

ORDINANCE 23-

Introduced by Councilor

AN ORDINANCE AMENDING CHAPTER 50, ARTICLE III, DIVISION 22, PRINCIPAL PERMITTED USES AND CONDITIONAL PERMITTED USES

THE CITY COUNCIL OF ALBERT LEA, MINNESOTA ORDAINS:

SECTION 1. Chapter 50, Article III, Division 22 Principal Permitted Uses and Conditional Permitted Uses of the Code of Ordinance of the City of Albert Lea, Minnesota is hereby amended to read as follows:

Sec. 50.0811. Principal permitted uses and conditional permitted uses.

In the diversified central district, no building, structure or land shall be used and no building or structure shall be erected for other than one (1) of the following uses, except as provided in article VIII of this chapter pertaining to nonconforming uses. The DCD is intended to encourage mixed use development with multifamily housing above commercial. However, standalone residential or commercial is permitted subject to the permitted uses below:

- (1) *Commercial uses.*
 - a. Retail merchandise business, including, but not limited to, grocery, hardware, drug, clothing, furniture, household goods, florist, antiques, bookstore and sporting goods;
 - b. Personal and general service business, including, but not limited to, barber, shoe repair, skin care, photography, tailor and laundry;
 - c. Professional services, including, but not limited to, finance, insurance, medical and dental clinic, real estate office, and attorney's office;
 - d. Offices of a general nature;
 - e. Eating and drinking places, restaurants, cocktail lounges, including entertainment, but excluding sexually oriented businesses;
 - f. Processing, bakery, or catering establishments;
 - g. Minor fabrication and repair, such as, appliances and electronics repair, but not including auto repair;
 - h. Studios, including, but not limited to, art, television, radio, music and dance;
 - i. Clubs and membership organizations;
 - j. Day care facilities;
 - k. Clinics and medical offices;
 - l. Hotels, motels and hospitality facilities;
 - m. Research and call centers;
 - n. Indoor recreation and indoor athletic facilities;
 - o. Parking structures;
 - p. Small animal veterinary services with no outdoor kennels or runs;

- q. Movie theaters, bowling alleys, and performing entertainment centers.
- (2) *Residential uses.*
- a. Apartments;
 - b. Condominiums;
 - c. Housekeeping rooms;
 - d. Assisted living and continuum of care facilities;
 - e. Time shares;
 - f. Other similar multi-occupancy residences within buildings of two (2) or more residential units.
 - g. For properties zoned DCD Diversified Central District that are within the Heritage Preservation District, a minimum of fifty (50) percent of the main floor facing the front street shall be a principal permitted use or conditional permitted use other than a residential use as listed in a. through f. of this section.
- (3) *Public, civic, and institutional uses.*
- a. Public or semi-public facilities;
 - b. Vocational and technical schools, colleges, and universities;
 - c. Churches, religious institutions, or any other similar type of assembly use.
- (4) *Other uses.* Other uses not specifically listed in this division, but for which the zoning administrator or other authorized agent of the city has determined that the use is consistent with the intent for permitted uses in this district.
- (5) *Conditional permitted uses.* In the DCD, the following uses may be permitted only if specifically approved by the planning commission and authorized by the council, subject to section 50.0052:
- a. The expansion of a legal nonconforming single-family home;
 - b. Buildings over four (4) stories in height;
 - c. Buildings with materials other than those listed in section 50.0818(b).

That the motion for the adoption of the foregoing resolution was duly seconded by Councilor , and upon a vote being taken thereon, the following voted in favor thereof: Councilors Christensen, Baker, Howland, S. Rasmussen, R. Rasmussen, Anderson, and Mayor Murray;

And the following voted against the same: None. Mayor Murray declared the resolution passed.

Introduced and passed the first time this 8th day of May, 2023

Mayor Rich Murray

Filed and attested this 9th day of May, 2023

Secretary of the Council