

## CHAPTER 55

### B-1, CENTRAL BUSINESS DISTRICT

#### SECTION

- 55.01: Purpose
- 55.02: Permitted Uses
- 55.03: Interim Use
- 55.04: Accessory Uses
- 55.05: Conditional Uses
- 55.06: Height, Setback and Lot Coverage Requirements

**55.01: PURPOSE:** The B-1 District is intended to provide a district accommodating those retail, service and office functions which are characteristic to a traditional "downtown" area and to allow the present downtown area to expand, develop and redevelop, with emphasis on specialty shops and office uses.

**55.02: PERMITTED USES:** Subject to applicable provisions of this Ordinance, the following are permitted uses in a B-1 District:

- A. Adult use-accessory (only on established geographic location per amendment 23-1)
- B. Antique shops.
- C. Appliance sales or service stores.
- D. Art galleries or studios.
- E. Art supply, school supply, book or stationery stores.
- F. Bakeries, provided the room or rooms containing the preparation and baking process shall not have a gross floor area in excess of two thousand four hundred (2,400) square feet.
- G. Banks, savings, lending or other financial institutions.
- H. Barber shops.
- I. Beauty parlors.
- J. Blueprinting, photostating or instant printing establishments under two thousand (2,000) square feet in gross floor area.
- K. Business machine sales or service stores.
- L. Camera and photo stores.
- M. Candy or ice cream stores.
- N. Carpet and rug stores (sample showrooms only).
- O. Catering establishments.
- P. Clothes pressing or tailoring shops.
- Q. Club or lodge halls serving food and beverage.
- R. Community centers.

- S. Department stores.
- T. Drug stores.
- U. Dry cleaning receiving and pick up or laundry self-service establishments, excluding commercial laundering and dry cleaning.
- V. Florist shops.
- W. Food, grocery, meat, fish, bakery or delicatessen stores.
- X. Furniture stores.
- Y. Hardware stores.
- Z. Hobby stores.
- AA. Interior decorating studios.
- BB. Jewelry stores.
- CC. Laboratories (medical or dental).
- DD. Leather goods or luggage shops.
- EE. Libraries.
- FF. Locksmith shops.
- GG. Medical or dental clinics.
- HH. Newsstands which are not freestanding.
- II. "Off sale" liquor stores.
- JJ. Offices, including both business and professional uses.
- KK. "On sale" liquor stores.
- LL. Optical stores.
- MM. Paint or wallpaper stores.
- NN. Parking or garages, other than those accessory to a principal use, for the parking and storage of private passenger automobiles only.
- OO. Pawn shops.
- PP. Pet shops.
- QQ. Phonograph, record or sheet music stores.
- RR. Photography studios.
- SS. Picture framing or picture stores.
- TT. Pipe tobacco shops.
- UU. Post offices.
- VV. Public utility service stores.
- WW. Restaurants excluding the service of liquor and excluding convenience local establishments.
- XX. Schools, such as music, dance, business or vocational schools.
- YY. Sporting goods stores.
- ZZ. Taxidermy shops.
- AAA. Theaters, excluding drive-ins.
- BBB. Variety, gift, notion or soft good stores.
- CCC. Wearing apparel stores.

**55.03: INTERIM USES:** Subject to applicable provisions of this Chapter, the following are interim uses in a B-1 District and are further governed by Chapter 5 of this Ordinance.

- A. None.

**55.04: ACCESSORY USES:** The following are permitted accessory uses in a B-1 District:

- A. Accessory uses customarily incident to the uses permitted in Section 55.02 and 55.05 of this Ordinance.
- B. Off-Street Parking and Loading Areas and Structures. Parking of trucks used in the conduct of a permitted principal use, other than delivery trucks parked for not more than two (2) consecutive hours, shall be limited to vehicles of not more than twelve thousand (12,000) pounds gross vehicle weight.
- C. Telephone booths.
- D. Enclosed storage of merchandise in either principal or accessory building, solely intended to be retailed by a related and established principal use.
- E. Enclosed storage of merchandise in either principal or accessory building, solely intended to be retailed by a related and established principal use.
- F. Bus loading and unloading facilities.
- G. Signs.

**55.05: CONDITIONAL USES:** Subject to applicable provisions of this Ordinance, the following are conditional uses in a B-1 District (Requires a conditional use permit based upon procedures set forth in and regulated by Chapter 4 of this Ordinance):

- A. Drive-in facilities for banks or savings and loan associations provided that:
  - 1. The driveway access shall not be on a residential street.
  - 2. The curb cut setbacks and parking shall be in conformance with Chapter 18 of this Ordinance.
  - 3. The stacking lane and its access must be designed to control traffic in a manner to protect the pedestrian ways, buildings and green area on the site.
  - 4. The service windows and driveway shall be screened from view if adjacent to a residentially used property.

5. The provisions of Section 4.02.E of this Ordinance are considered and satisfactorily met.
- B. Physical, culture or health service establishments or reducing salons provided that:
1. The use shall not serve alcoholic beverages.
  2. If located within a shopping center, the use has its own exclusive exterior access.
  3. The use is located and developed so as not to create an incompatible operation problem with adjoining and neighboring commercial and/or residential uses.
  4. Any and all applicable local, state and federal laws, permits licenses and operational regulations are complied with.
  5. The provisions of Section 4.02.E of this Ordinance are considered and satisfactorily met.
- C. Accessory, enclosed retail, rental or service activity other than that allowed as a permitted use or conditional use within this section, provided that:
1. Such use is allowed as a permitted use in a B-2 or B-3 District.
  2. Such use does not constitute more than thirty (30) percent of the lot area and not more than fifty (50) percent of the gross floor area of the principal use.
  3. Adequate off-street parking and off-street loading in compliance with the requirements of Chapters 18 and 19 of this Ordinance.
  4. All signing and informational or visual communication devices shall be in compliance with the City's Sign Ordinance.
  5. The provisions of Section 4.02.E of this Ordinance are considered and satisfactorily met.
- D. Restaurants serving liquor, and drive-in or convenience food establishments provided that:
1. All provisions of the City Liquor Ordinance are complied with.
  2. The provisions of Section 4.02.E of this Ordinance are considered and satisfactorily met.

E. Residential and non-residential uses within one principal structure, 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 be governed by all applicable standards of the Zoning Ordinance, Building Code, Housing Code and Fire Codes.
3. Residential and non-residential uses shall not be contained on the same floor and no residential use shall be located on the first floor.
4. Residential uses shall be provided with a separate entrance, and separately identified parking stalls.
5. The provisions of Section 4.02.E of this Ordinance are considered and satisfactorily met.

F. Open and outdoor storage as an accessory use provided that:

1. The storage area is landscaped, fenced, and screened from view of neighboring uses and abutting residential districts.
2. Storage is landscaped and screened from view from the public right-of-way.
3. Storage area is blacktopped or concrete surfaced unless an exemption is granted for just cause by the City Council.
4. All lighting shall be hooded and so directed that the light source shall not be visible from the public right-of-way or from neighboring residences.
5. The storage area does not take up parking space or loading space as required for conformity to this Ordinance.
6. The provisions of Section 4.02.E of this Ordinance are considered and satisfactorily met.

