

Subdivision VI. B3 General Commercial District*

*Cross references: Required improvements in subdivision of land in any residential district, B-1 neighborhood shopping district, B-2 local business district, B-3 commercial district plots, § 86-92.

Sec. 114-486. Purpose.

The B3 general commercial district is intended to accommodate those commercial activities which may be incompatible with the predominantly retail uses permitted in other business districts; and whose service area is not confined to any one neighborhood or community.

(Code 1973, § 16.08.060)

Sec. 114-487. Permitted uses and regulations.

(a) *Uses subject to conditions.* Uses allowed in the B3 general commercial district are subject to the following conditions:

(1) All business, servicing, or processing shall be conducted within completely enclosed buildings, with the following exceptions: establishments of the drive-in type offering goods or services directly to customers waiting in parked motor vehicles, display of merchandise for sale to the public, and off-street parking and loading.

(2) Any parking of trucks on land adjacent to residential property shall be screened therefrom by a wall, fence, or densely planted compact hedge, not less than five feet nor more than six feet in height, and having at least 60 percent opacity.

(b) *Permitted uses.* Any use permitted in the B2 district and the following uses shall be permitted in the B3 district, provided that all those permitted uses located in an access corridor overlay district shall comply with article VI of this chapter:

- (1) Auction rooms.
- (2) Automobile service stations.
- (3) Bakeries, retail and wholesale.
- (4) Boat showrooms, sales, and repairs.
- (5) Car wash facilities.
- (6) Drive-in establishments for uses permitted.
- (7) Electrical showrooms and shops.
- (8) Exterminating shops.
- (9) Farm implement stores.
- (10) Fuel and ice sales.
- (11) Garages used for storage, repair, and servicing of motor vehicles.
- (12) Feed and seed stores.
- (13) Greenhouses and nurseries.
- (14) Heating and air conditioning showrooms and shops.
- (15) Hotels and motels.
- (16) Laboratories: Medical, dental, research, and testing.
- (17) Laundries.
- (18) Machinery sales.
- (19) Medical and dental clinics and laboratories.
- (20) Mobile homes sales and rental.
- (21) Motor vehicle sales.
- (22) Outdoor advertising devices.
- (23) Parking lots and structures.
- (24) Pawn shops.
- (25) Physical culture and health services, gymnasiums, reducing and massage salons, and public baths.

- (26) Plumbing showrooms and shops.
 - (27) Recording or sound studios.
 - (28) Schools, vocational or trade.
 - (29) Taxidermists.
 - (30) Trailer and camper trailer sales and rental, for use with private passenger motor vehicles.
 - (31) Repair, rental or servicing of any article, the sale of which is a permitted use in the district.
 - (32) Wholesale establishments.
- (Code 1973, § 16.08.060(a), (b); Ord. No. 31-90, pt. 6, 9-18-90; Ord. No. 10-04, pt. 3, 4-7-04)

Sec. 114-488. Conditional uses.

Any use, except advertising signs, allowed as a conditional use in the B2 district shall be allowed in the B3 district, unless already permitted in section 114-487(b), and, in addition, the following:

- (1) Commercial recreational facilities, including archery ranges, shooting galleries, and other similar commercial recreational facilities.
- (2) Amusement parks, including: permanent carnivals, kiddie parks, golf driving ranges, pitch and putt, miniature golf courses, and other similar outdoor amusement facilities.
- (3) Animal hospitals and kennels, open or enclosed.
- (4) Building material and products sales and storage.
- (5) Cartage and express facilities.
- (6) Contractor or construction offices, shops, and yards.
- (7) Model homes and garage displays.
- (8) Printing and publishing.
- (9) Riding academies and commercial stables.
- (10) Stadiums, auditoriums and arenas, open or enclosed.
- (11) Theaters, drive-in.
- (12) Marinas or establishments leasing mooring space or slips to the public and providing goods and services, including storage, to boat owners; but not engaged in production, processing, or manufacture.
- (13) Flea market.
- (14) Garages for motor vehicle body repair, painting, and engine rebuilding, not to include a towing service, junkyard, auto salvage, or wrecking yard.
- (15) Group day care center.
- (16) Adult entertainment uses.
- (17) Recycling drop-off sites.
- (18) Access corridor overlay district.

(Code 1973, § 16.08.060(c); Ord. No. 31-90, pt. 2, 9-18-90; Ord. No. 33-90, pt. 1, 9-18-90)

Sec. 114-489. Lot size requirements.

There are no lot size requirements in the B3 general commercial district.

