

Sec. 50-9-86. Other regulations.

Any land use featuring drive-up or drive-through facilities shall be subject to site plan review as provided for in ~~Sec. 61-3-113(6)~~ Section 50-3-113(6) of this Code. No such drive-up or drive-through facilities or outdoor walk-up pass-through feature shall be approved without strict attention to traffic safety as provided for in ~~Sec. 61-3-231(9)~~ Section 50-3-281(9) of this Code, and the adequacy of vehicle stacking/access lanes as provided for in Article XIV, Division 1, Subdivision H, of this chapter, ~~However, provided, that~~ in no instance shall a Specially Designated Merchant's (SDM) establishment or a Specially Designated Distributor's (SDD) establishment be considered for drive-up or drive-through facilities.

(Code 1984, § 61-9-66; Ord. No. 11-05, § 1(61-9-66), eff. 5-28-2005)

Secs. 50-9-87--50-9-100. Reserved.

DIVISION 5. B4 GENERAL BUSINESS DISTRICT

Sec. 50-9-101. Description.

The B4 General Business District provides for business and commercial uses of a thoroughfare-oriented nature. In addition to these uses, other businesses, which may benefit by drawing part of their clientele from passing traffic are permitted. Additional uses, which may be successfully blended with permitted by-right uses, are conditional.

(Code 1984, § 61-9-71; Ord. No. 11-05, § 1(61-9-71), eff. 5-28-2005)

Sec. 50-9-102. Site plan review.

Site plan review is required for all conditional uses and for certain by-right uses in the B4 General Business District. See Article III, Division 5, of this chapter.

(Code 1984, § 61-9-72; Ord. No. 11-05, § 1(61-9-72), eff. 5-28-2005)

Sec. 50-9-103. By-right uses.

Uses permitted by right in the B4 General Business District are delineated in ~~Sec. 61-9-74~~ Section 50-9-104 through ~~Sec. 61-9-78~~ Section 50-9-108 of this Code. See Article XII of this chapter for a complete listing of all use regulations and standards, Article III, Division 5, of this chapter to determine when site plan review is required for by-right uses, and Article XII, Division 5, of this chapter for accessory uses, including home occupations.

(Code 1984, § 61-9-73; Ord. No. 11-05, § 1(61-9-73), eff. 5-28-2005)

Sec. 50-9-104. By-right residential uses.

By-right residential uses in the B4 General Business District are as follows:

- (1) Assisted living facility.
- (2) Boarding school and dormitory.
- (3) Child caring institution.
- (4) Convalescent, nursing, or rest home.
- (5) Lofts, inside the Central Business District.
- (6) Multiple-family dwelling where located in a Traditional Main Street Overlay Area and where combined with uses specified in ~~Sec. 61-9-76~~ Section 50-9-106 of this Code.
- (7) Religious residential facilities.
- (8) Residential ~~uses~~ use, where combined in structures with permitted commercial uses and located in a Traditional Main Street Overlay Area.
- (9) Shelter for victims of domestic violence.

(Code 1984, § 61-9-74; Ord. No. 11-05, § 1(61-9-74), eff. 5-28-2005; Ord. No. 13-16, § 1(61-9-74), eff. 5-20-2016; Ord. No. 37-17, § 1(61-9-74), eff. 2-6-2018)

Sec. 50-9-105. By-right public, civic, and institutional uses.

By-right public, civic, and institutional uses in the B4 General Business District are as follows:

- (1) Adult day care center.
- (2) Armory.
- (3) Auditoriums, public.
- (4) Child care center.
- (5) Educational institution.
- (6) Fire or police station, post office, courthouse, and similar public building.
- (7) Governmental service agency.
- (8) Hospital or hospice.
- (9) Library.
- (10) Museum.
- (11) Neighborhood center, non-profit.
- (12) Outdoor art exhibition grounds; sculpture gardens.
- (13) Outdoor recreation facility.
- (14) Religious institution.
- (15) Schools-School, elementary, middle/junior high, or high.

(Code 1984, § 61-9-75; Ord. No. 11-05, § 1(61-9-75), eff. 5-28-2005; Ord. No. 37-17, § 1(61-9-75), eff. 2-6-2018)

Sec. 50-9-106. By-right retail, service, and commercial uses.

By-right retail, service, and commercial uses in the B4 General Business District are as follows:

- (1) Animal-grooming shop.
- (2) Art gallery.
- (3) Assembly hall.
- (4) Automated teller machine not accessory to another use on the same zoning lot, which is stand-alone, without drive-up or drive-through facilities.
- (5) Bake shop, retail.
- (6) Bank without drive-up or drive-through facilities.
- (7) Barber or beauty shop.
- (8) Brewpub or microbrewery or small distillery or small winery, inside the Central Business District.
- (9) Business college or commercial trade school.
- (10) Cabaret, inside the Central Business District.
- (11) Commissary.
- (12) Customer service center without drive-up or drive-through facilities.
- (13) Dance hall, public, inside the Central Business District.
- (14) Dry cleaning, laundry, or laundromat.
- (15) Establishment for the sale of beer or intoxicating alcoholic liquor for consumption on the premises, inside the Central Business District.
- (16) Hotel, inside the Central Business District.