G. Open or outdoor services, sale and rental as a principal or accessory use provided that:

1. Outside services, sales and equipment rental connected with the principal use is limited to thirty (30) percent of the gross floor area of the principal use.
2. Outside sales areas are landscaped and fence or screened from view of

neighboring residential uses or an abutting residential district.

3. All lighting shall be hooded and so directed that the light source shall not be visible from the public right-of-way or from neighboring residences.
4. Areas are asphalt or concrete surfaced unless an exemption is granted for just cause by the City Council.
5. The use does not take up parking space or loading areas as required for conformity to this Ordinance.
6. The provisions of Section 4.02.E of this Ordinance are considered and satisfactorily met.

H. Planned unit development as regulated by Chapter 24 of this Ordinance.

**55.06: HEIGHT, SETBACK AND LOT COVERAGE REQUIREMENTS:** The following minimum requirements shall be observed in a B-1 District subject to additional requirements, exceptions, and modifications set forth in this Ordinance. The following lot coverage, height and bulk shall be observed in a B-1 District:

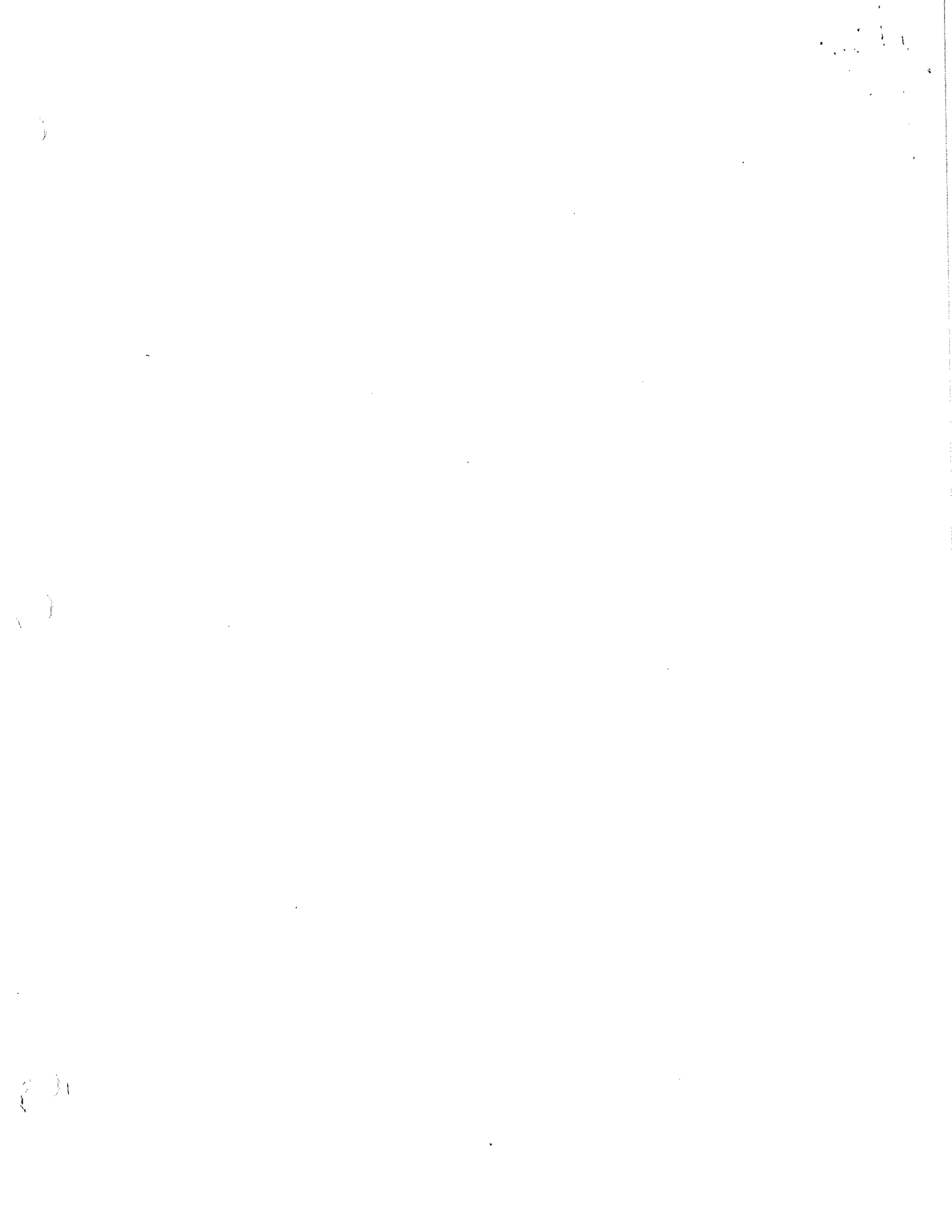
- A. Height: No building shall be erected or structurally altered to exceed two (2) stories and thirty (30) feet in height.
- B. Setback:
  1. There shall be no front yard, exterior side yard or rear yard requirements, except that there shall be a required setback from B-1 District boundaries when such boundaries are adjacent to a residential district the same as the setback for the adjacent district.
  2. There shall be no interior side yard required in the B-1 District, except that in such cases where a side yard is provided it shall be a minimum of five (5) feet in width, provided that the structure contains a solid, fireproof wall. In such cases where the structure contains windows and/or doors on the interior building side, a setback equal to one-half (1/2) the height of the structure shall be required.
- C. Area: The minimum total lot area shall be twelve thousand (12,000) square feet.

11/11/11

11

11

11





## CHAPTER 56

### B-2, HIGHWAY COMMERCIAL DISTRICT

#### SECTION

- 56.01: Purpose
- 56.02: Permitted Uses
- 56.03: Interim Uses
- 56.04: Accessory Uses
- 56.05: Conditional Uses
- 56.06: Lot Requirements and Setbacks
- 56.07: Maximum Building Height

**56.01: PURPOSE:** The purpose of the B-2, Highway Commercial District is to provide for and limit the establishment of motor vehicle oriented or dependent high intensity commercial and service activities.

**56.02: PERMITTED USES:** The following are permitted uses in a B-2 District:

- A. Adult use, accessory (only in established geographic location per amendment 23-1)
- B. Animal hospitals and kennels.
- C. Auto accessory store.
- D. Barber shops.
- E. Beauty parlors.
- F. Commercial recreational uses.
- G. Essential services.
- H. Convenience grocery stores (not supermarket type and without motor fuel facilities).
- I. Laundromat, self-service washing and drying.
- J. Professional and commercial leased offices.
- K. Governmental and public related utility buildings and structures.
- L. Funeral homes and mortuaries.
- M. Motels, motor hotels and hotels, provided that the lot contains not less than 500 square feet of lot area per unit.
- M-2. Motor vehicle, farm implement, and recreational equipment (RV; snowmobile; boat; ATV; etc.) sales, leasing, rental, service, and repair; including structure accessory thereto.
- N. Restaurants (not of the drive-in, convenience or drive-through type), cafes, on and off-sale liquor.
- O. Private clubs or lodges serving food and beverages.

**56.03: INTERIM USES:** Subject to applicable provisions of this Chapter, the following are interim uses in a B-2 District and are further governed by Chapter 5 of this Ordinance.

- A. None.