(Code 1973, § 16.08.060(d))

Sec. 114-490. Yard requirements.

(a) *Front and corner side yards.* Uses allowed in the B3 district shall provide a front yard and corner side yard of not less than 25 feet in depth.

(b) *Transitional yard.* No building or structure in the B3 district shall be located within 100 feet of a residence district boundary line, unless such building or structure is effectively screened from such residence district property by a wall, fence, or densely planted compact hedge, not less than five feet nor more than eight feet in height; in the event of such screening, the transitional yard requirements specified in the B1 district shall apply in the B3 district. The zoning administrator may waive this requirement if the structure, use, or building is already effectively screened by natural topography or existing screening comparable to the types mentioned.

(Code 1973, § 16.08.060(e))

Sec. 114-491. Lot area per dwelling unit.

There shall be provided not less than 200 square feet of lot area per dwelling unit in the B3 district.

(Code 1973, § 16.08.060(f))

Sec. 114-492. Signs.

Signs in the B3 district shall be subject to the regulations contained in article X of this chapter.

(Code 1973, § 16.08.060(g))

Sec. 114-493. Off-street parking and loading requirements.

Off-street parking and loading facilities in the B3 district shall be provided in accordance with article XI of this chapter.

(Code 1973, § 16.08.060(h))

Sec. 114-494. Floor area ratio.

In the B3 district, the floor area ratio shall not exceed 2.5.

(Code 1973, § 16.08.060(i))

Secs. 114-495--114-505. Reserved.

Subdivision V. B2 Community Shopping District*

*Cross references: Required improvements in subdivision of land in any residential district, B-1 neighborhood shopping district, B-2 local business district, B-3 commercial district plots, § 86-92.

Sec. 114-466. Purpose.

The B2 community shopping district is intended to accommodate the needs of a much larger consumer population than is served by the neighborhood convenience district, thus a wider range of uses and structure sizes is permitted for both daily and occasional shopping. (Code 1973, § 16.08.050)

Sec. 114-467. Permitted uses and regulations.

(a) *Uses subject to conditions.* Uses allowed in the B2 community shopping district are subject to the following conditions:

- (1) All business establishments shall be retail or service establishments dealing directly with consumers. All goods produced on the premises shall be sold at retail on the premises where produced.
- (2) All business, servicing or processing, except for off-street parking or loading, shall be conducted within completely enclosed buildings.
- (3) Establishments of the drive-in type offering goods or services directly to customers waiting in parked motor vehicles are allowed only by conditional use permit.
- (4) Any parking of trucks on land adjacent to residential property shall be screened therefrom by a wall, fence, or densely planted compact hedge, not less than five feet nor more than six feet in height, and having at least 60 percent opacity.

(b) *Permitted uses.* Any use permitted in the B1 district and the following uses shall be permitted in the B2 district, provided that all those permitted uses located in an access corridor overlay district shall comply with article VI of this chapter:

- (1) Commercial recreational facilities (indoor): Amusement centers, bowling alleys, pool halls, swimming pools, skating rinks and dancehalls.
- (2) Antique shops.
- (3) Educational services:
 - a. Schools: Music, dance, and business.
 - b. Schools: Commercial or business machine, but not trade schools or vocational.
- (4) Automobile accessory stores.
- (5) Blueprinting and photostating establishments.
- (6) Business machine sales and service.
- (7) Carpet and rug stores, retail sales only.
- (8) Catering establishments.
- (9) Clothing and costume rental stores.
- (10) Clubs and lodges, nonprofit and fraternal.
- (11) Coin and philatelic stores.
- (12) Department stores.
- (13) Dry cleaning establishments.
- (14) Electrical and household appliance stores, including radio and television sales, and repair.
- (15) Employment agencies.
- (16) Frozen food stores, including locker rental in conjunction therewith.
- (17) Furniture stores.
- (18) Furrier shops, including the incidental storage and conditioning of furs.
- (19) Garden supply, tool, and seed stores.
- (20) Hearing aid stores.
- (21) Household appliance stores.

