (12) consecutive months since the date of adoption of this Chapter.
- B. Car wash
- C. Currency exchange, payday loan establishment, or title load agency.
- D. Dwelling: multi-family, three (3) or more units per building not to exceed 20 units per acre.
- E. Parking lot as a principal use, pursuant to *Section 17.5.11*.
- F. Other uses not specifically listed in this Chapter, but for which the City Planner/Zoning Administrator or Planning Commission of the City has determined that the use is consistent with the intent of conditional uses in this district.

**Subd. 4 Accessory Uses.** The following uses are permitted only when auxiliary to a principal use permitted above; they may not exist as principal uses in their own stead:

- A. Accessory buildings, pursuant to *Section 17 5.01*.
- B. Fence, pursuant to *Section 17.5.05*.
- C. Off-street parking, loading, and access drives, pursuant to *Section 17.5.11*.
- D. Patio, deck, terrace, and similar use, pursuant to *Section 17.5.02, Subd. 3*.
- E. Signs, pursuant to *Section 17.5.13*.
- F. Sport court or play equipment for private recreation use, pursuant to *Section 17.5.02, Subd. 4*.
- G. Swimming pool, pursuant to *Section 17.5.10*.
- H. Other uses not specifically listed in this Chapter, but for which the City Planner/Zoning Administrator or Planning Commission of the City has determined that the use is consistent with the intent for permitted uses in this district.

**Subd. 5 Dimensional Regulations.**

- A. Minimum Parcel Area. Three thousand five hundred (3,500) square feet.
- B. Minimum Parcel Width. Twenty-five (25) feet.
- C. Setback Requirements of a Principal Building from all Parcel Lines. None.
- D. Setback from “R” District Boundary. Ten (10) feet.
- E. Maximum Height of Principal Building. Forty-five (45) feet, except that the City may allow the principal building to exceed forty-five (45) feet with the approval of a Conditional Use Permit.
- F. Setback and Height Requirements for Accessory Buildings.
  - (1) Minimum accessory building setback from interior side parcel line. Two and one-half (2 ½) feet. Must meet Building Code.
  - (2) Minimum accessory building setback from rear parcel line. Two and one-half (2 ½) feet. Must meet Building Code.
  - (3) Maximum height of accessory building. Cannot be taller than the principal building.
- G. Buffer Requirements Between Different Uses. Wherever a more intense proposed use (or expansion of a more intense use) in the CC City Center District abuts a less intense existing use, the more intense use shall provide a landscaped buffer pursuant to *Section 17.5.04: Landscaping Requirements* and *Section 17.5.03: Screening*.

**Subd. 6 Special District Provisions.**

- A. General Guidelines for Industrial Uses in the District. The City Council of the City of Cloquet recognizes that a variety of industrial uses exists in the CC District. Guidelines for continuation and / or expansion of industrial uses in the district are as follows:

- (1) Existing industrial uses that are not compatible with the vision of the area as expressed in the City's Comprehensive Plan (for example, a heavy manufacturing use) should be encouraged to relocate to an appropriate industrial district in the city. However, under unique conditions, expansion or improvements to existing industrial uses may be considered pursuant to the Conditional Use Permit procedures pursuant to *Section 17.2.10*.
  - (2) Existing industrial uses that are compatible with the city center area (for example, a relatively clean and quiet light manufacturing use) may be allowed to continue (and possibly expand) if the use does not adversely affect the neighborhood and is consistent with the vision of the City as expressed in the Comprehensive Plan).
  - (3) New industrial uses in the district are not anticipated. However, in unique situations the City Council may find that it is in the best interest of the city center and the overall community to allow the replacement of existing, more intense industrial uses with appropriate light manufacturing, research and development, or similar industrial uses that have less of an adverse impact on the surrounding area.
  - (4) In general, industrial uses should be limited to arterial or collector streets, or to areas where there is a distinct cluster of appropriate industrial uses.
- B. Parking. The parking provisions of this Chapter are modified as follows to carry out the intent of the CC District. Existing buildings are exempt from off street parking requirements: Also see Section 17.5.14 Subd. 5.
- (1) Location of Parking on the Lot. Off-street parking shall not be located between building façade and the front lot line or street right-of-way. Nor shall off-street parking be located less than five (5) feet from any property line except as provided through access drives or by shared or joint parking agreements as permitted in this Chapter.
  - (2) Required Screening. Any off-street parking space or parking lot that abuts a street right-of-way shall be buffered from the right-of-way by a landscaped area no less than five (5) feet wide in which is located in a continuous row of shrubs no less than three and one half (3 ½) feet high, or by a wall no less than four (4) feet and no more than six (6) feet high, in addition to any required shade trees.
  - (3) Exception and Alternatives to Off-Street Parking Requirements. The City Council may allow exceptions and alternatives to the off-street parking requirements as follows:
    - a. Parking Reduction. The City Council may allow a reduction in the number of required parking stalls provided the property owner enters into a development contract and the following criteria are met:
      1. Evidence is provided that demonstrates the proposed use will have a peak parking demand less than the required

parking of this Chapter. Factors to be considered when reviewing the proposed parking demand shall include, but not limited to the following:

