

Article XVI-B.

LR-M(2) Local Retail District Regulations

Sec. 1. Use regulations.

In the LR-M(2) Local Retail District, no land shall be used and no building shall be erected for or converted to any use other than:

- (1) Any use permitted in the LR-M(1) district.
- (2) Antenna, commercial, subject to the supplemental regulations of article XXII-E.
- (3) Antenna, freestanding, subject to the supplemental regulations of article XXII-E.
- (4) Antenna, mounted, subject to the supplemental regulations of article XXII-E.
- (5) Bowling alley.
- (6) Fine arts studio.
- (7) Health club.
- (8) Laundromat, not to exceed 6,000 square feet in area, without pick-up and delivery service.
- (9) Laundry or dry cleaning service, not to exceed 6,000 square feet in area, without pick-up and delivery service.
- (10) Martial arts school.
- (11) Motor vehicle parts and accessory sales, no outdoor storage or display.
- (12) Movie theater.
- (13) Pet sales and grooming, subject to the supplemental regulations of article XXII-E.
- (14) Print shop—minor.
- (15) Veterinary office, subject to the supplemental regulations of article XXII-E.

(Ord. No. 289-A, 1-2-63; Ord. No. 874-A, § 1, 9-17-73; Ord. No. 1093-A, § 2, 10-31-77; Ord. No. 2728-A, § 3, 5-22-89; Ord. No. 2872-A, § 1, 2-25-92; Ord. No. 3063-A, § 1, 2-26-96; Ord. No. 3377-A, § 1, 1-14-02; Ord. No. 3598, § 6, 3-26-07; Ord. No. 3715, § 5, 7-14-08)

Sec. 2. Building regulations.

Type of materials. All buildings shall be of masonry construction. A maximum of 15 percent of the building facade area may be constructed of noncombustible construction other than masonry construction including factory certified installation of commercial grade Class PB Exterior Insulation and Finish System (EIFS). Said EIFS materials must be installed above a height of eight feet and in no case shall EIFS be installed, even as a recladding material, below a height of eight feet. In determining the percentage allowance, the total of all sides of the building shall be utilized in the calculation and a maximum of 20 percent of the facade per elevation shall be constructed of noncombustible construction.

(Ord. No. 3172-A, § 2, 4-13-98; Ord. No. 3377-A, § 1, 1-14-02)

Sec. 3. Height regulations.

No building or structure shall exceed eight stories and a maximum of 130 feet in height, and further provided that the following limitations shall apply:

- (a) Where all or a portion of a lot or tract is within 300 feet of a residential, duplex or apartment zoning district, including street and alley rights-of-way,
 - (1) Building height shall be limited to one story not to exceed 25 feet in height for a building located within 150 feet of a residential, duplex, or apartment zoning district;
 - (2) Building height shall be limited to two stories, not to exceed 25 feet in height for the first story and 15 feet in height for the second story, for a building located between 150 feet and 300 feet from a residential, duplex, or apartment zoning district;
 - (3) Building height shall be limited to 50 feet, not to exceed 25 feet in height for the first story and 15 feet in height for each additional story, for a building located more than 300 feet from a residential, duplex, or apartment zoning district, provided, however, that one foot of additional building height shall be permitted for each two feet of setback provided, up to the maximum eight story height allowed.
- (b) Where no portion of a lot or tract is within 300 feet of a residential, duplex, or apartment zoning district, including street and alley rights-of-way, building height shall be limited to 50 feet at the setback line, not to exceed 25 feet for the first story and 15 feet for each additional story, provided, however, that two feet of additional building height shall be permitted for each one foot of setback provided, up to the maximum eight story height allowed.

(Ord. No. 916-A, § 3, 8-19-74; Ord. No. 2418-A, § 3, 4-16-84; Ord. No. 3172, § 6, 4-13-98; Ord. No. 3377-A, § 1, 1-14-02)

Sec. 4. Area regulations.

- (a) Front setback.
 - (1) There shall be a front setback having a minimum depth of 40 feet.
 - (2) On corner lots or where lots have double frontage, running through from one street to another, the required front setback shall be provided on both streets.
 - (3) Gasoline pumps and pump islands shall be set back at least 24 feet from the lot line adjacent to a street and canopies shall be set back at least ten feet from the lot line adjacent to a street.
- (b) *Side setback.* No side setback shall be required except:
 - (1) On a corner lot, a side setback of 40 feet shall be required on the side adjacent to the street.
 - (2) Where the side of a building faces on a residential, duplex, or apartment district, the screening and open space requirements of chapter 21, Subdivision and Development, of the Code of Ordinances, shall apply.
- (c) *Rear setback.* No rear setback shall be required except where the rear of a building faces on a residential, duplex, or apartment district, the screening and open space requirements of chapter 21, Subdivision and Development, of the Code of Ordinances, shall apply.