**56.04: ACCESSORY USES:** The following are permitted uses in a B-2 District:

- A. Commercial or business buildings and structures for a use accessory to the principal use but such use shall not exceed thirty (30) percent of the gross floor space of the principal use.
- B. Off-street parking as regulated by Chapter 18 of this Ordinance, but not including semi-trailer trucks.
- C. Off-street loading as regulated by Chapter 19 of this Ordinance.
- D. Signs.

**56.05: CONDITIONAL USES:** The following are conditional uses in a B-2 District. (Requires a conditional use permit based upon procedures set forth in and regulated by Chapter 4 of this Ordinance).

- A. Drive-in and convenience food establishments, provided that:
  - 1. The architectural appearance and functional plan of the building and site shall not be so dissimilar to the existing buildings or area so as to cause impairment in property values or constitute a blighting influence within a reasonable distance of the lot.
  - 2. At the boundaries of a residential district, a strip of not less than five (5) feet shall be landscaped and screened in compliance with Section 16.10 of this Ordinance.
  - 3. Each light standard island and all islands in the parking lot landscaped or covered.
  - 4. Parking areas shall be screened from view of abutting residential districts in compliance with Section 16.10 of this Ordinance.
  - 5. Parking areas and driveways shall be curbed with continuous curbs not less than six (6) inches high above the parking lot or driveway grade.
  - 6. Vehicular access points shall be limited, shall create a minimum of conflict with through traffic movements, shall comply with Chapter 18 of this Ordinance and shall be subject to the approval of the City Engineer.
  - 7. All lighting shall be hooded and so directed that the light source is not visible

from the public right-of-way or from an abutting residence and shall be in compliance with Section 16.08 of this Ordinance.

8. The entire area shall have a drainage system which is subject to the approval of the City Engineer.
  9. The entire area other than occupied by buildings or structures or plantings shall be surfaced with blacktop or concrete which is subject to the approval of the City Engineer.
  10. All signing and informational or visual communication devices shall be in compliance with the provisions of the City's Sign Ordinance.
  11. The provisions of Section 4.02.E of this Ordinance are considered and determined to be satisfied.
- B. Commercial car washes (drive-through, mechanical and self-service), provided that:
1. The architectural appearance and functional plan of the building and site shall not be so dissimilar to the existing buildings or areas as to cause impairment in property values or constitute a blighting influence.
  2. Magazining or stacking space is constructed to accommodate an appropriate number of vehicles and shall be subject to the approval of the City Council.
  3. At the boundaries of a residential district, a strip of not less than five (5) feet shall be landscaped and screened in compliance with Section 16.10 of this Ordinance.
  4. Each light standard island and all islands in the parking lot landscaped or covered.
  5. Parking or car magazine storage space shall be screened from view of abutting residential districts in compliance with Section 16.10 of this Ordinance.
  6. The entire area other than occupied by the building or planting shall be surfaced with blacktop or concrete which will control dust and drainage which is subject to the approval of the City Engineer.
  7. The entire area shall have a drainage system which is subject to the approval of the City Engineer.
  8. All lighting shall be hooded and so directed that the light source is not visible from the public right-of-way or from an abutting residence and shall be in compliance with Section 16.08 of this Ordinance.

9. Vehicular access points shall be limited, shall create a minimum of conflict with through traffic movement and shall be subject to the approval of the City Engineer.
  10. All signing and informational or visual communication devices shall be in compliance with the provisions of the City's Sign Ordinance.
  11. Provisions are made to control and reduce noise in accordance with Chapter 16 of this Ordinance.
  12. The provisions of Section 4.02.E of this Ordinance are considered and determined to be satisfied.
- C. Motor vehicle fuel sales, truck stop, auto repair - minor and tire and battery stores and services, provided that:
1. Regardless of whether the dispensing, sale or offering for sale of motor fuels and/or oil is incidental to the conduct of the use or business, the standards and requirements imposed by this Ordinance for motor fuel stations shall apply. These standards and requirements are, however, in addition to other requirements which are imposed for other uses of the property.
  2. The architectural appearance and functional plan of the building and site shall not be so dissimilar to the existing buildings or area as to cause impairment in property values or constitute a blighting influence within a reasonable distance of the lot.
  3. The entire site other than that taken up by a building, structure or plantings shall be surfaced with blacktop or concrete to control dust and drainage which is subject to the approval of the City Engineer.
  4. A drainage system subject to the approval of the City Engineer shall be installed.
  5. The lighting shall be accomplished in such a way as to have no direct source of light visible from adjacent land in residential use or from the public right-of-way and shall be in compliance with Section 16.08 of this Ordinance.
  6. Wherever fuel pumps are to be installed, pump islands shall be installed.
  7. At the boundaries of a residential district, a strip of not less than five (5) feet shall be landscaped and screened in compliance with Section 16.10 of this Ordinance.
  8. Each light standard island and all islands in the parking lot landscaped or

covered.

9. Parking or car magazine storage space shall be screened from view of abutting residential districts in compliance with Section 16.10 of this Ordinance.
  10. Vehicular access points shall create a minimum of conflict with through traffic movement, shall comply with Chapter 18 of this Ordinance and shall be subject to the approval of the City Engineer.
  11. All signing and informational or visual communication devices shall be minimized and shall be in compliance with the provisions of the City's Sign Ordinance.
  12. Provisions are made to control and reduce noise in accordance with Chapter 16 of this Ordinance.
  13. No outside storage, sales, service, or rental shall be permitted.
  14. Sale of products other than those specifically mentioned in this sub-section shall be subject to approval of a conditional use permit.
  15. All conditions pertaining to a specific site are subject to change when the Council, upon investigation in relation to a formal request, finds that the general welfare and public betterment can be served as well or better by modifying the conditions.
  16. The provisions of Section 4.02.E of this Ordinance are considered and determined to be satisfied.
- D. Convenience Store with Gasoline. Grocery and/or food operations, with convenience gas (no vehicle service or repair), provided that:
1. Convenience/deli food is of the take-out type only and that no provision for seating or consumption on the premises is provided. Furthermore, that the enclosed area devoted to such activity, use and merchandise shall not exceed fifteen (15) percent of the gross floor area.
  2. That any sale of food items is subject to the approval of the Zoning Administrator who shall provide specific written sanitary requirements for each proposed sale location based upon applicable State and County regulations.
  3. That the approximate area and location devoted to non-automotive merchandise sales shall be specified in general terms in the application and in the conditional use permit. No exterior sales or storage shall be permitted.

