

40-5-3 B-2 HIGHWAY BUSINESS DISTRICT.

(A) **Statement of Intent.** This District is created to provide areas for certain business, service, and public uses adjacent to or near major thoroughfares. The permitted uses in this District are of a type which more typically serves consumers on special purpose trips and are therefore not as dependent on being associated with other uses. It is intended that all uses, including accessory uses, in this District provide an appropriate amount of off-street parking and loading facilities.

Within the B-2 (Highway Business District), uses and construction shall be compatible with surrounding structures and uses. Steel building construction and wood frame metal buildings shall only be permitted when the exterior of the building is finished with a brick, wood, or vinyl, that is compatible with surrounding buildings. The phrase “surrounding buildings” is not intended to include metal buildings which may exist in the surrounding area on the date of the adoption of this Chapter.

(B) Permitted Principal Uses and Structures.

- (1) Any use permitted in the B-1 (Central Business District).
- (2) Any use permitted in PA (Professional Office/Administrative) District.
- (3) Laundromats.
- (4) Automobile services and auto dealers, new and used, provided all services are performed in an enclosed building.
- (5) Banks/financial institutions.
- (6) Barbers/beauty shops.
- (7) Bowling alleys.
- (8) Retail/merchandise.
- (9) Dramshops, i.e., taverns, lounge, bars.
- (10) Movie theaters.
- (11) Fruit and vegetable stands.
- (12) Governmental uses.
- (13) Hotels/motels.
- (14) Mobile/modular homes.

- (15) Nurseries/greenhouses.
- (16) Photographers.
- (17) Public utility offices.
- (18) Restaurants.
- (19) Radio/television studios.
- (20) Small animal hospital or clinic.
- (21) Gasoline service stations.
- (22) Convenience stores.
- (23) Roller, ice skating.
- (24) Video/audio/DVD rental.
- (25) Health club/gymnasiums.

(C) **Conditions of Use.** All business activities, except for automobile off-street parking facilities and new and used automobile inventory, and similar inventories (boats, campers, motorcycles, riding lawn mowers) shall be conducted wholly within an enclosed building.

(D) **Permitted Accessory Uses.**

- (1) Off-street parking and loading.
- (2) Storage of merchandise or inventory usually carried in stock, provided that such storage shall be located on the same lot with the business and shall be in a completely enclosed building.
- (3) Refuse facilities, provided that such facility shall be located on the same lot with the business and shall be completely screened from the street and adjacent property.

(E) **Special Use Permits Required.** The following conditional uses may be permitted in specific situations in accordance with the procedures outlined in **Chapter 40, Article XVI, Division III**, as appropriate:

- (1) Adult-Use Cannabis Dispensing Organization. **(Ord. No. 30-2020; 08-24-20)**
- (2) Adult-Use Cannabis Infuser Organization. **(Ord. No. 30-2020; 08-24-20)**
- (3) Adult-Use Cannabis Processing Organization. **(Ord. No. 30-2020; 08-24-20)**
- (4) Adult-Use Cannabis Transporting Organization. **(Ord. No. 30-2020; 08-24-20)**

(5) Day care centers, including childcare, adult care, nursery schools, kindergartens, and workshops for the mentally or physically disabled.

(6) Planned unit development.

(7) Adult entertainment.

(8) Wireless communication facilities.

(F) General Requirements.

(1) **Height.** No building or structure shall exceed **three (3) stories** or **thirty-five (35) feet** in height.

(2) **Lot Size.** Every building shall be constructed on a lot having an area of not less than **ten thousand (10,000) square feet** and a width at the established building line of not less than **eighty (80) feet**, except as provided hereinbelow in paragraph (G).

(3) **Yard Areas.** No building or structure shall be constructed or enlarged unless the following yards are provided and maintained in connection with such building.

(a) **Front Yard.** Each lot upon which a building is constructed shall have a front yard of not less than **fifty (50) feet**.

(b) **Side Yard.** Each lot upon which a building is constructed shall have a side yard of not less than **thirty-five (35) feet**. In the event the lot abuts a residential district, there shall be provided a side yard equal to twice the front yard required in the abutting residential district, and in no case, less than **forty (40) feet**.

(c) **Rear Yard.** There shall be a rear yard of not less than **forty (40) feet**, provided that a permitted accessory building may be located on the lot with a minimum of **ten (10) feet** setback from the rear lot line, or alley.

(d) **Buffer Area.** On lots abutting residential districts, there shall be provided a **twenty (20) foot** wide planting strip extending the length of the lot adjoining the residential district, planted with trees and shrubs to provide a dense screen.

(G) **Special Requirements.** In the area of the B-2 District on South Park Avenue, commencing with Lyerla Street south to Clark Trail Drive, where a substantial portion of the current buildings cannot conform to those requirements set forth in paragraph (F) hereinabove, the setback lines and yard areas shall be determined on a case by case basis, in consideration of the development, redevelopment or addition. No development or redevelopment shall occur in this area which expands the lot coverage or setback lines in place on the effective date of this Code.