- (17) Medical or dental clinic, physical therapy clinic, or massage ~~therapy clinic facility~~.
- (18) Mortuary or funeral home, including those containing a crematory.
- (19) Motor vehicles, new, salesroom or sales ~~lots~~ lot.
- (20) Motor vehicles, new, storage lot accessory to a salesroom or sales lot for new motor vehicles.
- (21) Nail salon.
- (22) Office, business or professional.
- (23) Parking lots or parking areas for operable private passenger vehicles subject to ~~Sec. 61-12-219~~ Section 50-12-299 of this Code.
- (24) Parking structure.
- (25) Pet shop.
- (26) Private club, lodge, or similar use.
- (27) Radio or television station.
- (28) Radio, television, or household appliance repair shop, except such use is not permitted on any zoning lot abutting a Gateway Radial Thoroughfare.
- (29) Recreation, indoor commercial and health club.
- (30) Recording studio or photo studio or video studio, no assembly hall.
- (31) Restaurant, carry-out, without drive-up or drive-through facilities, except such use is prohibited on any zoning lot abutting the Woodward Avenue Gateway Radial Thoroughfare where not located in a multi-story building and integrated into a mixed-use or multi-tenant development.
- (32) Restaurant, fast-food, without drive-up or drive-through facilities, where located in a multi-story building and integrated into a mixed use or multi-tenant development.
- (33) Restaurant, standard, without drive-up or drive-through facilities.
- (34) Retail sales and personal service in business and professional offices.
- (35) Retail sales and personal service in multiple-residential structures, as provided for in ~~See. 61-12-234~~ Section 50-12-312 of this Code.
- (36) School or studio of dance, gymnastics, music, art, or cooking.
- (37) Shoe repair shop.
- (38) Stores of a generally recognized retail nature whose primary business is the sale of new merchandise with or without drive-up or drive-through facilities.
- (39) Veterinary clinic for small animals.

(Code 1984, § 61-9-76; Ord. No. 11-05, § 1(61-9-76), eff. 5-28-2005; Ord. No. 34-05, § 1(61-9-76), eff. 12-6-2005; Ord. No. 13-11, § 1(61-9-76), eff. 8-23-2011; Ord. No. 21-12, § 1(61-9-76), eff. 11-2-2012; Ord. No. 10-13, § 1(61-9-76), eff. 4-16-2013; Ord. No. 38-14, § 1(61-9-76), eff. 10-16-2014; Ord. No. 13-15, § 1(61-9-76), eff. 7-11-2015; Ord. No. 37-17, § 1(61-9-76), eff. 2-6-2018)

Sec. 50-9-107. By-right manufacturing and industrial uses.

By-right manufacturing and industrial uses in the B4 General Business District are as follows:

- (1) Blueprinting shop.
- (2) Trade services, general.

(Code 1984, § 61-9-77; Ord. No. 11-05, § 1(61-9-77), eff. 5-28-2005)

Sec. 50-9-108. By-right other uses.

Other by-right uses in the B4 General Business District are as follows:

- (1) Antennas as provided for in Article XII, Division 3, Subdivision G, of this chapter.
- (2) Farmers markets as defined in Article XVI, Division 2, Subdivision G, of this chapter.
- (3) Greenhouses as provided for in Article XII, Division 3, Subdivision H, of this chapter.
- (4) Hoophouses as provided for in Article XII, Division 3, Subdivision H, of this chapter.
- (5) Marinas.
- (6) Railroad rights-of-way, not including storage tracks, yards, or buildings.
- (7) Signs as provided for in Article VI of this chapter.
- (8) Urban farms as provided for in Article XII, Division 3, Subdivision H, of this chapter.
- (9) Urban gardens as provided for in Article XII, Division 3, Subdivision H, of this chapter.

(Code 1984, § 61-9-78; Ord. No. 11-05, § 1(61-9-78), eff. 5-28-2005; Ord. No. 10-13, § 1(61-9-78), eff. 4-16-2013)

Sec. 50-9-109. Conditional uses.

Uses permitted conditionally in the B4 General Business District are delineated in ~~Sec. 61-9-80~~ Section 50-9-110 through ~~See. 61-9-84~~ Section 50-9-114 of this Code. See Article XII of this chapter for a complete listing of all use regulations and standards, and Article XII, Division 5, of this chapter for accessory uses, including home occupations.

(Code 1984, § 61-9-79; Ord. No. 11-05, § 1(61-9-79), eff. 5-28-2005)

Sec. 50-9-110. Conditional residential uses.