(d) *Floor area ratio.* No building shall be constructed, erected or altered in such a manner so as to exceed a maximum floor area ratio of 0.5:1 on any lot, tract or parcel of land zoned LR-M(2).

(Ord. No. 1001-A, § 2, 2-24-76; Ord. No. 3377-A, § 1, 1-14-02; Ord. No. 3530, § 1, 11-28-05; Ord. No. 3598, § 7, 3-26-07)

Sec. 5. Reserved.

Editor's note: Ord. No. 3598, § 11, adopted March 26, 2007, repealed § 5, which pertained to site plan approval and derived from Ord. No. 469-A, § 1, adopted March 21, 1967; Ord. No. 635-A, § 1, adopted Oct. 13, 1969; Ord. No. 2816-A, § 20, adopted Jan. 14, 1991; and Ord. No. 2872-A, § 5, adopted Feb. 25, 1992.

Sec. 6. Outside storage and display of goods, wares or merchandise.

The outside storage and display of goods, wares or merchandise shall be subject to the same regulations as contained in the LR-M(1) local retail district regulations.

(Ord. No. 599-A, § 2, 12-2-68)

Editor's note: Ord. No. 599-A, § 2, adopted Dec. 2, 1968, amended art. XVI-B by adding § 5. As art. XVI-B already included a § 5, the section has been redesignated as § 6 by the editors.

Sec. 7. Reserved.

Editor's note: Ord. No. 3598, § 11, adopted March 26, 2007, repealed § 7, which pertained to landscaping plan approval and derived from Ord. No. 635-A, § 2, adopted Oct. 13, 1969; Ord. No. 2418-A, § 9A, adopted April 16, 1984; Ord. No. 2816-A, § 20, adopted Jan. 14, 1991; and Ord. No. 2872-A, § 8, adopted Feb. 25, 1992.

End of Article XVI-B

Article XVI-A.
LR-M(1) Local Retail District Regulations

Sec. 1. Use regulations.

In the LR-M(1) Local Retail District, no land shall be used and no building shall be erected for or converted to any use other than:

- (1) Antenna, accessory, subject to the supplemental regulations of article XXII-E.
- (2) Antique shop.
- (3) Art gallery.
- (4) Bakery.
- (5) Bank or financial institution.
- (6) Barber or beauty salon.
- (7) Book, card, or stationery store.
- (8) Camera and photographic supply shop.
- (9) Catering service.
- (10) Church.
- (11) Clothing or apparel store.
- (12) Construction field office.
- (13) Convenience store.
- (14) Department store.
- (15) Drugstore or pharmacy.
- (16) Fabric store.
- (17) Florist.
- (18) Furniture, home furnishings, and appliance store.
- (19) Grocery store.
- (20) Hardware store.
- (21) Jewelry store.
- (22) Laundry pick-up station.
- (23) Mailing service.
- (24) Musical instrument sales and repair.
- (25) Office.
- (26) Office furniture, equipment, and supply store.
- (27) Parking lot, accessory.
- (28) Photography or art studio.
- (29) Public building.

- (30) Repair shop, household items.
- (31) Repair shop, personal items.
- (32) Restaurant without drive-through or curbside service.
- (33) School, parochial, when located on the same lot as the church of the sponsoring religious agency.
- (34) Sporting goods store.
- (35) Tailor shop.
- (36) Toy or hobby shop.
- (37) Video rental store.

(Ord. No. 289-A, 1-2-63; Ord. No. 989-A, § 1, 12-30-75; Ord. No. 2715-A, § 2, 2-13-89; Ord. No. 2728-A, § 2, 5-22-89; Ord. No. 3172-A, §§ 8, 9, 4-13-98; Ord. No. 3377-A, § 1, 1-14-02)

Sec. 2. Building regulations.

