

## ARTICLE XI - BUSINESS DISTRICT B-2 (GENERAL)<sup>89</sup>

### 11-1. USE REGULATIONS:

In Business District B-2, structures to be erected or land to be used shall be for one or more of the following or similar uses:

- 11-1.1 Single-family dwellings.
- 11-1.2 Multiple-family dwellings.
- 11-1.3 Mobile homes or manufactured homes with special exception permit.<sup>35 41</sup>
- 11-1.4 Rooming and boarding houses.
- 11-1.5 Bed and breakfast inn/tourist home.<sup>44</sup>
- 11-1.6 Retail stores and service establishments.
- 11-1.7 Grocery stores.
- 11-1.8 Bake shops.
- 11-1.9 Drug stores.
- 11-1.10 Medical and dental supplies and appliances stores.
- 11-1.11 Auto and home appliance stores.
- 11-1.12 Wearing apparel stores.
- 11-1.13 Pickup laundry and dry-cleaning stations.
- 11-1.14 Laundromats.
- 11-1.15 Barber and beauty shops.
- 11-1.16 Banks.
- 11-1.17 Restaurants.
- 11-1.18 Theaters.
- 11-1.19 Office buildings.
- 11-1.20 Motels and hotels.
- 11-1.21 Assembly halls.

- 11-1.22 Newsstands.
- 11-1.23 Commercial greenhouses.
- 11-1.24 Clubs and lodges.
- 11-1.25 Funeral homes; crematoriums as an ancillary use to funeral homes.<sup>104</sup>
- 11-1.26 Service stations (with major repair under cover.
- 11-1.27 Auto garages, sales, and service.
- 11-1.28 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 planing or other major machinery work may be performed.
- 11-1.29 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.
- 11-1.30 Wholesale and retail tire sales to include tire recapping facilities, provided the operation and storage is enclosed and under cover.
- 11-1.31 Machinery sales and service.
- 11-1.32 Newspaper offices and printing plants; light manufacturing processing operations creating or likely to create neither smoke, noise, vibration, fumes, odor, nor dust detrimental or likely to become detrimental to the health, safety, or general welfare of the community; and provided further that such operations shall not be conducted within one hundred (100) feet of the boundaries of any R-1, R-2, or R-3 Residential Districts.
- 11-1.33 Wholesale distribution and processing not objectionable because of dust, noise, or odors, with a conditional use permit.
- 11-1.34 Wholesale distribution of gasoline and fuel oil, provided that all tanks for storage of such fuels located in a B-2 Business zone shall be located below the surface of the ground and that the same shall be located-at least fifty (50) feet from any street or property line, or the tanks may be located aboveground if they are located at least fifty (50) feet from any street or property line, a permanent impervious containment area is built around the tank(s) capable of holding the capacity of the tank(s), (See Section 11-6.3 for screening requirements).<sup>105 66</sup>
- 11-1.35 Retail distribution of liquefied petroleum gas, provided that storage tanks for such fuel shall not exceed twelve hundred (1,200) gallons water capacity; shall be at least twenty-five (25) feet from buildings, streets, and property

lines; shall be adequately barricaded to prevent damage by collision if installed above ground; and provided further that such installations shall fully comply with the standards of the National Fire Protection Association. (See Section 11-6.3 for screening requirements).<sup>105</sup>

- 11-1.36 Other retail businesses similar to those listed.
- 11-1.37 Hospitals, general.
- 11-1.38 Public and semi-public uses, such as schools, churches, libraries, and private schools.<sup>3</sup>
- 11-1.39 Public or community operated playgrounds, parks, and similar recreational facilities.
- 11-1.40 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.
- 11-1.41 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.<sup>40</sup> 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.<sup>49</sup>
  - A. Semi-trailers which are licensed shall be permitted as defined in the Definitions section of this ordinance.<sup>76</sup>
  - B. Shipping containers shall be permitted as defined in the Definitions section of this ordinance.<sup>57</sup> 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).<sup>105</sup>
- 11-1.42 Signs permitted under Chapter 21 of this Ordinance regulating outdoor advertising.<sup>24</sup>
- 11-1.43 Upholstery shops operating in enclosed buildings.<sup>45</sup>

