SECTION 47-12 B-2 CENTRAL BUSINESS DISTRICT

This District is designed to provide for a restricted variety of retail stores and related activities and for office buildings and service establishments which will occupy the prime retail frontage in the Central Business District, and which serve the comparison, convenience and service needs of a consumer population well beyond the corporate boundaries of the City. The District regulations are also designed to provide for a centrally located major shopping complex which will be serviced with conveniently located off-street parking compounds and safe pedestrian movement, but to exclude non-retail uses which generate a large volume of truck traffic.

47-12.1 PERMITTED USES

1. Any generally recognized retail business service establishments or processing uses as follows:

    a. Convenience group:

        1. Food stores including supermarkets and all types of specialty food stores, such as bakeries, candy stores, and similar uses

        2. Drug stores

        3. Hardware and related stores as paint, wallpaper and similar uses

    b. Comparison group:

        1. Department stores

        2. Eating and drinking - restaurants or other places serving food and/or beverage

        3. Apparel shops including specialty shops of all sorts, shoe stores, and similar uses

        4. Furniture and appliances, including rugs, floor coverings, drapery, sewing machine shops, used furniture, office supplies and similar uses

        5. Variety stores

        6. Gift shops, camera shops, record shops and similar uses

        7. Microbrewery, brew pub, and similar enterprises*

            * Ordinance #17469, 02/02/16

    c. Service facilities group:

        1. Service shops as barber, beauty, laundry, cleaner and similar uses

        2. Commercial recreation facilities, such as bowling alleys and movie theaters

        3. Minor repair shops, such as shoe and watch repair

        4. Bank, brokerage house or similar financial institution, but not including pawn shops, payday loan stores (consumer installment licensees) or currency exchanges*

5. Hotels and motels

6. Travel agencies

* Ordinance #15623, 08/01/06

d. Miscellaneous group:

Professional and other offices drawing a large number of clients and/or customers, such as but not restricted to:

1. Doctors, dentists, lawyers, and architects

2. Insurance, realtors, and unions

3. Post Office

4. Utility office

5. Chamber of Commerce and automobile clubs

e. Automotive group:

1. Sale of new automobiles, provided service access be available from side street or alley

2. Shops selling automobile parts and accessories exclusively

2. Public and semi-public buildings such as, but not restricted to:

a. Churches

b. Municipal Offices

c. Library

d. Fraternal organizations

3. Other uses, which in the opinion of the Board of Appeals are similar to the above uses indicated as being permitted, which in their opinion shall have the following characteristics:

a. Benefit from a central location and are appropriate in the Central Business District

b. Do not create any significant objectionable influences

c. Involve products characterized by a high ratio of value to bulk, so that truck traffic is kept to a minimum

4. Off-street parking facilities should be according to the provisions of Section 47-17.17.

47-12.2 ACCESSORY USES

Accessory structures and uses customarily incidental to the above permitted uses.

47-12.2A SPECIAL USES

The following uses may be allowed as special uses by the Mayor and City Council, with the advice of the Board of Appeals, in accordance with Section 47-5.2:

A. Those uses permitted as of right pursuant to Section 47-9.1, provided the uses conform to the area, bulk and other district regulations in which the uses are typically located;

B. Those uses allowed as special uses under Section 47-10.3, except medical cannabis dispensary organizations shall not be permitted.*, **

* Ordinance #13051; Revised 1/17/01
** Ordinance #17186; 1/07/14

C. Firearms dealers & gunsmiths (e.g. firearms repair shops/any person who provides a service of designing, manufacturing and/or repairing firearms) provided:

1. Shall not be located in the same structure or building with any other business of any type unless the shared walls separating the businesses are of masonry construction.

2. The exterior walls of the structure are to be of masonry construction. Alternative construction materials which afford equivalent protection may be permitted if approved by the building inspector.

3. All exterior entrance points and window points of the building shall be gated and/or barred when the building is unoccupied. No gating, baring, or other security devices used shall be mounted to the exterior of the building. The use of gating and security devices on exit doors will need emergency override devices to allow for exit in case of an emergency inside the building. If the emergency override devices require electricity to operate, they shall be served by an alternate 12-hour power supply that automatically activates in the event of a power failure.

4. The entire interior of the building (except bathrooms) must be covered with video surveillance cameras. The video surveillance camera recorders must be located in a secure location. Parking lots as well as any exterior wall breach, such as doorways or windows, must be maintained under video surveillance as well. Lighting must be supplied to ensure that the installed cameras are capable of recording all activity at such lumens that will allow easy identification of any persons coming into their view, and such light must be maintained 24 hours a day.