4. The hours of operation shall be limited to 5:00 AM to 1:00 PM, unless extended by granting of a conditional use permit by the City Council.
  5. Motor fuel activities shall be installed in accordance with State and City standards. Additionally, adequate space shall be provided to access gas pumps and allow maneuverability around the pumps. Underground fuel storage tanks are to be positioned to allow adequate access by motor fuel transports and unloading operations do not conflict with circulation, access and other activities on the site. Fuel pumps shall be installed on pump islands.
  6. A protective canopy located over pump island may be an accessory structure on the property and may be located twenty (20) feet or more from the front lot line, provided adequate visibility both on and off site is maintained.
  7. The architectural appearance and functional plan of the building and site shall not be so dissimilar to the existing buildings or area as to cause impairment in property values or constitute a blighting influence within a reasonable distance of the lot. All sides of the principal and accessory structures are to have essentially the same or a coordinated, harmonious finish treatment.
  8. The entire site other than that taken up by a building, structure or plantings shall be surfaced with blacktop or concrete to control dust and drainage which is subject to the approval of the City Engineer.
  9. At the boundaries of the lot, a strip of not less than five (5) feet shall be landscaped and screened in compliance with Section 16.10 of this Ordinance.
  10. Each light standard base shall be landscaped.
  11. Vehicular access points shall create a minimum of conflict with through traffic movement, and shall be subject to the approval of the City.
  12. An internal site pedestrian circulation system shall be defined and appropriate provisions made to protect such areas from encroachments by parked cars or moving vehicles.
  13. An enclosed screened area is to be provided for rubbish and dumpsters.
  14. The provisions of Section 4.02.E of this Ordinance are considered and determined to be satisfied.
- E. Accessory, enclosed retail, rental or service activity other than that allowed as a permitted use or conditional use within this Chapter, provided that:

1. Such use is allowed as a permitted use in a Business District.
  2. Such use does not constitute more than thirty (30) percent of the lot area and not more than fifty (50) percent of the gross floor area of the principal use.
  3. Adequate off-street parking and off-street loading in compliance with the requirements of Sections 18 and 19 of this Ordinance is provided.
  4. All signing and informational or visual communication devices shall be in compliance with the provisions of the City's Sign Ordinance.
  5. The provisions of Section 4.02.E of this Ordinance are considered and determined to be satisfied.
- F. Commercial planned unit developments as regulated by Chapter 24 of this Ordinance.
- G. Open or outdoor sales, rental or display as an accessory use in association with an allowed principal use provided that:
1. Outside sales areas are fenced or screened from view of neighboring residential uses or an abutting R District in compliance with Sections 16-10 and 16-11 of this Ordinance.
  2. All lighting shall be hooded and so directed that the light sources shall not be visible from the public right-of-way or from neighboring residences and shall be in compliance with Section 16-08 of this Ordinance.
  3. The area is hard surfaced to control dust.
  4. The use does not take up parking space as required by conformity to this Ordinance.
  5. The provisions of Section 4.02E of this Ordinance are considered and determined to be satisfied.
- H. Mini-storage facilities, including exterior and interior only accessible facilities provided.
1. No building to exceed 4,000 square feet with no more than four buildings per site.
  2. No site shall be closer than 1,000 feet from another mini-storage facility.
  3. No buildings shall be closer than 50 feet from a neighboring residential zone.
  4. Units are to be used for dead storage only. Units are not to be used for retailing, auto repair, human habitation, or any commercial activity. Storage of any flammable or hazardous material is prohibited.
  5. A landscaping plan shall be submitted by the applicant for review and approval by the City Council.

**56.06: LOT REQUIREMENTS AND SETBACKS:** The following minimum requirements shall be observed in a B-2 District, subject to additional requirements, exceptions and

modifications set forth in this Ordinance.

- A. Lot Area: Twenty thousand (20,000) square feet
- B. Lot Width: One hundred fifty (150) feet
- C. Setbacks:
  - 1. Front yards:

<u>Road Class</u>	<u>Setbacks from Right-of-Way Lines</u>
Principal/Minor Arterial Street	65 feet
Collector Street	65 feet
Local Street	30 feet
From Cul-De-Sac Right-of-Way	30 feet

Where a lot is located at the intersection of two (2) or more streets that bound two (2) or more sides of the lot, no building shall project beyond the front yard line of either street.

- 2. Side yards:
  - a. Ten (10) feet, unless
  - b. If abutting a Residential District: Fifty (50) feet
- 3. Rear yards:
  - a. Thirty (30) feet, unless
  - b. If abutting a residential district: Fifty (50) feet.

**56.07: MAXIMUM BUILDING HEIGHT:**

- A. Principal building: Thirty-five (35) feet
- B. Accessory building: Per Section 17.12 of this Ordinance.



## CHAPTER 57

### B-3, GENERAL BUSINESS DISTRICT

#### SECTION

- 57.01: Purpose
- 57.02: Permitted Uses
- 57.03: Interim Uses
- 57.04: Accessory Uses
- 57.05: Conditional Uses
- 57.06: Lot Requirements and Setbacks
- 57.07: Maximum Building Height

**57.01: PURPOSE:** The purpose of the B-3 District is to provide specifically for the regulation of commercial uses located within the City intended to serve the general populations.

**57.02: PERMITTED USES:** The following are permitted uses in a B-3 District:

- A. Adult use - principal and accessory *(only in established geographic location per ammendment 23-1)*
- B. Animal hospitals and kennels.
- C. Auto accessory store.
- D. Barber shops.
- E. Beauty parlors.
- F. Commercial recreational uses.
- G. Essential services.
- H. Convenience grocery stores (not supermarket type and without motor fuel facilities).
- I. Laundromat, self-service washing and drying.
- J. Professional and commercial leased offices.
- K. Governmental and public related utility buildings and structures.
- L. Funeral homes and mortuaries.
- M. Motels, motor hotels and hotels, provided that the lot contains not less than 500 square feet of lot area per unit.
- N. Restaurants (not of the drive-in, convenience or drive-through type), cafes, on and off-sale liquor.
- O. Private clubs or lodges serving food and beverages.
- P. Antique or gift shop.
- Q. Amusement places (such as dance halls or roller rinks).
- R. Animal clinics (with no overnight care).
- S. Books, office supplies or stationary stores.
- T. Bowling alleys.
- U. Carpet, rugs and tile.
- V. Coin and philatelic stores.

- W. Copy service, but not including printing press or newspaper.
- X. Costume, clothes rental.
- Y. Department and discount stores.
- Z. Dry cleaning including plant accessory heretofore, pressing and repairing.
- AA. Dry good store.
- BB. Electrical appliance stores including incidental repair and assembly but not fabricating or manufacturing.
- CC. Employment agencies.
- DD. Finance companies.
- EE. Furniture stores.
- FF. Furriers when conducted only for retail trade on premises.
- GG. Garden supply stores.
- HH. Haberdasheries and ladies ready-to-wear.
- II. Insurance sales, claims and branch offices.
- JJ. Jewelry stores and luggage stores.
- KK. Leather goods and luggage stores.
- LL. Record - music shops.
- MM. Sewing machine sales and service.
- NN. Shoe stores.
- OO. Tailor shops.
- PP. Theaters, not of the outdoor drive-in type.
- QQ. Toy stores.
- RR. Travel bureaus, transportation ticket offices.
- SS. Variety stores, 5 and 10 cent stores, and stores of similar nature.
- TT. Wearing apparel.

**57.03: INTERIM USES:** Subject to applicable provisions of this Chapter, the following are interim uses in a B-3 District and are further governed by Chapter 5 of this Ordinance.

- A. None.

**57.04: ACCESSORY USES:** The following are permitted uses in a B-3 District:

- A. Commercial or business buildings and structures for a use accessory to the principal use but such use shall not exceed thirty (30) percent of the gross floor space of the principal use.
- B. Off-street parking as regulated by Chapter 18 of this Ordinance, but not including semi-trailer trucks.
- C. Off-street loading as regulated by Chapter 19 of this Ordinance.

D. Signs.

**57.05: CONDITIONAL USES:** The following are conditional uses in a B-3 District. (Requires a conditional use permit based upon procedures set forth in and regulated by Chapter 4 of this Ordinance).

