

TITLE 2: ZONING

CHAPTER - 6 BUSINESS DISTRICTS

- 2-6-1:B-1 General Business District
- 2-6-1:B-1-O General Business Overlay District
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SECTION 2-6-1:B-1 GENERAL BUSINESS DISTRICT

The purpose of the B-1 General Business District is to accommodate a wide range of retail stores, offices, and service establishments compatible to a central location within the community as the community's primary business center.

A. Permitted Uses:

1. Residential uses as permitted in R-2; Special uses permitted in the R-2 district shall only be permitted as special uses in the B-1 district.
2. Retail stores and shops including book and magazine, florist, gift, china and glassware shops, jewelry, watch and clock stores, hobby stores, appliance, hardware, paint and wallpaper stores, furniture stores, and similar uses.
3. Offices of doctors, dentists, lawyers, accountants and bookkeepers, tax preparers, architects, engineers, and similar professions.
4. Art stores and studios, framing shops, auto parts stores, automobile parking lots.
5. Beer, wine and liquor stores, taverns, banks and financial institutions.
6. Barber and beauty shops and schools, nail and tanning salons.
7. Candy and ice cream stores, including stores making commodities for sale only on premises.
8. Drug stores.
9. Governmental offices, police and fire stations.
10. Health food stores.
11. Hotels and Motels.
12. Libraries and reading rooms.
13. Laundromats with not more than 3 employees on any one shift.
14. Medical and dental clinics.
15. Musical instrument sales and repair, music and dance sales and studios.
16. Pet stores, but not including outdoor runways or kennels.
17. Photography studios, camera and photo supply sales, including photo processing as part of the retail business.
18. Post offices.
19. Public meeting halls, clubs, lodges.
20. Real estate and insurance sales offices.
21. Restaurants-general, specialty and fast food, sandwich shops, coffee houses, donut shops.
22. Supermarkets, grocery and dairy stores, meat markets, specialty food stores, bakeries where goods produced are sold only on premises.
23. Swimming pools, public and semi-public as a principal use.
24. Tailor and dress making shops.
25. Telephone or other utility office.
26. Travel agencies.
27. Video rental and sales.
28. Massage Therapy Facility.

B. Special Uses:

Following are permitted as special uses subject to the public hearing and other special use procedure requirements outlined in Chapter 11 of this Title.

1. Automobile sales, service, and rental.
2. Day care center – non-resident occupied.
3. Drive-in restaurants where food is provided to customers in cars.
4. Funeral home, mortuaries, crematories.
5. Living quarters above or adjoining business.
6. Outdoor amusement enterprises, such as miniature golf, golf driving ranges and similar activities.
7. Radio and television broadcasting studios excluding transmitting towers.
8. Service, cleaning, or repair shops for personal, household, or garden equipment.
9. Veterinarian or animal hospital, but not including outdoor runways or kennels.

C. Required Lot Area and Width:

All buildings erected or structurally altered in the B-1 General Business District shall provide or maintain the following minimum yards and building setbacks except for certain lots adjoining residential districts, which shall conform to Section 2-2-8 of this title:

1. Required Lot Area-ten thousand (10,000) square feet.
2. Minimum lot width-eighty (80) feet.

D. Required Yard Areas And Building Setbacks:

B-1 General Business District shall provide or maintain the following lot areas and lot width at the building line:

1. Front yard – none
2. Side yard – none
3. Rear yard – none
4. Building setback from streets – twenty-five (25) feet from the street right of way lines.

E. Building Height:

No building hereafter erected or structurally enlarged shall exceed thirty-five (35) feet in height.

F. Required Off-Street Parking:

Required off-street parking shall be as provided in Chapter 10 of this Title.

SECTION 2-6-2:B-1-0 GENERAL BUSINESS DISTRICT OVERLAY ZONE

The purpose of the B-1-O General Business District Overlay Zone is to permit consideration of new or improved business development along Western Avenue in greater depths than otherwise permitted providing such development is harmoniously planned to function well in terms of appearance, vehicle access and parking and other similar considerations and meet the requirements as outlined herein.

A. Permitted Uses:

1. Same as permitted in B-1.

B. Special uses

1. Same as permitted in B-1.

C. Required Lot Area

Minimum required lot area – the minimum required lot area to be considered for harmonious planned development shall be the area between two adjacent streets intersecting Western Avenue to the depth of the B-1-O Overlay district as indicated on the zoning map. Such property may be developed in up to two separate uses providing no single use is less than thirty percent (30%) of the total frontage between streets.

D. Procedure – Petition for Increased Lot Depth

Where the minimum lot area requirements are met, the applicant can apply for the increased depth as outlined in the B-1-O Overlay district providing the Planning Commission finds the following conditions are met:

1. B-1-O area for total width between adjacent streets is proposed in one or two uses meeting the above area requirements.
2. Site plan review and approval is conducted by the Planning Commission.
3. Appropriate landscaping is provided and thereafter maintained for a strip of not less than 10' in depth along Western Avenue and not less than 6' in depth along adjacent streets intersecting Western Avenue.
4. Expansion in depth of the business district shall be the same depth for the entire block.
5. Screen fence of 6' in height, materials and design of which are approved by the Planning commission shall be constructed and thereafter maintained along the rear of the expanded depth commercial district.
6. Any alley within the expanded depth commercial district shall be considered for vacation by the City.
7. Vehicular access, circulation, and parking shall be handled in a planned organized way for the total proposed development or improvement.
8. Night lighting shall be designed to minimize effect on adjacent non-business properties.
9. Outdoor storage or trash facilities shall be obscured from view with a permanent fence or wall on three sides and hinged door (s) on the fourth side.