5. No firearms shall be displayed in any manner which would cause such exhibit or display to be visible to persons outside of the premises during hours the business is not open.

6. A safe must be provided on site that is of sufficient size to accommodate all firearms and firearms parts on site at any given time. All firearms and firearms parts must be kept in the safe or securely locked so as to render the firearm inaccessible and unusable when the business is not open.

7. Shall not be located within a minimum of 500 feet from any residential zoning district and a minimum of 1,000 feet from any school, church, day care, park or playground, library, and other firearms dealers and gunsmiths. This distance shall be measured between the following points: (1) the nearest property line of the protected use and (2) either the nearest boundary of the interior space occupied by the firearms dealers and

gunsmiths, or, the nearest exterior business signage for the firearms dealers and gunsmiths, whichever is closest, measured at ground level.

8. Firearms dealers and gunsmiths may not utilize amplified music outdoors.

9. Exterior signage shall comply with Section 47-17.21 of the Zoning Ordinance, except that signs or exterior building surfaces depicting violent scenes shall not be permitted.*

* Ordinance #17880; 12/4/18

D. Adult-Use Cannabis Dispensing Organization. See Section 47-15I (Adult Use Cannabis) for requirements.*

* Ordinance #18012; 11/19/19

E. Automobile Service Station.*

* Ordinance #18098; 07/07/20

47-12.3 REQUIRED YARDS

In a Central Business District zone, the following yard areas shall be provided:

A. Front yards: No front yard shall be required, except where the frontage on one side of a block is divided between a Central Business District and a residential district, the front yard requirement of the residential zone shall apply to the area in the Central Business District.

B. Side yards: Side yards shall not be required excepting:

1. A yard not less than six (6) feet in width shall be required where a side lot line of a Central Business District abuts a residential district. An additional foot of yard space shall be added for each additional two (2) feet of building height above twenty-five (25) feet.

2. In all other cases, no side yard shall be required for a business but if such a yard is voluntarily provided, it shall be not less than six (6) feet in width.

C. Rear yards: Rear yards shall not be required excepting: where a rear lot line of a Central Business District abuts a residential district, there shall be a rear yard of twenty-five (25) feet for one or two-story buildings. An additional one foot of rear yard shall be provided for each two feet of building height over twenty-five feet, such yard may be measured from the center line of an intervening alley. Where there is no alley, a wall or decorative fence at least 5’6” high shall be placed along the boundary line of a rear yard abutting a residential district.

47-12.4 BUILDING HEIGHT AND BULK REGULATION

1. Building Height: There shall be no specific height limitation in a B-2 District; provided, however, that prior to the issuance of a building permit for any structure which is planned to exceed thirty-five (35) feet in height, the Building Inspector shall make a finding that any such excessive height will not be detrimental to the light, air or privacy of any other structure or use currently existing or approved for construction. In approving a height in excess of thirty-five (35) feet, the Building Inspector shall follow he standards set forth below in the Floor Area Ratio.

2. Floor area ratio:

    a. The floor area ratio shall be used in determining area of building, lot coverage and yard requirements. All enlargements or new construction shall be undertaken with respect to the established building line.

    b. In the B-2 District, the maximum floor area ratio for a zoning lot shall not exceed 7.0 except that in the instance of the Automotive Group, and it shall not exceed 1.0.

    c. For each square foot of front or side plaza provided on a zoning lot, the total floor area permitted by the floor area ratio set forth above may be increased by seven (7) square feet.

47-12.5 ACCESSORY PARKING

Parking space as an accessory use shall not be required in the B-2 Central Business District, except as noted in Section 47-12.1 (5).

47-12.6 OFF-STREET LOADING

Spaces shall be provided in accordance with the provisions of Section 47-17.16.

47-12.7 SIGNS

See Section 47-17.21 for size and location of permitted signs.

47-12.8 SCREENING

See Section 47-17.18 for screening regulations for uses adjoining residential districts.

47-12.9 PROHIBITED USES

All uses not expressly permitted as of right by Section 47-12.1 or as a permitted accessory use under Section 47-12.2 or pursuant to a special use permit under Section 47-12.2A are prohibited in B-2 zoning districts including, but not limited to, the following:

A. Any commercial or manufacturing use which may become noxious or offensive in a B-2 Central Business District.

B. Any use which offers curb service to the public or sells or offers for sale any goods, merchandise or services to persons on any public street, sidewalk or alley.

C. Storage outside of a completely enclosed building of any used or second-hand goods, materials ,tools, supplies or equipment not clearly incidental to a principal permitted use of the property for a period in excess of thirty (30) days.*, **

* Ordinance #11215; 7/16/96
** Ordinance #13051; 1/17/01