

ARTICLE XI

B-3 Business District Regulations

The regulations set forth in this Article or set forth elsewhere in this Ordinance when referred to in this Article, are the District Regulations in the B-3 Zero Lot Line Business District.

Section 1. Uses Permitted.

A building or premises shall be used only for the following purposes as enumerated in the Standard Land Use Coding Manual:

- a. Retail Trade building materials, hardware, and farm equipment limited to:

Paint, glass & wallpaper - retail
Electrical supplies - retail
Hardware - retail

Retail trade - general merchandise

Retail trade food

Retail trade - automotive, marine craft, aircraft and accessories except for

Marine craft and accessories - retail
Aircraft and accessories - retail

Retail trade - apparel and accessories

Retail trade - furniture, home furnishings and equipment

Retail trade - eating and drinking

Other retail trade except for

Hay, grains and feed - retail
Other farm and garden supplies
Fuel and ice dealers (except fuel, oil and bottled gas dealers)-retail
Fuel oil - retail
Bottled gas- retail

Finance, insurance and real estate services

Personal services: limited to

Photographic services
Beauty services
Barber services
Fur repair

Business services; limited to

Advertising services

Consumer and mercantile credit reporting service
adjustment and collection services
Duplicating mailing and stenographic services
News syndicate services
Employment services
Business and management consulting services
Detective and protective services
Photofinishing services
Trading stamp services
Motion picture distribution services

Professional services, except for
Medical laboratory services
Dental laboratory services
Sanitariums, convalescent and resthome services

Governmental services, except for
Prisons
Military bases

Religious services

Cultural activities

Public assembly, limited to
Motion picture theaters
Legitimate theaters
Auditoriums
Exhibition halls

Amusements, limited to
Penny arcades

Recreational activities, limited to
Ice skating
Roller skating
Bowling
Gymnasiums and athletic clubs

- b. Outdoor advertising structure or non-flashing sign pertaining only to a use or service conducted within the building may be permitted provided the sign does not exceed thirty-five (35) square feet in area per face. Any sign or display in excess of thirty-five (35) square feet in area per face shall require the approval of planning commission. Any sign or display in excess of thirty-five square feet in area per face shall be attached flat against the wall of the building and in no case shall any sign or display project above the roof line.
- c. Accessory buildings, including satellite antennae and accessory uses customarily incidental to the above uses, but not involving the conduct of a business unless otherwise specified.

- (1) Accessory buildings may not be built in front yards and may not occupy more than forty percent (40%) of the required rear yard. However, satellite antennae which are non-operative and used for advertising purposes only will be permitted.
- (2) Accessory buildings located in a rear yard shall not be nearer than five (5) feet to any rear lot line.
- (3) Accessory buildings may be built in side yards but shall not be nearer than two (2) feet to any side lot line.

Section 2. Uses Permitted on Appeal.

Day Care Centers provided all State licensing requirements are met. The Board of Zoning Appeals shall review proposals to ensure that adequate parking; adequate loading and unloading spaces; and, adequate egress and ingress are provided..

Section 3. Height Regulations.

- a. No building or structure shall exceed forty-five (45) feet in height. Furthermore, any building or structure exceeding thirty-five (35) feet in height shall be erected only with certification from the City Fire Chief that such building or structure as proposed to be located, constructed or equipped, and particularly occupants of upper stores, can be properly protected in case of fire.
- b. No accessory building shall exceed twenty-five (25) feet in height.
- c. Free-standing poles, spires, towers, monuments, water tanks, windmills, smokestacks, derricks, conveyors, antennae (other than satellite) and similar structures not designed for, or suitable for human occupancy may exceed these height provisions provided they comply with all other codes and ordinances.
- d. These provisions shall not apply to chimneys, church spires, belfries, cupolas and domes which are not intended for human occupancy.

Section 4. Area Regulations

- a. Lot Area. There shall be a no minimum lot area for the B-3 district provided all requirements of this Section are met.
- b. Front Yard.

- (1) There shall be a front yard having a depth of not less than thirty (30) feet.
- (2) On double frontage and corner lots, there can be a front yard on each street, provided, however, that the buildable width of a corner lot of record at the time of passage of this Ordinance need not be reduced to less than twenty-five (25) feet.
- (3) No fence, structure, planting or object of natural growth shall be placed or permitted to remain within twenty-five (25) feet of any street corner, said corner being defined as the intersection of the right-of-way lines of the two streets.
- (4) Filling station pumps may be located in the required front yard provided that no part of the pump island is closer than twenty (20) feet to the front of the property line.

c. Side Yard

- (1) There shall be no side yard required, however, if a side yard is provided it shall not be less than ten (10) feet in width on each lot.
- (2) When a lot used for multiple permitted commercial uses, a side yard is not required except on the side of a lot, in which case there shall be a side yard having a width of not less than ten (10) feet in width on each lot.

- d. Rear Yard. There shall be a rear yard having a depth of not less than fifteen (15) feet. Every part of the required rear yard shall be open to the sky.

Section 5. Screening

Fences and vegetative screening shall be required along the side and rear yard perimeters of commercial developments where said developments abut an existing residential zone. This screening requirements may only be waived in cases where terrain features make protection against overview impracticable, where there are already sufficient trees or shrubs growing along such perimeter, and where an abutting residential district is undeveloped.

Also, this requirement shall exclude visibility areas as determined in other sections of this Ordinance.

The required screening shall consist of either:

- a. A wooden fence as least six (6) feet high. Suggestions for wood fences are illustrated in Diagram A of the appendix.

- b. A strip at least eight (8) feet wide densely planted with shrubs or trees (evergreen) at least three (3) to five (5) feet high at the time of planting, and a type which may be expected to form a yard-round dense screen at least six (6) feet high within three (3) years. Suggestions for planting screens are illustrated in Diagrams B and C of the appendix.

Section 6. Off-street parking

As regulated in Article XIV.