- A. Commercial planned unit development as regulated by Chapter 24 of this Ordinance.
- B. Drive-in and convenience food establishments, provided that:
  - 1. The architectural appearance and functional plan of the building and site shall not be so dissimilar to the existing buildings or area so as to cause impairment in property values or constitute a blighting influence within a reasonable distance of the lot.
  - 2. At the boundaries of a residential district, a strip of not less than five (5) feet shall be landscaped and screened in compliance with Section 16 of this Ordinance.
  - 3. Each light standard island and all islands in the parking lot landscaped or covered.
  - 4. Parking areas shall be screened from view of abutting residential districts in compliance with Section 16 of this Ordinance.
  - 5. Parking areas and driveways shall be curbed with continuous curbs not less than six (6) inches high above the parking lot or driveway grade.
  - 6. Vehicular access points shall be limited, shall create a minimum of conflict with through traffic movements, shall comply with Chapter 18 of this Ordinance and shall be subject to the approval of the City Engineer.
  - 7. All lighting shall be hooded and so directed that the light source is not visible from the public right-of-way or from an abutting residence and shall be in compliance with Section 16.08 of this Ordinance.
  - 8. The entire area shall have a drainage system which is subject to the approval of the City Engineer.
  - 9. The entire area other than occupied by buildings or structures or plantings shall be surfaced with blacktop or concrete which is subject to the approval of the City Engineer.

10. All signing and informational or visual communication devices shall be in compliance with the provisions of the City's Sign Ordinance.
11. The provisions of Section 4.02.E of this Ordinance are considered and determined to be satisfied.

C. Commercial car washes (drive-through, mechanical and self-service), provided that:

1. The architectural appearance and functional plan of the building and site shall not be so dissimilar to the existing buildings or areas as to cause impairment in property values or constitute a blighting influence.
2. Magazining or stacking space is constructed to accommodate an appropriate number of vehicles and shall be subject to the approval of the City Council.
3. At the boundaries of a residential district, a strip of not less than five (5) feet shall be landscaped and screened in compliance with Section 16.10 of this Ordinance.
4. Each light standard island and all islands in the parking lot landscaped or covered.
5. Parking or car magazine storage space shall be screened from view of abutting residential districts in compliance with Section 16.10 of this Ordinance.
6. The entire area other than occupied by the building or planting shall be surfaced with blacktop or concrete which will control dust and drainage which is subject to the approval of the City Engineer.
7. The entire area shall have a drainage system which is subject to the approval of the City Engineer.
8. All lighting shall be hooded and so directed that the light source is not visible from the public right-of-way or from an abutting residence and shall be in compliance with Section 16.08 of this Ordinance.
9. Vehicular access points shall be limited, shall create a minimum of conflict with through traffic movement and shall be subject to the approval of the City Engineer.
10. All signing and informational or visual communication devices shall be in compliance with the provisions of the City's Sign Ordinance.

11. Provisions are made to control and reduce noise in accordance with Section 16 of this Ordinance.
  12. The provisions of Section 4.02.E of this Ordinance are considered and determined to be satisfied.
- D. Motor vehicle fuel sales, truck stop, auto repair - minor and tire and battery stores and services, provided that:
1. Regardless of whether the dispensing, sale or offering for sale of motor fuels and/or oil is incidental to the conduct of the use or business, the standards and requirements imposed by this Ordinance for motor fuel stations shall apply. These standards and requirements are, however, in addition to other requirements which are imposed for other uses of the property.
  2. The architectural appearance and functional plan of the building and site shall not be so dissimilar to the existing buildings or area as to cause impairment in property values or constitute a blighting influence within a reasonable distance of the lot.
  3. The entire site other than that taken up by a building, structure or plantings shall be surfaced with blacktop or concrete to control dust and drainage which is subject to the approval of the City Engineer.
  4. A drainage system subject to the approval of the City Engineer shall be installed.
  5. The lighting shall be accomplished in such a way as to have no direct source of light visible from adjacent land in residential use or from the public right-of-way and shall be in compliance with Section 16.08 of this Ordinance.
  6. Wherever fuel pumps are to be installed, pump islands shall be installed.
  7. At the boundaries of a residential district, a strip of not less than five (5) feet shall be landscaped and screened in compliance with Section 16.10 of this Ordinance.
  8. Each light standard island and all islands in the parking lot landscaped or covered.
  9. Parking or car magazine storage space shall be screened from view of abutting residential districts in compliance with Section 16.10 of this Ordinance.

10. Vehicular access points shall create a minimum of conflict with through traffic movement, shall comply with Chapter 18 of this Ordinance and shall be subject to the approval of the City Engineer.
  11. All signing and informational or visual communication devices shall be minimized and shall be in compliance with the provisions of the City's Sign Ordinance.
  12. Provisions are made to control and reduce noise in accordance with Chapter 16 of this Ordinance.
  13. No outside storage, sales, service, or rental shall be permitted.
  14. Sale of products other than those specifically mentioned in this sub-section shall be subject to approval of a conditional use permit.
  15. All conditions pertaining to a specific site are subject to change when the Council, upon investigation in relation to a formal request, finds that the general welfare and public betterment can be served as well or better by modifying the conditions.
  16. The provisions of Section 4.02.E of this Ordinance are considered and determined to be satisfied.
- E. Convenience Store with Gasoline. Grocery and/or food operations, with convenience gas (no vehicle service or repair), provided that:
1. Convenience/deli food is of the take-out type only and that no provision for seating or consumption on the premises is provided. Furthermore, that the enclosed area devoted to such activity, use and merchandise shall not exceed fifteen (15) percent of the gross floor area.
  2. That any sale of food items is subject to the approval of the Zoning Administrator who shall provide specific written sanitary requirements for each proposed sale location based upon applicable State and County regulations.
  3. That the approximate area and location devoted to non-automotive merchandise sales shall be specified in general terms in the application and in the conditional use permit. No exterior sales or storage shall be permitted.
  4. The hours of operation shall be limited to 6:00 AM to 12:00 PM, unless extended by the Council.

5. Motor fuel activities shall be installed in accordance with State and City standards. Additionally, adequate space shall be provided to access gas pumps and allow maneuverability around the pumps. Underground fuel storage tanks are to be positioned to allow adequate access by motor fuel transports and unloading operations do not conflict with circulation, access and other activities on the site. Fuel pumps shall be installed on pump islands.
  6. A protective canopy located over pump island may be an accessory structure on the property and may be located twenty (20) feet or more from the front lot line, provided adequate visibility both on and off site is maintained.
  7. The architectural appearance and functional plan of the building and site shall not be so dissimilar to the existing buildings or area as to cause impairment in property values or constitute a blighting influence within a reasonable distance of the lot. All sides of the principal and accessory structures are to have essentially the same or a coordinated, harmonious finish treatment.
  8. The entire site other than that taken up by a building, structure or plantings shall be surfaced with blacktop or concrete to control dust and drainage which is subject to the approval of the City Engineer.
  9. At the boundaries of the lot, a strip of not less than five (5) feet shall be landscaped and screened in compliance with Section 16.10 of this Ordinance.
  10. Each light standard base shall be landscaped.
  11. Vehicular access points shall create a minimum of conflict with through traffic movement, and shall be subject to the approval of the City.
  12. An internal site pedestrian circulation system shall be defined and appropriate provisions made to protect such areas from encroachments by parked cars or moving vehicles.
  13. An enclosed screened area is to be provided for rubbish and dumpsters.
  14. The provisions of Section 4.02.E of this Ordinance are considered and determined to be satisfied.
- F. Accessory, enclosed retail, rental or service activity other than that allowed as a permitted use or conditional use within this Chapter, provided that:
1. Such use is allowed as a permitted use in a Business District.