Type of materials. All buildings shall be of masonry construction. A maximum of 15 percent of the building facade area may be constructed of noncombustible construction other than masonry construction including factory certified installation of commercial grade class PB exterior insulation and finish system (EIFS). Said EIFS materials must be installed above a height of eight feet and in no case shall EIFS be installed, even as a re-cladding material, below a height of eight feet. In determining the percentage allowance, the total of all sides of the building shall be utilized in the calculation and a maximum of 20 percent of the facade per elevation shall be constructed of noncombustible construction.

(Ord. No. 3172-A, § 2, 4-13-98; Ord. No. 3377-A, § 1, 1-14-02)

Sec. 3. Height regulations.

No building or structure shall exceed two stories in height. The first story shall not exceed 25 feet in height. The second story shall not exceed 15 feet in height. Buildings and structures shall be limited to one story not to exceed 25 feet in height when located within 150 feet of a residential, duplex, or apartment zoning district, including street and alley rights-of-way.

(Ord. No. 916-A, § 2, 8-19-74; Ord. No. 3172-A, § 7, 4-13-98; Ord. No. 3377-A, § 1, 1-14-02)

Sec. 4. Area regulations.

- (a) Front setback.
 - (1) There shall be a front setback having a minimum depth of 40 feet.
 - (2) On corner lots or where lots have double frontage, running through from one street to another, the required front setback shall be provided on both streets.
- (b) *Side setback.* No side setback shall be required except:
 - (1) On a corner lot, a side setback of 40 feet shall be required on the side adjacent to the street.
 - (2) Where the side of a building faces on a residential, duplex, or apartment district, the screening and open space requirements of chapter 21, Subdivision and Development, of the Code of Ordinances, shall apply.

(c) *Rear setback.* No rear setback shall be required except where the rear of a building faces on a residential, duplex, or apartment district, the screening and open space requirements of chapter 21, Subdivision and Development, of the Code of Ordinances, shall apply.

(d) *Floor area ratio.* No building shall be constructed, erected or altered in such a manner so as to exceed a maximum floor area ratio of 0.5:1 on any lot, tract or parcel of land zoned LR-M(1).

(Ord. No. 243-A, 10-24-61; Ord. No. 339-A, 3-9-64; Ord. No. 916-A, § 2, 8-19-74; Ord. No. 2085-A, § 1, 3-5-79; Ord. No. 2376-A, § 3(1), 10-17-83; Ord. No. 2418-A, § 2, 4-16-84; Ord. No. 3377-A, § 1, 1-14-02; Ord. No. 3598, § 7, 3-26-07)

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Editor's note: Ord. No. 3598, § 11, adopted March 26, 2007, repealed § 5, which pertained to site plan approval and derived from Ord. No. 469-A, § 1, adopted March 21, 1967; Ord. No. 635-A, § 1, adopted Oct. 13, 1969; Ord. No. 2816-A, § 19, adopted Jan. 14, 1991; and Ord. No. 2872-A, § 5, adopted Feb. 25, 1992.

Sec. 6. Outside storage and display of goods, wares or merchandise.

The outside storage and display of goods, wares and merchandise is prohibited except as specifically authorized herein. The outside storage and display of goods, wares and merchandise shall be permitted on the sidewalk adjacent to the building, provided such goods, wares or merchandise shall not extend more than three feet from the building and shall not be more than three feet in height; and provided further, that there shall be at least five feet in width of unobstructed sidewalk remaining.

Provided, further, that the above prohibition shall not be construed to prohibit the following:

- (a) The above height limitation shall not apply to storage and display of Christmas trees for a period not to exceed 40 days prior to Christmas each year.
- (b) The above prohibition shall not be construed to apply to merchandise dispensing units (limited to not more than three for any one business establishment) when such merchandise dispensing units are operated in connection with the operation of an open-front type of drive-in grocery store.
- (c) The above prohibition shall not be construed to prohibit the storage and display of merchandise normally placed on gasoline service station pump islands, when placed on such islands.
- (d) The above prohibition shall not be construed to prohibit the storage and display of rental trailers, or to newspaper racks.

(Ord. No. 599-A, § 1, 12-2-68)

Sec. 7. Reserved.

Editor's note: Ord. No. 3598, § 11, adopted March 26, 2007, repealed § 7, which pertained to landscaping plan approval and derived from Ord. No. 635-A, § 2, adopted Oct. 13, 1969; Ord. No. 2816-A, § 19, adopted Jan. 14, 1991; and Ord. No. 2872-A, § 8, adopted Feb. 25, 1992.

End of Article XVI-A