

## PROPOSED CHAPTER 1277 RETAIL BUSINESS DISTRICTS

### 1277.01 PURPOSE

Retail Business Districts and their regulations are established to achieve, among others, the following purposes:

- (a) To provide in appropriate and convenient locations retail business uses to serve residents, employees and visitors;
- (b) To promote the economic development of the City;
- (c) To protect adjacent residential and business properties by requiring adequate yards and landscaping of their common boundaries; and
- (d) To promote the desirable and beneficial use of land based upon the Comprehensive Plan.

### 1277.02 USE REGULATIONS

Buildings and land shall be used, and buildings shall be designed, erected, altered, moved or maintained in retail business districts only for the uses set forth in the schedules and use regulations of this Zoning Code.

- (a) The main buildings and uses set forth in Section 1277.03 shall be permitted by right as the principal building or use of a lot.
- (b) Conditional uses are certain types of main uses, so classified because of their uncommon characteristics, infrequency of occurrence, large land area requirements or other features, and shall not be permitted in certain locations by right. Such uses require consideration and approval by the Planning Commission according to procedures and standards set forth in Chapter 1285. Only those uses so enumerated in Section 1277.04 may be approved in the district.
- (c) The accessory buildings and uses set forth in Section 1277.05 shall be permitted as a subordinate building or use, which is clearly incident to and located on the same lot as the main building or use.

### 1277.03 PERMITTED USES

The following uses shall be permitted in Retail Business Districts:

- (a) Retail goods and services entirely within enclosed buildings permitted in the Historic Town Center District;
- (b) Offices permitted in the Historic Town Center District;
- (c) Day care center;
- (d) All permitted uses in Office and Institutional Districts; and
- (e) Any other use determined by the Planning and Zoning Commission to be similar to the above uses if such use is determined to be more appropriate in this district.

1277.04      CONDITIONAL USES

The following uses may be permitted provided that each use meets the requirements and standards set forth in Chapter 1285 Conditional Uses:

- (a)    Outdoor serving and consumption and carry-out sales of food and beverages;
- (b)    Instructional or training facility;
- (c)    Outdoor sales of plant and landscape materials;
- (d)    Automotive service station;
- (e)    Sale of automobiles and recreational equipment; and
- (f)    Veterinary hospitals.
- (g)    Public utility.
- (h)    Other uses deemed similar by the Planning and Zoning Commission pursuant to Chapter 1285

Conditional Uses.

1277.05      ACCESSORY USES

The following accessory uses shall be permitted in General Business Districts:

- (a)    Signs as permitted and as regulated in Chapter 1286;
- (b)    Off-street parking and loading as permitted and as regulated in Chapter 1288;
- (c)    Trash and material storage enclosed in a building or an approved structure or enclosure;
- (d)    Restaurant or snack bar within an office building or public building; and
- (e)    Any other use customarily incident to the operation of a permitted retail use or service.

1277.06      MINIMUM LOT AREA AND WIDTH REGULATIONS

- (a)    Minimum Lot Area.

The minimum lot area shall be not less than one acre.

- (b)    Minimum Lot Width

The minimum lot width, measured at the required setback, shall be not less than one hundred (100) feet.

1277.07      YARD REGULATIONS

Front, side and rear yards shall be provided on each lot occupied by a permitted use, conditional use or accessory use according to the following schedule:

## Minimum Yard Dimensions (feet)

Building or Use	Front Yard		Side Yard		Rear Yard		
	From Center Line	From Lot Line	Adjoins Res. District	Adjoins Non-res. District	Abuts Street (corner)(b)	Adjoins Res. District	Adjoins Non-res. District
Any permitted use	80	50	25	15	25	50	30
Conditional use							
Building	80	50	25	15	25	50	30
Outdoor display	55	25	40	15	25	50	30
Parking area	40	10	30	10	25	30	10
Loading area	N/A(a)	N/A(a)	30	10	25	30	10

(a) Not permitted in front yard.

(b) From right-of-way.

#### 1277.08 MAXIMUM LOT COVERAGE

The maximum area of the lot covered by main and accessory buildings shall not exceed thirty (30) percent.

#### 1277.09 LANDSCAPE REGULATIONS

Each lot occupied by a permitted or conditionally permitted use shall have not less than thirty (30) percent of the lot landscaped.

#### 1277.10 HEIGHT REGULATIONS

(a) Permitted buildings shall not exceed three stories and shall not exceed thirty-five (35) feet in height.

(b) Chimneys, domes, elevator penthouses, skylights, ventilators or other necessary appurtenances may be erected to a height above the height limitation, but in no case shall such features exceed twenty (20) feet above the maximum permitted height.

#### 1277.11 SITE DESIGN STANDARDS

Each site shall be developed according to the design standards provided in Chapter 1284 Site Design Standards.

1277.12 DEVELOPMENT PLAN REQUIRED

Each zoning application for a new building or use, additions thereto, or a change in use shall include a development plan as provided in Chapter 1262 Administration, Enforcement and Penalty.