2. Such use does not constitute more than thirty (30) percent of the lot area and not more than fifty (50) percent of the gross floor area of the principal use.
3. Adequate off-street parking and off-street loading in compliance with the requirements of Chapters 18 and 19 of this Ordinance is provided.
4. All signing and informational or visual communication devices shall be in compliance with the provisions of Section 16.13 of this Ordinance.
5. The provisions of Section 4.02.E of this Ordinance are considered and determined to be satisfied.

**57.06: LOT REQUIREMENTS AND SETBACKS:** The following minimum requirements shall be observed in a B-3 District, subject to additional requirements, exceptions and modifications set forth in this Ordinance.

- A. Lot Area: Twenty thousand (20,000) square feet
- B. Lot Width: One hundred fifty (150) feet
- C. Setbacks:

1. Front yard:

<u>Road Class</u>	<u>Setbacks from Right-of-Way Lines</u>
Principal/Minor Arterial Street	65 feet
Collector Street	65 feet
Local Street	30 feet
From Cul-De-Sac Right-of-Way	30 feet

Where a lot is located at the intersection of two (2) or more streets that bound two (2) or more sides of the lot, no building shall project beyond the front yard line of either street.

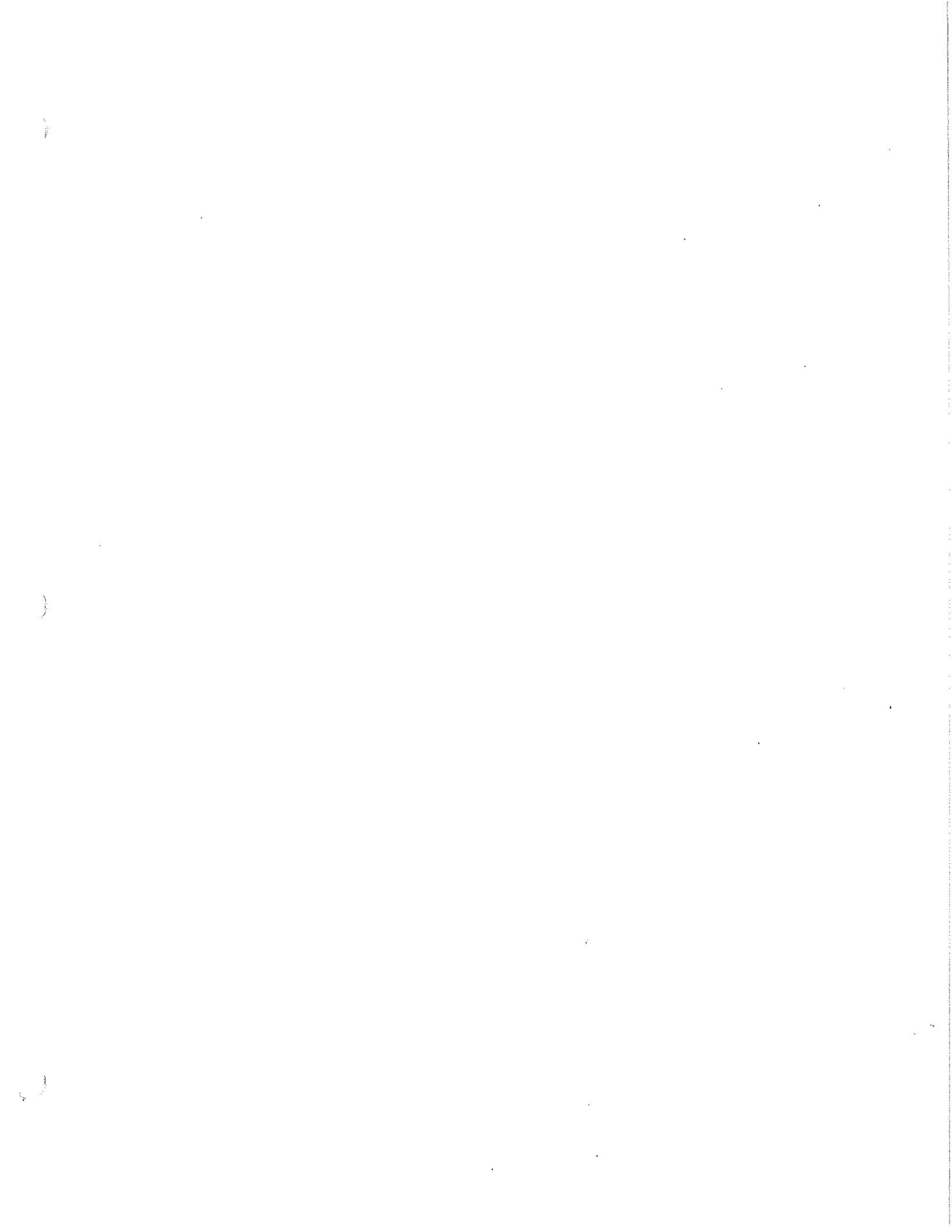
2. Side yards:
  - a. Twenty (20) feet, unless
  - b. If abutting a Residential District: Fifty (50) feet
3. Rear yards:



- a. Thirty (30) feet, unless
- b. If abutting a residential district: Fifty (50) feet.