- 11-1.44 Off-street parking as required by this Ordinance.
- 11-1.45 Warehouses -- Type I.<sup>20</sup>
- 11-1.46 Adult uses with a special exception permit, but no adult use may be established within 300 feet of any such other adult use, and no adult use may be established within 600 feet of a residentially zoned district (R-1, R-2, R-3, R-3MH, R-3FH) or any agriculturally zoned district (A-1) or any church or place of worship, public library, public or private school, educational institution, public park, public playground, public playfield, or child care center in existence at the time of the establishment of the adult use.
- A. **Establishment:** The establishment of an adult use as defined herein includes the opening of such business, the relocation of such business, the enlargement of such business in size or area, or the conversion in whole or in part of an existing business into any adult use.
- B. **Measurement of Distance:** All distances specified herein shall be measured from the property line of one use to another. The distance between an adult use and another adult use or a residentially zoned or agriculturally zoned district shall be measured from the property line of the use to the nearest point of the boundary line of another adult use, residentially zoned use, or agriculturally zoned use.<sup>64</sup>
- 11-1.47 Wholesale and retail grain and feed sales.<sup>77</sup>
- 11-1.48 Indoor archery range.<sup>78</sup>
- 11-1.49 Indoor shooting range.<sup>78</sup>
- 11-1.50 Clinic - Medical, Psychiatric or Surgical.<sup>89</sup>
- 11-1.51 Medical Office.<sup>89</sup>
- 11-1.52 Outpatient Substance Abuse Treatment Center.<sup>89</sup>
- 11-1.53 Brewery, within 660 feet of the interstate corridors.<sup>92</sup>
- 11-1.54 Brewery, Craft or Pub; Brewery, Micro, within 660 feet of the interstate corridors.<sup>92</sup>
- 11-1.55 Distillery; Distillery, Alcoholic Beverage, within 660 feet of the interstate corridors.<sup>92</sup>
- 11-1.56 Homestay.<sup>98</sup> Temporary Family Health Care Structure.<sup>100</sup>

11-1.58 Property Owner Scale Solar Collection Systems as defined in Article XXIV<sup>107</sup>

11-1.59 Small Power Grid Scale Solar Energy Facilities as defined in Article XXIV<sup>107</sup>

**11-2. AREA REGULATIONS:**

None, except for off-street parking required by this Ordinance and for permitted uses utilizing individual sewage disposal systems, the required area for any such use 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.<sup>7</sup>

**11-3. SETBACK REGULATIONS:**

None, except that the minimum setback for residences shall be the same as in Residential District R-3, and garages, gasoline or oil service stations may not have pumps situated nearer than twelve (12) feet to any property line.

**11-4. FRONTAGE AND YARD REGULATIONS:**

No side yard or rear yard shall be required except that 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.

**11-5. HEIGHT REGULATIONS:**

Buildings may be erected up to seventy-five (75) feet in height from grade.<sup>67</sup>

**11-6. FENCING & SCREENING REGULATIONS:<sup>105</sup>**

11-6.1 See Section 16-20 for general fencing and screening regulations.<sup>105</sup>

11-6.2 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.<sup>105</sup>

11-6.3 All above ground oil, fuel, or propane tank(s) shall be fenced on all four (4) sides and screened on any side that is visible from a public right-of-way or adjacent residential uses. Screen fence shall meet the requirements set forth in Section 16-20.6 Chart 2. With the approval of the Planning Commission and Town Council, an earthen berm and landscaping or a

combination thereof may be permitted. If an earthen berm and landscaping is established as a method of screening, it shall be maintained throughout the life of the tanks.<sup>105</sup>

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