- (22) Leather goods and luggage stores.
 - (23) Libraries, museums and art galleries, public.
 - (24) Locksmith shops.
 - (25) Mail order, catalog store.
 - (26) Medical and dental clinics and laboratories.
 - (27) Meeting halls.
 - (28) Musical instrument sales and repair.
 - (29) Office machine sales and servicing.
 - (30) Orthopedic and medical appliance stores.
 - (31) Paint, glass, and wallpaper stores.
 - (32) Pet shops.
 - (33) Phonograph record and sheet music stores.
 - (34) Photography studios, including the developing of film and pictures when conducted as part of the retail business on the premises.
 - (35) Picture framing, when conducted for retail trade on the premises only.
 - (36) Radio and television sales, service, and repair shops.
 - (37) Restaurants, including entertainment and dancing.
 - (38) Secondhand stores and rummage shops.
 - (39) Sewing machine sales and service, household appliances only.
 - (40) Telegraph offices.
 - (41) Theater, indoor.
 - (42) Ticket agencies, amusement.
 - (43) Travel bureaus and transportation ticket offices.
 - (44) Repair, rental, and servicing of any article the sale of which is a permitted use in the district.
 - (45) Funeral establishments, including accessory crematories, which comply with the following conditions:
 - a. That the unloading of bodies to be cremated be inside a building;
 - b. That all cremation operations be within an enclosed building;
 - c. That the cremation business not eliminate any required parking;
 - d. That no noises from the cremation operations be audible on adjacent residential properties;
 - e. That no odor emanate from the cremation operations;
 - f. That the cremation operations comply with all air pollution standards;
 - g. That the crematory be maintained in good operating condition;
 - h. That all codes and ordinances be complied with and required permits acquired; and
 - i. That all cremains, ashes and residue be disposed of off-site in a dignified manner.
 - (46) Religious institutions.
 - (47) Hardware stores.
 - (48) Home centers, not including outdoor storage or sales.
 - (49) Group day care center.
 - (50) Packaged alcohol beverages.
 - (51) Food stores, grocery stores, meat markets, and delicatessens including the sale of packaged alcohol beverages.
- (Code 1973, § 16.08.050(a), (b); Ord. No. 31-90, pt. 5, 9-18-90; Ord. No. 4-02, pt. 2, 3-19-02)

Sec. 114-468. Conditional uses.

Any use allowed as a conditional use in the B1 district shall be allowed in the B2 district, and in addition, the following:

- (1) Animal hospitals and kennels (enclosed).
- (2) Automobile service stations.
- (3) Bus stations and terminals.
- (4) Garages for storage, repair, and servicing of motor vehicles.
- (5) Hotels and motels.
- (6) Parking garages or structures, other than accessory, for the storage of private passenger automobiles only.
- (7) Radio and television stations and studios.

- (8) Recreation buildings and community centers.
 - (9) Drive-in establishments.
 - (10) Any permitted use or uses located on a zoning lot of four or more acres.
 - (11) Advertising signs as noted in article X of this chapter.
 - (12) Retail and/or service uses whose primary business does not involve dealing directly with consumers at the establishment.
 - (13) Flea market (indoor).
 - (14) Physical fitness centers, including physical culture and health services and gymnasiums, but not including massage establishments as defined in section 22-766.
 - (15) Electrical, plumbing, heating and air conditioning showrooms, including limited storage and shop area.
 - (16) Printing and publishing, including newspaper, letter press, business cards, mimeographing and other similar job printing services having not more than five employees.
 - (17) Used automobile sales, which are accessory to the storage, repair, and servicing of automobiles, including automobile service stations, provided the used auto sales do not limit vehicular access to and on the site, do not interfere with the storage, repair, and servicing business (the principal use) and when combined with the principal use, complies with city codes and ordinances and state regulations.
 - (18) Adult entertainment uses.
 - (19) Car wash.
 - (20) Pawn shops.
 - (21) Massage establishments.
 - (22) Recycling drop-off sites.
 - (23) Access corridor overlay district.
 - (24) Mixed use development in an existing building having a minimum of 10,000 square feet of floor area (including all floors except the basement). The uses allowed shall be determined by the plan commission not to be detrimental to the surrounding properties and uses.
 - (25) Charitable meal establishment.
 - (26) Body piercing establishments.
 - (27) Tattoo establishments.
 - (28) Convenient-cash businesses, provided that no other convenient-cash business is located within 2,500 feet and the business is located at least 250 feet from a residential district.
- (Code 1973, § 16.08.050; Ord. No. 31-90, pt. 2, 9-18-90; Ord. No. 33-90, pt. 1, 9-18-90; Ord. No. 25-94, pt. 1, 12-6-94; Ord. No. 9-98, pt. 2, 7-21-98; Ord. No. 17-98, pt. 2, 10-6-98; Ord. No. 25-06, pt. 2, 7-28-06)

Charter ordinance reference--Location of gasoline service stations, restricted, § 5-9.

Sec. 114-469. Lot size requirements.