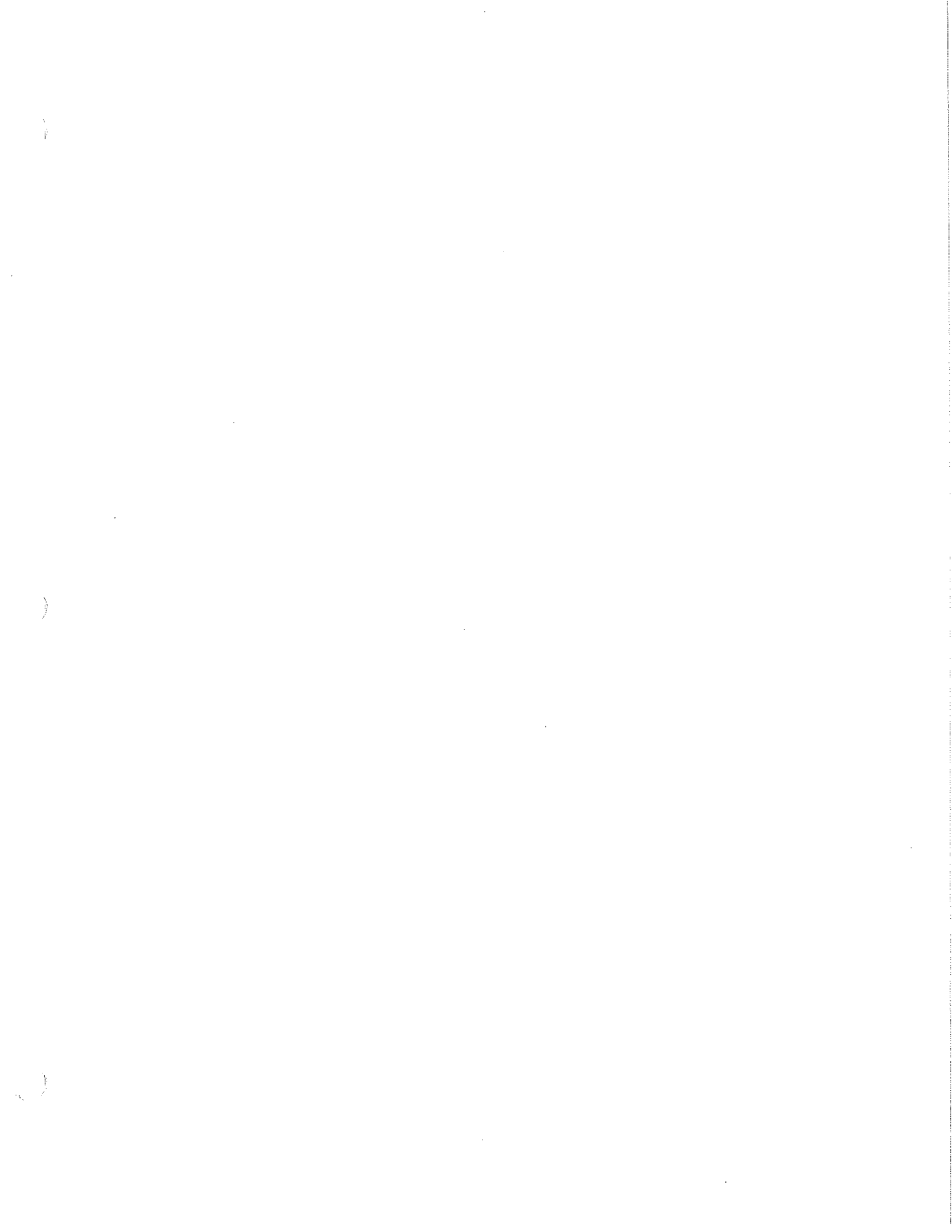
**57.07: MAXIMUM BUILDING HEIGHT:**

- A. Principal building: Thirty-five (35) feet
- B. Accessory building: Per Section 17.12 of this Ordinance.



CHAPTERS 58-64

**RESERVED**



## CHAPTER 65

### I-1, LIGHT INDUSTRIAL DISTRICT

#### SECTION

- 65.01: Purpose
- 65.02: Permitted Uses
- 65.03: Interim Uses
- 65.04: Accessory Uses
- 65.05: Conditional Uses
- 65.06: Lot Requirements and Setbacks
- 65.07: Maximum Site Coverage
- 65.08: Maximum Building Height

**65.01: PURPOSE:** The intent of the I-1, Limited Industrial District is to provide for the establishment of warehousing and light industrial development. The overall character of the I-1 District is intended to have low impact manufacturing/ warehouse character. Industrial uses allowed in this district shall be limited to those which can compatibly exist adjacent to both lower intensity business uses and high intensity manufacturing uses and which have limited amounts of truck traffic in comparison to higher intensity industrial districts. It is further the intent of this district that industrial development occur in an orderly, well planned manner at locations identified in the Comprehensive Plan where urban services are provided.

**65.02: PERMITTED USES:** The following are permitted uses in a I-1 District:

- A. Manufacturing or assembly of a wide variety of products that produces no exterior noise, glare, fumes, obnoxious products, by-products or wastes, or creates other objectionable impact on the environment, including the generation of large volumes of traffic. Examples of such uses are:
  - 1. Fabrication or assembly of small products such as optical, electronic, pharmaceutical, medical supplies and equipment.
  - 2. Printing and publishing.
- B. Warehousing of non-explosive material or equipment.
- C. Offices related to above.
- D. Machine shops.

- E. Automobile repair - major.
- F. Contractor operations.

**65.03: INTERIM USES:** Subject to applicable provisions of this Chapter, the following are interim uses in a I-1 District and are further governed by Chapter 5 of this Ordinance.

- A. None.

**65.04: ACCESSORY USES:** The following are permitted uses in a I-1 District:

- A. Commercial or business buildings and structures for a use accessory to the principal use but such use shall not exceed thirty (30) percent of the gross floor space of the principal use and shall be of the same material and design as the principal use.
- B. Off-street parking as regulated by Chapter 18 of this Ordinance including semi-trailer trucks.
- C. Off-street loading as regulated by Chapter 19 of this Ordinance.
- D. Signs.

**65.05: CONDITIONAL USES:** The following are conditional uses in a I-1 District. (Requires a conditional use permit based upon procedures set forth in and regulated by Chapter 4 of this Ordinance).

- A. Open or outdoor service, sale and rental as a principal or accessory use, provided that:
  - 1. Outside service areas are fenced and screened from view of the public right-of-way, neighboring residential uses, or an abutting Residential District in compliance with Section 16.10 of this Ordinance.
  - 2. All lighting shall be hooded and so directed that the light source shall not be visible from the public right-of-way or from neighboring residences and shall be in compliance with Section 16.08 of this Ordinance.
  - 3. The use does not take up parking space as required for conformity to this Ordinance.

4. Sales area is hard surfaced to control dust.
  5. The provisions of Section 4.02.E of this Ordinance are considered and determined to be satisfied.
- B. Accessory, enclosed retail, rental, or service activity other than that allowed as a permitted use or conditional use within this Section, provided that:
1. Such use is allowed as a permitted use in a Business District.
  2. Such use does not constitute more than fifty (50) percent of the gross floor area of the principal building.
  3. Adequate off-street parking and off-street loading in compliance with the requirements of Chapters 18 and 19 of this Ordinance is provided.
  4. All signing and informational or visual communication devices shall be in compliance with the City's Sign Ordinance.
  5. The provisions of Section 4.02.E of this Ordinance are considered and determined to be satisfied.
- C. Open and outdoor storage as a principal or accessory use provided that:
1. The storage area is landscaped, fenced, and screened from view of neighboring uses and abutting R Districts.
  2. Storage is landscaped and screened from view from the public right-of-way.
  3. Storage area is blacktopped or concrete surfaced unless specifically exempted for just cause by the City Council.
  4. All lighting shall be hooded and so directed that the light source shall not be visible from the public right-of-way or from neighboring residences.
  5. The storage area does not take up parking space or loading space as required for conformity to this Ordinance.
  6. The provisions of Section 4.02.E of this Ordinance are considered and determined to be satisfied.
- D. Planned unit development as regulated by Chapter 24 of this Ordinance.

**65.06: LOT REQUIREMENTS AND SETBACKS:** The following minimum requirements shall be observed in a I-1 District, subject to additional requirements, exceptions and modifications set forth in this Ordinance.

- A. Lot Area: Twenty thousand (20,000)
- B. Lot Width: One hundred fifty (150) feet
- C. Setbacks:

1. Front yards:

<u>Road Class</u>	<u>Setbacks from Right-of-Way</u>
Principal/Minor Arterial Street	65 feet
Collector Street	65 feet
Local Street	30 feet
From Cul-De-Sac Right-of-Way	30 feet

Where a lot is located at the intersection of two (2) or more streets that bound two (2) or more sides of the lot, no building shall project beyond the front yard line of either street.

2. Side yard:

- a. Thirty (30) feet unless
- b. If abutting a residential district Fifty (50) feet.

