

## SECTION 56. B-2, HIGHWAY BUSINESS DISTRICT

### Subdivision

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**56.01 PURPOSE:** The purpose of the B-2, Highway Business 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:** Subject to applicable provisions of this Ordinance, the following are permitted uses in the B-2 District:

- A. Animal hospitals and kennels.
- B. Auto accessory stores (not including service).
- C. Bakery good sales and baking (for sale on-premise).
- D. Banks, savings and loans, credit unions, and other financial institutions including drive-up tellers.
- E. Barber shops.
- F. Beauty parlors.
- G. Bicycle sales and repair shops.
- H. Books, office supply or stationery stores.
- I. Camera and photographic supply stores.
- J. Candy, ice cream, popcorn, nuts, frozen desserts, and soft drink sales.
- K. Copy services, but not including printing press or newspaper.
- L. Dairy stores.
- M. Dry cleaning pick up and laundry pick up stations including incidental repair and assembly but not including processing.
- N. Essential services.
- O. Funeral homes and mortuaries.
- P. Governmental and public related utility buildings and structures.
- Q. Grocery stores, convenience (not supermarket type and without motor fuel facilities).
- R. Hardware stores.
- S. Jewelry stores.
- T. Laundromat, self-service washing and drying.

- U. Liquor, on and off-sale.
- V. Locksmiths.
- W. Motels, motor hotels and hotels.
- X. Offices, commercial and professional.
- Y. Personal wireless antennas located on an existing structure or tower, as regulated by Section 29 of this Ordinance.
- Z. Prepared food - delivery and/or take-out only.
- AA. Private clubs or lodges serving food and beverages.
- BB. Reception halls.
- CC. Recreation, indoor commercial (i.e., sport and health clubs, bowling alleys, roller rinks, etc.)
- DD. Restaurants (not of the drive-in, convenience or drive-through type), cafes, on and off-sale liquor.
- EE. Sexually oriented use - principal and accessory.
- FF. Shoe repair.
- GG. Shoe stores.
- HH. Tailoring services.
- II. Tanning salons.
- JJ. Therapeutic massage.
- KK. Other uses of the same general character as the permitted uses listed above as determined by the City.

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

- A. Farms, farmsteads, and farming.
- B. Temporary mobile towers as regulated by Section 29 of this Ordinance.

**56.04 USES BY ADMINISTRATIVE PERMIT:** Subject to applicable provisions of this Section, performance standards established by this Ordinance, and processing requirements of Section 6, the following are uses allowed in the B-2 District by administrative permit as may be issued by the Zoning Administrator.

- A. Open or outdoor sales, rental or display as an accessory use in association with an allowed principal use subject to the same provisions as required in Section 55.04.A of this Ordinance.
- B. Temporary, outdoor promotional events and sales subject to the same provisions as required in Section 55.04.B of this Ordinance.
- C. Other uses of the same general character as those listed as a permitted use in this district.

**56.05 ACCESSORY USES:** Subject to applicable provisions of this Ordinance, the following are permitted accessory uses in the 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 loading as regulated by Section 21 of this Ordinance.
- C. Off-street parking as regulated by Section 20 of this Ordinance, but not including semi-trailer trucks.
- D. Radio and television receiving antennas including single satellite dish TVROs three and one-half (3.5) meters or less in diameter, short-wave radio dispatching antennas, or those necessary for the operation of electronic equipment including radio receivers, federal licensed amateur radio stations and television receivers, as regulated by Section 29 of this Ordinance.
- E. Signs as regulated by Section 31 of this Ordinance.

**56.06 CONDITIONAL USES:** The following are conditional uses in the B-2 District. (Requires a conditional use permit based upon procedures and performance standards set forth in and regulated by Sections 4.02 and 4.04 of this Ordinance).

- A. 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 thirty (30) percent of the lot area and not more than fifty (50) percent of the gross floor area of the principal use.
- B. Automobile washes (drive-through, mechanical and self-service), provided that:
  - 1. Magazining or stacking space is constructed to accommodate an appropriate number of vehicles and shall be subject to the approval of the City Council.
  - 2. Each light standard island and all islands in the parking lot landscaped or covered.
  - 3. 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.

4. 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.
- C. 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 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 shall 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 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.
  8. Each light standard base shall be landscaped.
  9. Vehicular access points shall create a minimum of conflict with through traffic movement, and shall be subject to the approval of the City.

10. 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.

D. Drive-in and convenience food establishments, provided that:

1. 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.
2. Each light standard island and all islands in the parking lot are landscaped or covered.
3. Parking areas and driveways shall be curbed with continuous curbs not less than six (6) inches high above the parking lot or driveway grade.
4. Vehicular access points shall be limited, shall create a minimum of conflict with through traffic movements, shall comply with Section 20 of this Ordinance and shall be subject to the approval of the City Engineer.
5. 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.

E. 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 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.
3. Wherever fuel pumps are to be installed, pump islands shall be installed.
4. Each light standard island and all islands in the parking lot are landscaped or covered.
5. Vehicular access points shall create a minimum of conflict with through traffic

movement, shall comply with Section 20 of this Ordinance and shall be subject to the approval of the City Engineer.

6. No outside storage, sales, service, or rental shall be permitted.
  7. Sale of products other than those specifically mentioned in this sub-section shall be subject to approval of a conditional use permit.
  8. 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.
- F. Open and outdoor storage as a principal or accessory use provided that:
1. The area is fenced and screened from view of the neighboring residential uses or if abutting a residential district in compliance with Section 15.07 of this Ordinance.
  2. Storage is screened from view from the public right-of-way in compliance with Section 15.07 of this Ordinance.
  3. Storage area is grassed or surfaced to control dust.
  4. Does not take up parking spaces as required to conform to this Ordinance.
- G. 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 thirty (30) percent of the gross floor area of the principal use.
  2. Outside sales areas are fenced or screened from view of neighboring residential uses or an abutting residential district in compliance with Section 15.07 of this Ordinance.
  3. Sales area is grassed or surfaced to control dust.
  4. The use does not take up parking space as required to conform to this Ordinance.
- H. Personal wireless antennas not located on an existing structure or tower, as regulated by Section 29 of this Ordinance.

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

- A. Lot Area: One (1) acre.
- B. Lot Width: Two hundred (200) feet
- C. Setbacks:

1. Front yards:

<u>Setbacks From Centerline</u>	<u>Setbacks From Right- of-Way Lines</u>	<u>Street Class</u>
130 feet	65 feet	State/Federal Highway
130 feet	65 feet	County Road
65 feet	35 feet	Local Street

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

- 2. Side Yards: Twenty (20) feet.
- 3. Rear Yards: Twenty (20) feet.
- 4. Buffer Yards: The side yard or rear yard setback shall be thirty-five (35) feet if abutting a residential district.

**56.08 MAXIMUM BUILDING HEIGHT:**

- A. Principal building: Thirty-five (35) feet
- B. Accessory building: Per Section 15.04 of this Ordinance.