In the B2 district, there shall be no minimum lot area requirements, except for permanent dwelling units which shall provide 2,400 square feet of lot area per dwelling unit.

(Code 1973, § 16.08.050(d))

Sec. 114-470. Yard requirements.

(a) *Generally.* Residential structures in the B2 community shopping district shall provide yards as specified in the R4 general residence district, section 114-330. However, nonresidential uses are not required to provide yards except for transitional yards as provided in subsection (b) of this section.

(b) *Transitional yard requirements.* No building or structure in the B2 district shall be located within 100 feet of a residence district boundary line, unless such building or structure is effectively screened from such residence district property by a wall, fence, or densely planted compact hedge, not less than five feet nor more than eight feet in height; in the event of such screening, the transitional yard requirements specified in the B1 district shall apply in the B2 district. The zoning administrator may waive this requirement if the structure, use, or building is already effectively screened by natural topography or existing screening comparable to the types mentioned.

(Code 1973, § 16.08.050(e))

Sec. 114-471. Floor area ratio.

In the B2 district, floor area ratio shall not exceed 4.0.
(Code 1973, § 16.08.050(f))

Sec. 114-472. Signs.

Signs in the B2 district shall be subject to the regulations contained in article X of this chapter.
(Code 1973, § 16.08.050(g))

Sec. 114-473. Off-street parking and loading requirements.

Off-street parking and loading facilities in the B2 district shall be provided in accordance with article XI of this chapter.
(Code 1973, § 16.08.050(h))
Secs. 114-474--114-485. Reserved.

Subdivision IV. B1 Neighborhood Convenience District*

***Cross references:** Required improvements in subdivision of land in any residential district, B-1 neighborhood shopping district, B-2 local business district, B-3 commercial district plots, § 86-92.

Sec. 114-446. Purpose.

The B1 neighborhood convenience district is intended to provide convenience shopping to close proximity for persons residing in nearby residential areas by allowing only such uses as are necessary to satisfy basic shopping needs which occur daily or frequently, and selected additional uses which normally attract little vehicular traffic and are otherwise compatible with residential areas.

(Code 1973, § 16.08.040)

Sec. 114-447. Permitted uses and regulations.

(a) *Uses subject to conditions.* Uses allowed in the B1 neighborhood convenience district are subject to the following conditions:

- (1) All business establishments shall be retail or service establishments dealing directly with consumers. All goods produced on the premises shall be sold at retail on the premises where produced.
- (2) Business establishments are restricted to a maximum gross floor area of 6,000 square feet each, exclusive of any floor area devoted to off-street parking or loading facilities. This restriction may be waived by the board of appeals in the case of expansion of established uses.
- (3) All business, servicing or processing, except for off-street parking or loading, shall be conducted within completely enclosed buildings.
- (4) Establishments of the drive-in type offering goods or services directly to customers waiting in parked motor vehicles are not allowed.
- (5) The parking of trucks as an accessory use, when used in the conduct of a permitted business listed in this division shall be limited to vehicles of not over 1 1/2 tons capacity when located within 75 feet of a residence district boundary line. Any parking of trucks on land adjacent to residential property shall be screened therefrom by a wall, fence, or densely planted compact hedge, not less than five nor more than six feet in height, and having at least 60 percent opacity.

(b) *Permitted uses.* The following uses are permitted in the B1 neighborhood convenience district:

- (1) Dwelling units above the first floor.
- (2) Art, sculptor, and composer studios.
- (3) Art shops or galleries.
- (4) Bakeries, retail.
- (5) Banks and other financial institutions.
- (6) Barbershops.
- (7) Beauty shops.
- (8) Bicycle sales, rental, and repair shops.
- (9) Book and stationery stores.
- (10) Camera and photographic supply stores.
- (11) Candy and ice cream stores.
- (12) China and glassware stores.
- (13) Custom dressmaking.
- (14) Drugstores.
- (15) Dry cleaning and laundry receiving stations, processing to be done elsewhere.
- (16) Dry goods stores.
- (17) Florist shops.