3. Rear Yard:

- a. Thirty (30) feet unless
- b. If abutting a residential district Fifty (50) feet.

**65.07: MAXIMUM SITE COVERAGE:**

- A. Building and Structure: Thirty (30) ~~Percent~~ *Percent*
- B. Hard surface including buildings and parking/driveway areas: Eighty-five (85) percent.

**65.08: MAXIMUM BUILDING HEIGHT:** Thirty-five (35) feet.



## CHAPTER 66

### I-2, GENERAL INDUSTRIAL DISTRICT

#### SECTION

- 66.01: Purpose
- 66.02: Permitted Uses
- 66.03: Interim Uses
- 66.04: Accessory Uses
- 66.05: Conditional Uses
- 66.06: Lot Requirements and Setbacks
- 66.07: Maximum Site Coverage by Building
- 66.08: Maximum Building Height

**66.01: PURPOSE:** It is the intent of the I-2 General Industrial District to provide areas suitable for the location of general industrial activities which have adequate and convenient access to major streets and provide effective controls for "nuisance" and pollution characteristics. It is further the intent of this District to encourage industrial development in a compact and orderly manner consistent with the general locations shown in the Comprehensive Plan providing a compatible relationship with other land uses where a full complement of urban services are provided.

**66.02: PERMITTED USES:** The following are permitted uses in a I-2 District:

- A. Manufacturing or assembly of a wide variety of products that produces no exterior noise, glare, fumes, obnoxious products, by-products or wastes, or creates other objectionable impact on the environment, including the generation of large volumes of traffic. Examples of such uses are:
  - 1. Fabrication or assembly of small products such as optical, electronic, pharmaceutical, medical supplies and equipment.
  - 2. Printing and publishing.
- B. Warehousing of non-explosive material or equipment.
- C. Offices related to above.
- D. Machine shops.

- E. Automobile repair - major.
- F. Other: Appliance assembly and warehousing, machine shops, freight terminals and classification yards, concrete products plants, building materials production and clothing or apparel manufacturing and similar uses.
- G. Contractor operations.
- H. Truck terminals.

**66.03: INTERIM USES:** Subject to applicable provisions of this Chapter, the following are interim uses in a I-2 District and are further governed by Chapter 5 of this Ordinance.

- A. None.

**66.04: ACCESSORY USES:** The following are permitted uses in a I-2 District:

- A. Commercial or business buildings and structures for a use accessory to the principal use but such use shall not exceed thirty (30) percent of the gross floor space of the principal use.
- B. Off-street parking as regulated by Chapter 18 of this Ordinance including semi-trailer trucks.
- C. Off-street loading as regulated by Chapter 19 of this Ordinance.

**66.05: CONDITIONAL USES:** The following are conditional uses in a I-2 District. (Requires a conditional use permit based upon procedures set forth in and regulated by Chapter 4 of this Ordinance).

- A. Open or outdoor service, sale and rental as a principal or accessory use, provided that:
  - 1. Outside services, sales and equipment rental connected with the principal use is limited to fifty (50) percent of the gross floor area of the principal use.
  - 2. Outside sales areas are fenced and screened from view of neighboring residential uses or an abutting Residential District in compliance with section 16.10 of this Ordinance.

3. All lighting shall be hooded and so directed that the light source shall not be visible from the public right-of-way or from neighboring residences and shall be in compliance with Section 16.08 of this Ordinance.
  4. The use does not take up parking space as required for conformity to this Ordinance.
  5. Sales area is hard surfaced to control dust.
  6. The provisions of Section 4.02.E of this Ordinance are considered and determined to be satisfied.
- B. Accessory, enclosed retail, rental, service, or processing, manufacturing activity other than that allowed as a permitted use or conditional use within this Section, provided that:
1. Such use is allowed as a permitted use in a Business District.
  2. Such use does not constitute more than fifty (50) percent of the gross floor area of the principal building.
  3. Adequate off-street parking and off-street loading in compliance with the requirements of Chapter 18 and 19 of this Ordinance is provided.
  4. All signing and informational or visual communication devices shall be in compliance with the City's Sign Ordinance.
  5. The provisions of Section 4.02.E of this Ordinance are considered and determined to be satisfied.
- C. Storage, utilization or manufacture of materials or products which could decompose by demolition; refuse and garbage disposal; crude oil; bulk fuel, gasoline or other liquid storage provided that:
1. A drainage system subject to the approval of the City Engineer shall be installed.
  2. The lighting shall be accomplished in such a way as to have no direct source of light visible from adjacent land in residential use or from the public right-of-way and shall be in compliance with Section 16.08 of this Ordinance.
  3. At the boundaries of a residential district, a strip of not less than twenty-five (25) feet shall be landscaped and screened in compliance with Section 16.10 of this Ordinance.

4. Each light standard base shall be landscaped.
5. Vehicular access points shall create a minimum of conflict with through traffic movement, shall comply with Chapter 18 of this Ordinance and shall be subject to the approval of the City Engineer.
6. All signing and informational or visual communication devices shall be minimized and shall be in compliance with the City's Sign Ordinance.
7. Provisions are made to control and minimize noise, air and water pollution.
8. No outside storage except as allowed in compliance with Section 66.05.D of this Ordinance.
9. All conditions pertaining to a specific site are subject to change when the Council, upon investigation in relation to a formal request, finds that the general welfare and public betterment can be served as well or better by modifying the conditions.
10. The provisions of Section 4.02.E of this Ordinance are considered and determined to be satisfied.

D. Open and outdoor storage as a principal or accessory use provided that:

1. The storage area is landscaped, fenced, and screened from view of neighboring uses and abutting R Districts.
2. Storage is landscaped and screened from view from the public right-of-way.
3. Storage area is blacktopped or concrete surfaced unless specifically exempted by the City Council.
4. All lighting shall be hooded and so directed that the light source shall not be visible from the public right-of-way or from neighboring residences.
5. The storage area does not take up parking space or loading space as required for conformity to this Ordinance.
6. The provisions of Section 4.02.E of this Ordinance are considered and determined to be satisfied.

E. Planned unit development as regulated by Chapter 24 of this Ordinance.

**66.06: LOT REQUIREMENTS AND SETBACKS:** The following minimum requirements shall be observed in a I-2 District, subject to additional requirements, exceptions and modifications set forth in this Ordinance.

- A. Lot Area: Two (2) acres.
- B. Lot Width: Two hundred (200) feet
- C. Setbacks:

1. Front yards:

<u>Road Class</u>	<u>Setbacks from Right-of-Way</u>
Principal/Minor Arterial Street	65 feet
Collector Street	65 feet
Local Street	30 feet

Where a lot is located at the intersection of two (2) or more streets that bound two (2) or more sides of the lot, no building shall project beyond the front yard line of either street.

2. Side yard:

- a. Thirty (30) feet unless
- b. If abutting a residential district Fifty (50) feet.

3. Rear Yard:

- a. Thirty (30) feet unless
- b. If abutting a residential district Fifty (50) feet.

4. Where railroad loading facilities exist or are to be provided the rear and side yards may be modified through a conditional use permit.

**66.07: MAXIMUM SITE COVERAGE BY BUILDINGS:** Fifty (50) percent of the total lot area.

**66.08: MAXIMUM BUILDING HEIGHT:** Thirty-five (35) feet.



CHAPTERS 67-69

**RESERVED**

