

ARTICLE X - BUSINESS DISTRICT B-1⁸⁹

10-1. USE REGULATIONS:

In Business District B-1, structures to be erected or land to be used shall be for one or more of the following uses:

- 10-1.1 Single-family dwellings.
- 10-1.2 Multiple-family dwellings.
- 10-1.3 Rooming and boarding houses.
- 10-1.4 Mobile homes or manufactured homes with special exception permit.^{35 41}
- 10-1.5 Bed and breakfast inn/tourist home.⁴⁴
- 10-1.6 Rest homes.
- 10-1.7 Retail stores and service establishments.
- 10-1.8 Grocery stores.
- 10-1.9 Bake shops.
- 10-1.10 Drug stores.
- 10-1.11 Medical and dental supplies and appliances stores.
- 10-1.12 Auto and home appliance stores.
- 10-1.13 Wearing apparel stores.
- 10-1.14 Pickup laundry and dry-cleaning stations.
- 10-1.15 Laundromats.
- 10-1.16 Barber and Beauty shops.
- 10-1.17 Banks.
- 10-1.18 Restaurants.
- 10-1.19 Theaters.
- 10-1.20 Office buildings.
- 10-1.21 Motels and hotels.

- 10-1.22 Assembly halls.
- 10-1.23 Newsstands.
- 10-1.24 Commercial greenhouses.
- 10-1.25 Retail and wholesale lumber and building supply, with storage under cover. Cover shall be construed to be a building with a roof and at least three sides. No planning or other major machinery work may be performed.
- 10-1.26 Retail and wholesale plumbing and electrical supply, with storage under cover. Cover shall be construed to be a building with a roof and at least three sides. Major machinery work may not be performed.
- 10-1.27 Other retail business or service similar to those listed.
- 10-1.28 Public and semi-public uses, such as schools, churches, libraries, hospitals (not special care), and private schools.³
- 10-1.29 Public or community operated playgrounds, parks, and similar recreational facilities.
- 10-1.30 Public utilities: transformer substations, transmission lines and towers, pipes, meters and other facilities for the provision and maintenance of public utilities, including railroads (except railroad yards) and water and sewer installations.
- 10-1.31 Accessory buildings, structures, and/or apparatus permitted as defined; however, garages, carports or other accessory structures attached to the main building shall be considered part of the main building. No accessory building may be closer to any property line as provided hereinafter, with exception that this shall not apply to an alley line. Accessory buildings are permitted in rear yards only. The total ground area occupied by accessory buildings may not exceed twenty-five percent (25%) of the rear yard area. Accessory buildings on corner lots may not be closer to the street line than the minimum side yard for a dwelling on such lots.⁴⁰ Satellite dish antennas larger than three (3) feet in diameter shall be considered accessory structures and shall be setback at least five (5) feet from the property line.⁴⁹
 - A. Semi-trailers which are licensed shall be permitted as defined in the Definitions section of this ordinance.⁵⁷
 - B. Shipping containers shall be permitted as defined in the Definitions section of this ordinance.⁵⁷ In Business Districts, shipping containers shall be permitted to be located to the rear or side of the business building. Shipping containers in Business Districts shall also be screened from view from the public right-of-way by means of fencing,

landscaping, earth berms, or other means of no less than the height of the shipping container (See Section 16-20.6 Chart 2).¹⁰⁵

- 10-1.32 Signs permitted under Chapter 21 of this Ordinance regulating outdoor advertising.²⁴
- 10-1.33 Off-street parking as required by this Ordinance.
- 10-1.34 Automobile display and sales (with no repair or maintenance service).³⁴
- 10-1.35 Medical Office.⁸⁹
- 10-1.36 Brewery, within 660 feet of the interstate corridors.⁹²
- 10-1.37 Brewery, Craft or Pub; Brewery, Micro, within 660 feet of the interstate corridors.⁹²
- 10-1.38 Distillery; Distillery, Alcoholic Beverage, within 660 feet of the interstate corridors.⁹²
- 10-1.39 Homestay.⁹⁸
- 10-1.40 Temporary Family Health Care Structure.¹⁰⁰
- 10-1.41 Property Owner Scale Solar Collection Systems as defined in Article XXIV¹⁰⁷
- 10-1.42 Small Power Grid Scale Solar Energy Facilities as defined in Article XXIV¹⁰⁷

10-2. AREA REGULATIONS:

None, except for off-street parking which shall be in accordance with the provisions contained herein and for uses utilizing individual sewage disposal systems for which the required area shall be approved by the health official. The administrator may require a greater area if considered necessary by the health official. For dwellings, the minimum lot area shall be the same as in Residential District R-3.⁷

10-3. SETBACK REGULATIONS:

Structures, except dwellings, shall be located fifteen (15) feet or more from any street right of way which is fifty (50) feet or greater in width, or thirty (30) feet or more from the center line of any street right of way less than fifty (50) feet in width.¹⁰⁸ This shall be known as the "setback line". For dwellings, the minimum setback shall be the same as in Residential District R-3.

10-4. FRONTAGE AND YARD REGULATIONS

For permitted uses, except dwellings, the minimum side yard adjoining or adjacent to a residential or agricultural district shall be ten (10) feet or more and off-street parking shall be in accordance with the provisions contained herein. For dwellings, the minimum side yard and rear yard shall be the same as in Residential District R-3. See Section 3-77 for 7-23-79 changes.

10-5. HEIGHT REGULATIONS

Structures may be erected up to thirty-five (35) feet in height from grade, except that:

- 10-5.1 The height limit for dwellings may be increased up to fifteen (15) feet and up to three (3) stories provided there are two (2) side yards, each of which is fifteen (15) feet or more, plus one (1) foot or more of side yard for each additional foot of building height over thirty-five (35) feet.
- 10-5.2 A public or semi-public building, such as a school, church, library, professional building, or hospital may be erected to a height of sixty (60) feet from grade provided that required front, side and rear yards shall be increased one (1) foot for each foot in height over thirty-five (35) feet.
- 10-5.3 Church spires, belfries, cupolas, monuments, water towers, chimneys, flues, flag poles, television antennae and radio aerials are exempt. Parapet walls may be up to four (4) feet above the height of the building on which the walls rest. Television and radio aerials shall not be for commercial use and shall be for receiving only, except for amateur or ham radio aerials.⁴⁹
- 10-5.4 Accessory buildings with an eave height of twelve (12) feet or more shall be located not less than ten (10) feet from any party lot line; accessory buildings with an eave height of eight feet six inches (8'6") but less than twelve (12) feet shall be located not less than five (5) feet from any party lot line; accessory buildings with an eave height of less than eight feet six inches (8'6") shall be located not less than three (3) feet from any party lot line; eave height is measured from the ground to the eave of the roof.³²

10-6. FENCING & SCREENING REGULATIONS¹⁰⁵

- 10-6.1 See Section 16-20 for general fencing and screening regulations.¹⁰⁵
- 10-6.2 Trash and Refuse Storage: For all business uses, all temporary lodging uses, all multi-family uses with five (5) or more units, all medical arts uses, and all public and semi-public uses, such as schools, churches, libraries, hospitals, and private schools, trash collection and storage areas, including dumpsters and other trash containers, shall be maintained in dumpster enclosures, as described in the chart found in Section 16-20.6. The Zoning Administrator

may waive the dumpster enclosure requirement for small facilities if evidence is provided that an alternative trash removal system is provided.¹⁰⁵

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