- Size of building.
  - Type and use.
  - Number of employees.
  - Projected volume and turnover of traffic.
  - Projected frequency and volume of delivery or service vehicles.
  - Number of company owned vehicles.
  - Storage of vehicles on site.
2. The amount of reduced parking shall not exceed fifty percent (50%) of the amount of parking required by the Chapter. However, parking spaces can be provided off-site pursuant to the joint and off-site parking provisions of this Chapter as described below.
  3. The property owner can demonstrate that the site has sufficient area to accommodate the parking required by the Chapter if the parking demand exceeds on-site supply. The property owner shall enter into a development contract with the City guaranteeing that additional parking shall be constructed in accordance with this Chapter if the actual site parking demand exceeds on-site supply.
- b. Joint Parking Facilities. The City Council may approve a Conditional Use Permit for one or more uses to provide the required off-street parking facilities by joint use of one or more sites where the total number of spaces provided are less than the sum of the total required for each business should they provide them separately. Conditions to be considered when reviewing the proposed joint parking facilities shall include, but not be limited to the following:
1. The building or use for which the application is being made to utilize the off-street parking facilities provided by another building or use shall be located within three hundred (300) feet of such parking facilities.
  2. The application shall show that there is no substantial conflict in the principal operating hours of the various buildings or uses for which the joint parking is proposed.
  3. A properly drawn legal instrument, executed by the parties involved in joint use of parking facilities, duly approved as

to form and manner of execution by the City Attorney, shall be filed with the City Clerk and recorded with the Carlton County Recorder.

- c. Off-site Parking. The City Council may approve a conditional use permit for off-site parking. Conditions for approving off-site parking shall include, but are not limited to, the following:
  1. Off-site parking shall be developed and maintained in compliance with all requirements and standards of this Chapter.
  2. Off-site parking for non-residential uses shall not be located more than three hundred (300) feet from the main public entrance of the principal use being served.
  3. Any use which depends on off-site parking to meet the requirements of the Chapter shall maintain ownership and parking utilization of the off-site location until such time as on-site parking is provided or a site located closer to the principal use is acquired and developed for parking.
  4. Compliance with off-street parking requirements provided through leased off-street parking may be approved by the City Council, subject to the following conditions:
    - The lease shall specify the total number and location of parking spaces under contract and this number, when added to any on-site parking provided, must be equal to the total number of parking spaces required.
    - The lease requirement shall legally bind all parties to the lease and provide for amendment or cancellation only upon written approval from the City.

C. Landscaping. The landscaping provisions of this Chapter are modified as follows to carry out the intent of the CC City Center District: Also see Section 17.5.14 Subd. 7.

- (1) It is the intent of the CC District to provide an attractive downtown area that includes landscaping. However, it is recognized that due to the compact nature of the downtown area, many of the standard provisions for landscaping described elsewhere in this Chapter cannot be reasonably applied to this District. Therefore, the landscaping provisions of this Chapter are modified as follows to carry out the intent of this District.
- (2) The applicant shall submit to the City a landscape plan for all site work requiring a building permit. The plan shall identify the location and size of both existing vegetation to be retained and proposed new vegetation, typical planting materials, the phasing of landscape installation, and

planting methods. There shall be no minimum amount of green, landscaped area required. Nor shall there be a minimum amount of trees required. However, the City shall approve the landscape plan before a building permit can be issued.

- (3) Parking lots larger than nineteen (19) spaces and / or six thousand (6,000) square feet in size shall be provided with at least one shade tree for every eight (8) parking spaces or fraction thereof, located in internal planting islands and perimeter buffer strip(s) along the street edge(s) of the lot.

D. Conditional Use Permit for Adjustment to Standards. In cases where extraordinary limitations are imposed on a lot due to topography, unusual lot shape, placement of existing structures, and similar conditions, adjustments in the standard regulations will be made by issuance of a conditional use permit.

#### 17.6.14 LI - Light Industry District.

**Subd. 1 Intent.** It is the intent of the LI Light Industry District to create industrial areas that will be attractive and compatible within the City and will not adversely affect adjacent business or residential neighborhoods. Industrial establishments should be either a) ones whose operations are relatively free from objectionable influences or b) ones whose objectionable features will be obviated by design and / or appropriate devices. In the interest of general health and welfare, residential and certain institutional uses are not permitted within this district.

**Subd. 2 Permitted Uses.** The following uses are permitted as regulated herein, without special application requirements or conditions attached:

- A. Manufacturing. Any light manufacturing use or process including repairs, assembling, fabricating, altering, converting, finishing, processing, treating, testing, packaging or bottling; except any use or process hereinafter specifically excluded or which would not be in keeping with the purpose of the District as stated above. Such determination shall be made by the City Planner/Zoning Administrator upon review of the building permit application.
- B. Warehousing, Storage and Wholesaling. The storage, handling, assembly and distribution of goods and materials for retail, wholesale or on-site use, except for the handling, in quantity of more than five thousand (5,000) gallons, of packaged or bulk hazardous combustible materials and / or flammable liquids or gases or more than four thousand three hundred (4,300) gallons of packaged or bulk hazardous dry material. Any amount of liquid or dry material exceeding the numbers listed above shall be classified as a HI- Heavy Industrial use, unless authorized by the City Planner/Zoning Administrator or Planning Commission. The determination of "hazardous" materials as defined in the International Building Code as adopted by reference by the Minnesota State Building Code shall be made by the Building Official.
- C. Other uses not specifically listed in this Chapter, but for which the City Planner/Zoning Administrator or Planning Commission of the City has determined that the use is consistent with the intent for permitted uses in this district.