- (18) Food stores, grocery stores, meat markets, and delicatessens, not including the sale of alcohol beverages.
 - (19) Furniture upholstery, refinishing and repair.
 - (20) Gift shops.
 - (21) Hobby goods store.
 - (22) Interior decorating studios and picture framing.
 - (23) Jewelry stores.
 - (24) Launderettes, automatic, self-service only (including dry cleaning machines), or hand laundries.
 - (25) Millinery shops.
 - (26) Offices, business, professional and governmental.
 - (27) Office supply stores.
 - (28) Opticians sales; retail.
 - (29) Shoe, clothing and hat repair stores.
 - (30) Shoe stores.
 - (31) Sporting goods stores.
 - (32) Tailor shops.
 - (33) Taverns, cocktail lounges and restaurants, not including live entertainment.
 - (34) Television, radio, and other appliance sales and repair stores.
 - (35) Telephone booths and coin telephones.
 - (36) Tobacco shops.
 - (37) Toy stores.
 - (38) Wearing apparel shops.
 - (39) Variety stores.
 - (40) Accessory uses, incidental to and on the same zoning lot as a principal use.
 - (41) Community living arrangements having the capacity to serve eight or fewer persons, excluding staff or live-in family.
 - (42) Dance studio.
 - (43) Family day care home.
 - (44) Group day care center, when operated within an existing educational institution, recreation and social facility, or religious institution.
- (Code 1973, § 16.08.040(a), (b); Ord. No. 4-02, pt. 1, 3-19-02; Ord. No. 10-04, pt. 1, 4-7-04)

Sec. 114-448. Conditional uses.

The following conditional uses may be allowed in the B1 neighborhood convenience district:

- (1) Parking lots and structures, for the storage of private passenger automobiles.
- (2) Parks, libraries, and other public uses.
- (3) Planned developments.
- (4) Public utility and service uses.
- (5) Radio and television stations and towers.
- (6) Any permitted business development on lots greater than four acres in area.
- (7) Accessory uses, incidental to and on the same zoning lot as a principal use.
- (8) Community living arrangements having a capacity of nine or more, excluding staff or live-in family.
- (9) Group day care centers.
- (10) Orthopedic and medical appliance stores.
- (11) Boardinghouses, lodgingshouses and roominghouses.
- (12) Other business uses determined by the plan commission to be of the same general character as the uses permitted in this district.
- (13) Community gardens.
- (14) Photo copying, laser printing, and color copying, letter press, offset printing with sheet sizes up to 11 inches x 17 inches.
- (15) Dwelling units below the second floor.

(Code 1973, § 16.08.040(c); Ord. No. 18-99, pt. 6, 12-21-99; Ord. No. 15-01, pt. 1, 5-16-01; Ord. No. 10-04, pt. 2, 4-7-04)

Sec. 114-449. Lot size requirements.

In the B1 neighborhood convenience district, there shall be provided not less than 2,400 square feet of lot area for each dwelling unit on a lot.

(Code 1973, § 16.08.040(d))

Sec. 114-450. Yard requirements.

(a) *Generally.* Residential structures in the B1 neighborhood convenience district shall provide yards as specified in the R4 general residence district, section 114-330. However, nonresidential uses in the B1 neighborhood convenience district are not required to provide yards except for transitional yards as set out in subsection (b) of this section.

(b) *Transitional yard requirements.*

(1) Where a side lot line of a lot within the B1 district coincides with a side or rear lot line in an adjacent residence district, a yard shall be provided along such side lot line. Such yard shall be equal in dimension to the minimum side yard which would be required under this chapter for a residential use on the adjacent residential lot. In such instances, landscape screening by trees or compact hedge of at least 25 percent opacity shall be provided within such yard.

(2) Where a rear lot line of a lot within the B1 district coincides with a side lot line in an adjacent residence district, a yard shall be provided along such rear lot line. Such yard shall be equal in dimension to the minimum side yard which would be required under this chapter for a residential use on the adjacent residential lot. However, when the commercial lot abuts a lot located in the R1 district, the yard provided shall be not less than 15 feet in depth and not less than 12 feet in depth where the commercial lot abuts a lot located in an R2 district; in such instances, landscape screening by trees or compact hedge of at least 25 percent opacity shall be provided within such yard.

(3) Where the rear lot line of a lot within the B1 district abuts the rear lot line of a lot in a residence district, such lots shall provide a rear yard equal to the average of the required minimums for such yards required in the B1 district and the adjacent residence district.

(Code 1973, § 16.08.040(e))

Sec. 114-451. Floor area ratio.

In the B1 district, floor area ratio shall not exceed 2.0.

(Code 1973, § 16.08.040(f))

Sec. 114-452. Signs.

Signs in the B1 district shall be subject to the regulations contained in article X of this chapter.

(Code 1973, § 16.08.040(g))

Sec. 114-453. Off-street parking and loading requirements.

Off-street parking and loading facilities in the B1 district shall be provided in accordance with article XI of this chapter.

(Code 1973, § 16.08.040(h))

Secs. 114-454--114-465. Reserved.