

## SECTION 57. B-3, GENERAL BUSINESS DISTRICT

### Subdivision

- 57.01 Purpose
- 57.02 Permitted Uses
- 57.03 Interim Uses
- 57.04 Uses by Administrative Permit
- 57.05 Accessory Uses
- 57.06 Conditional Uses
- 57.07 Lot Area Requirements and Setbacks
- 57.08 Maximum Building Height

**57.01 PURPOSE:** The purpose of the B-3 District is to provide specifically for the regulation of high intensity commercial uses located within the Central Business District of the community and other intense commercial areas of the City.

**57.02 PERMITTED USES:** Subject to applicable provisions of this Ordinance, the following are permitted uses in the B-3 District:

- A. Amusement centers.
- B. Animal clinics (with no overnight care).
- C. Animal hospitals and kennels
- D. Antique or gift shop.
- E. Appliance and electronic stores including incidental repair and assembly but not fabricating or manufacturing.
- F. Auto accessory stores (not including service).
- G. Bakery good sales and baking (for sale on premise).
- H. Banks, savings and loans, credit unions, and other financial institutions including drive-up tellers.
- I. Barber shops.
- J. Beauty parlors.
- K. Bicycle sales and repair shops.
- L. Books, office supply or stationary stores.
- M. Building supply sales within the principal structure.
- N. Cabinet and carpentry shops.
- O. Camera and photographic supply stores.
- P. Candy, ice cream, popcorn, nuts, frozen desserts, and soft drink sales.
- Q. Carpet, rug and tile stores.
- R. Coin and philatelic stores.
- S. Copy services, but not including printing press or newspaper.
- T. Costume, clothes rental.
- U. Dairy stores.

- V. Department and discount and warehouse stores.
- W. Dry cleaning including plant accessory heretofore, pressing and repairing.
- X. Dry good stores.
- Y. Employment agencies.
- Z. Essential services.
- AA. Fabric and notion sales stores.
- BB. Finance companies.
- CC. Funeral homes and mortuaries.
- DD. Furniture stores.
- EE. Furriers when conducted only for retail trade on premises.
- FF. Garden supply stores.
- GG. Governmental and public related utility buildings and structures.
- HH. Grocery stores, convenience (not supermarket type and without motor fuel facilities).
- II. Grocery stores, supermarket.
- JJ. Hardware stores.
- KK. Jewelry stores and luggage stores.
- LL. Laundromat, self-service washing and drying.
- MM. Leather goods and luggage stores.
- NN. Liquor, on and off-sale.
- OO. Locksmiths.
- PP. Motels, motor hotels and hotels.
- QQ. Music shops and sales (instruments, equipment, tapes, compact discs, etc.).
- RR. Newspaper, printing or publishing shops.
- SS. Offices, commercial and professional.
- TT. Personal wireless antennas located on an existing structure or tower, as regulated by Section 29 of this Ordinance.
- UU. Pet shops.
- VV. Prepared food - delivery and/or take-out only.
- WW. Private clubs or lodges serving food and beverages.
- XX. Reception halls.
- YY. Recreation, indoor commercial (i.e., sport and health clubs, bowling alleys, roller rinks, etc.)
- ZZ. Restaurants (not of the drive-in, convenience or drive-through type), cafes, on and off-sale liquor.
- AAA. Sewing machine sales and service.
- BBB. Sexually oriented use - principal and accessory.
- CCC. Shoe repair.
- DDD. Shoe stores.
- EEE. Tailoring services.
- FFF. Tanning salons.
- GGG. Theaters, not of the outdoor drive-in type.
- HHH. Therapeutic massage.
- III. Toy stores.
- JJJ. Travel bureaus, transportation ticket offices.

KKK. Upholstery shops.

LLL. Variety stores and stores of similar nature.

MMM. Other uses of the same general character as the permitted uses listed above as determined by the City.

**57.03 INTERIM USES:** Subject to applicable provisions of this Ordinance, the following are interim uses in the B-3 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.

**57.04 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-3 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.

**57.05 ACCESSORY USES:** Subject to applicable provisions of this Ordinance, the following are permitted accessory 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 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.

**57.06 CONDITIONAL USES:** The following are conditional uses in the B-3 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 car 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 are 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 applicable State and/or County regulations. Written documentation of compliance with such County and/or State regulations shall be provided to the Zoning Administrator.

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 22 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 City 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. Personal wireless antennas not located on an existing structure or tower, as regulated by Section 29 of this Ordinance.

**57.07 LOT AREA REQUIREMENTS AND SETBACKS:** The following minimum requirements shall be observed in the B-3 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:

Setbacks From Right- of-Way Lines	<u>Street Class</u>
35 feet	State/Federal Highway
35 feet	County Road
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: Ten (10) 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.

**57.08 MAXIMUM BUILDING HEIGHT:**

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