For the purpose of assuring that the proposed development meets the requirements outlined herein, a site plan of the proposed development is required.

Within 60 days of filing of the proposed development site plan with the City Clerk the Planning Commission shall schedule the request on its meeting agenda and so notify the Planning Commission members, the applicant, and City Council. In its review the Planning Commission members may request such modifications, as it deems appropriate.

Upon the Planning Commission's determination that required conditions are met, they will so advise the City Council. Upon the City Council's concurrence, including any required action for alley vacation, the Zoning Officer will be directed to issue the zoning permit to the full extent of the B-1-O Overlay Zone.

The Zoning Officer shall maintain a copy of the approved site plan, and prior to issuing a certificate of occupancy shall make a determination that the new or expanded business is in compliance with the approved site plan.

SECTION 2-6-3: B-2 HIGHWAY AND SERVICE BUSINESS DISTRICT

The purpose of the B-2 Highway and Service Business District is to accommodate those businesses which, because of their need for large sites, or heavy use of storage warehousing or trucking large material, equipment, or supplies, are not generally compatible with the more customary, retail and office uses of the B-1 General Business District.

A. Permitted Uses:

1. Business uses permitted in B-1; special uses permitted in the B-1 district shall only be permitted as special uses in the B-2 district unless otherwise specifically provided as a following permitted use.

2. Appliance sales and service, auction houses, auto rental agencies, automotive service stations, auto and truck body repair and customizing.
3. Blueprinting, boat sales, blinds and drapery/sales and installation.
4. Bowling alleys, building material sales but not manufacturing.
5. Catering establishments.
6. Clubs, lodges, fraternal and business organizations, meeting halls, and recreation facilities, carpet, floor covering sales and installation.
7. Drive-in food, refreshment, and other business establishments servicing customers in cars.
8. Dry cleaning and laundry establishments.
9. Exterminating shops.
10. Farm supplies but not to include outdoor storage of farm equipment.
11. Food stores and fertilizer application service.
12. Food and produce wholesale establishments, fuel sales, fruit and vegetable open air markets but not bulk plants.
13. Garages for repair, servicing, and storage of automobiles and trucks, but not to include outdoor storage other than vehicles awaiting repair or pick-up.
14. Hotels and motels.
15. Live bait sales.
16. Machinery sales, but not to include outdoor storage of machinery, mail order stores.
17. Miniature golf courses, monument sales, motorcycle sales and service.
18. Roller rinks and ice skating rinks, print and publishing, orthopedic and medical appliance stores, plumbing, heating and air conditioning shops.
19. Radio and TV facilities including antenna and booster equipment, service, cleaning, or repair shops for personal, household, or garden equipment.
20. Schools; business, trade and professional.
21. Storage, mini-storage, warehousing, and wholesale establishments provided within enclosed buildings.
22. Swimming pool/patio/fencing sales, service and supplies, upholstery, furniture finishing and repair, vending/arcade machine distributor, utility repair and service offices and garages.
23. Veterinarian or animal hospital without outdoor kennels or runways, pet shops, pet grooming.
24. Welding shops, water softener sales/service, window cleaning/janitorial services.

B. Special Uses:

Following are permitted as special uses subject to the public hearing and other special use procedure requirements outlined in Chapter 11 of this Title.

1. Any of the foregoing operations where outdoor storage of products used or sold on premises is a necessary part of the operation.
2. Adult entertainment performance; adult material sales or rentals where material is accessible to customers on open shelves and/or may be viewed in the establishment provided such establishment is no closer than ¼ miles to any residential district.
3. Automobile, truck and farm equipment sales, including outdoor display or storage.
4. Cartage and express facilities including outdoor storage of goods, motor trucks, and other equipment.
5. Contractors or construction offices and shops such as building, concrete, electrical, masonry, heating, plumbing, refrigeration, and roofing, signs and sheet metal, including any related outdoor storage areas.
6. Firewood sales including outdoor storage.
7. Farm machinery and supplies sales including lots for the outdoor display or storage of new or used farm equipment.
8. Landscape and garden services, garden centers, nurseries and horticultural uses.

9. Mobile home and recreational vehicle sales and storage, not however to include storage or parking of occupied mobile homes or recreational vehicles.
10. Monument sales, including outdoor display and storage of monuments.
11. Tattoo parlors.

C. Required Lot Area and Width:

All buildings erected or structurally altered in the B-2 Highway and Service Business District shall have the following minimum lot areas and lot width at the building line.

1. Required lot area – ten thousand (10,000) square feet.
2. Minimum lot width – eighty (80) feet.

D. Required Yards and Building Setback

All buildings erected or structurally altered in the B-2 highway and Service District shall provide or maintain the following minimum yards and building setbacks except for certain lots adjoining residential districts which shall conform to Chapter 2, Section 8 of this Title.

- a. Front yard – none
- b. Side yard – none.
- c. Rear yard – none.
- d. Building setback from streets – twenty five (25) feet from the street right of way lines.

E. Building Height:

No building hereafter erected or structurally enlarged shall exceed forty-five (45) feet in height.

F. Required Off-Street Parking:

Required off-street parking shall be as provided in Chapter 10 of this Title.