

§ 700-17. Permitted uses in B-3 Zoning District.

The following uses are permitted in the B-3 Zoning District:

- A. Professional and business offices.
- B. Financial institutions.
- C. Restaurants, bars and taverns, but excluding drive-in restaurants.
- D. Bowling alleys, theaters and other indoor amusement services, including amusement devices as an accessory use as set forth in § 700-38 hereof, commercial schools and colleges.
- E. Take-out food establishments.
- F. Service establishments - personal and household.
- G. Printing establishments, provided that no individual motor exceeds five horsepower.
- H. Telephone exchange, bus or railroad passenger station, United States Post Office.
- I. Stores devoted to retail commerce where goods are sold directly to the customer for personal use or household use, with or without processing on the premises for such retail sale, but excluding the processing, repair or renovating of bedding and excluding the sale of motor vehicles, boats, lumber, masonry, roofing or siding where an inventory is maintained on the premises. No crating, outdoor displays and/or outdoor sales are permitted except that occasional outdoor sales may be held as provided by Ordinance No. 1845.¹
- J. Mixed use buildings for commercial and residential uses subject to § 700-40. **[Amended 2-19-2019 by Ord. No. 3414]**
- K. Business establishments having amusement devices as a principal use, provided that all of the following requirements are met:
 - (1) There shall be 60 square feet of operating area for each amusement device. The calculation of the operating area shall exclude any area of the premises which is used for other purposes but shall include access and walkways primarily serving said amusement device.
 - (2) At least one attendant over the age of 18 years shall be present at all times the business is open.
 - (3) Amusement devices in such establishments shall not be operated after 11:00 p.m. and before 9:00 a.m.
 - (4) No amusement device shall be used, placed, maintained or operated in any back room of the premises where the device is licensed.
 - (5) Parking requirements of § 700-91 are met.

1. Editor's Note: Said Ord. No. 1845, adopted 4-15-1975, as amended 7-2-1991 by Ord. No. 2358, and which comprised original Ch. 190, Sales and Displays, Outdoor, of the 1978 Code, was repealed 12-4-2007 by Ord. No. 3039.

- (6) No amusement device shall be used, placed, maintained or operated in any premises within 500 feet of a school, church or other house of worship. The distance shall be measured from the nearest entrance of the school or church to the nearest entrance of the premises on which the amusement device is located or is sought to be located along the route that a pedestrian would normally walk.
 - (7) No business establishment having amusement devices as a principal use shall be located within 2,000 feet of another business establishment having amusement devices as a principal use. The distance shall be measured from the nearest entrance of the existing establishment to the nearest entrance of the premises where the other establishment is sought to be located along the route that a pedestrian would normally walk.
 - (8) No business establishment having amusement devices as a principal use shall be located in a building in which any portion of such building is used for residential purposes.
- L. Discount store, except that no discount store shall be located within 1,000 feet of another discount store business; the distance between such discount store businesses shall be measured from the nearest entrance of the existing discount store to the nearest entrance of the premises where the other establishment is sought to be located along the route that a pedestrian would normally walk.
- M. Commercial school.
- N. Automobile parking lots on premises other than those upon which the use is located and which are needed for partial or complete compliance to minimum off-street parking requirements of Article XIII, subject to the following standards:
- (1) The Zoning Official must review the proposed off-premises site and make a determination of suitability.
 - (2) All such spaces through ownership or long-term lease shall be under the control of the owner or operator of the use to which such spaces are appurtenant. The legal instrument containing proof of ownership or lease shall be filed with the application. The certificate of occupancy for use or uses served by the off-premises parking spaces granted under this subsection shall be valid only for such time period as the facilities are available as required, unless application is made for an alternate location or variance, as the case may be.
 - (3) All such parking areas shall be located on the same street and within 500 feet of the entrance to the building which the parking area serves.
 - (4) No such parking areas shall be located in any district where the use it serves is prohibited.
 - (5) During or prior to approval, reports from the Department of Public Safety concerning policing, traffic and pedestrian activity shall be received and considered. The Construction Official may impose conditions in approving the use to insure that the parking lot shall be properly integrated and sufficiently screened so as not to be offensive or detrimental to adjoining residential properties. The Construction Official shall also have the authority to specify any conditions as to security and operations it

may deem reasonably necessary.

- (6) Notwithstanding any other section of this chapter, where an off-premises parking lot adjoins a residential use or residential zone, there shall be a minimum of a six-foot-wide landscaped strip adjoining the residential lot line, unless a wider buffer is specifically required. The landscaping shall consist of densely planted evergreens at least a minimum of six feet high at planting.