Conditional residential uses in the B4 General Business District are as follows:

- (1) Emergency shelter, except such use shall not be permitted on any zoning lot abutting a designated Gateway Radial Thoroughfare.
- (2) Fraternity or sorority house.
- (3) Loft, outside the Central Business District.
- (4) Multiple-family dwelling.
- (5) Pre-release adjustment center, except such use shall not be permitted on any zoning lot abutting a designated Gateway Radial Thoroughfare.
- (6) Residential substance abuse service facility.
- (7) Residential use combined in structures with permitted commercial uses.
- (8) Rooming house.
- (9) Single-family detached dwelling.
- (10) Single-room-occupancy housing, non-profit.
- (11) Townhouse.
- (12) Two-family dwelling.

(Code 1984, § 61-9-80; Ord. No. 11-05, § 1(61-9-80), eff. 5-28-2005)

Sec. 50-9-111. Conditional public, civic, and institutional uses.

Conditional public, civic, and institutional uses in the B4 General Business District are as follows:

- (1) Electric transformer station.
- (2) Gas regulator station.
- (3) Outdoor entertainment facility.
- (4) Power or heating plant with fuel storage on site.

- (5) Substance abuse service facility, except such use shall not be permitted on any zoning lot abutting a designated Gateway Radial Thoroughfare.
- (6) Stadium or sports arena.
- (7) Telephone exchange building.
- (8) Water works, reservoir, pumping station, or filtration plant.

(Code 1984, § 61-9-81; Ord. No. 11-05, § 1(61-9-81), eff. 5-28-2005)

Sec. 50-9-112. Conditional retail, service, and commercial uses.

Conditional retail, service, and commercial uses in the B4 General Business District are as follows:

- (1) Amusement park.
- (2) Arcade.
- (3) Automated teller machine not accessory to another use on the same zoning lot, which is stand-alone, with drive-up or drive-through facilities.
- (4) Bank with drive-up or drive-through facilities.
- (5) Bed and breakfast inn.
- (6) Body art facility.
- (6)(7) Brewpub or microbrewery or small distillery or small winery, outside the Central Business District.
- (7)(8) Cabaret, outside the Central Business District.
- (8)(9) Customer service center with drive-up or drive-through facilities.
- (9)(10) Dance hall, public, outside the Central Business District.
- (10)(11) Employee recruitment center.
- (11)(12) Establishment for the sale of beer or intoxicating alcoholic liquor for consumption on the premises, outside the Central Business District.
- (12)(13) Financial services center.
- (13)(14) Firearms dealership.
- (14)(15) Firearms target practice range, indoor.
- (15)(16) Food stamp distribution center.
- (16)(17) Go-cart track, except such use is not permitted on any zoning lot abutting a Gateway Radial Thoroughfare.
- (17)(18) Golf course, miniature.
- (18)(19) Hotel, outside the Central Business District.
- (19)(20) Kennel, commercial.
- (20)(21) Lodging house, public.
- (21)(22) Motel.
- (22)(23) Motor vehicle filling station.
- (23)(24) Motor vehicles, used, salesroom or sales lot, except such use is not permitted on any zoning lot abutting a Gateway Radial Thoroughfare.
- (24)(25) Motor vehicles, used, storage lot accessory to a salesroom or sales lot for used motor vehicles, except such use is not permitted on any zoning lot abutting a Gateway Radial Thoroughfare.

- (25)(26) Motor vehicle services, major, except such use is not permitted on any zoning lot abutting a Gateway Radial Thoroughfare.
- (26)(27) Motor vehicle services, minor.
- (27)(28) Motor vehicle washing and steam cleaning, except such use is not permitted on any zoning lot abutting a Gateway Radial Thoroughfare.
- (28)(29) Motorcycles, retail sales, rental or service.
- (29)(30) Outdoor commercial recreation, not otherwise specified.
- (30)(31) Parking lots or parking areas for operable private passenger vehicles, as restricted by ~~See 61-12-219(9)(e) Section 50-12-299(9)e~~ of this Code.
- (31)(32) Pawnshop, except such use is not permitted on any zoning lot abutting a Gateway Radial Thoroughfare.
- (32)(33) Plasma donation center, except such use is not permitted on any zoning lot abutting a Gateway Radial Thoroughfare.
- (33)(34) Pool or billiard hall.
- (35) ~~Precious metal and gem dealer, except such use shall not be permitted on any zoning lot abutting a designated Gateway Radial Thoroughfare.~~
- (34)(36) Printing or engraving shops.
- (35)(37) Rebound tumbling center, except such use is not permitted on any zoning lot abutting a Gateway Radial Thoroughfare.
- (36)(38) Rental hall or banquet hall facility.
- (37)(39) Restaurant, carry-out, with drive-up or drive-through facilities, except such use is not permitted on any zoning lot abutting the Woodward Avenue Gateway Radial Thoroughfare.
- (38)(40) Restaurant, fast-food, with drive-up or drive-through facilities, except such use is not permitted on any zoning lot abutting the Woodward Avenue Gateway Radial Thoroughfare.
- (39)(41) Restaurant, fast-food, without drive-up or drive-through facilities, where not located in a multi-story building and integrated into a mixed-use or multi-tenant development.
- (40)(42) Restaurant, standard, with drive-up or drive-through facilities, except such use is not permitted on any zoning lot abutting the Woodward Avenue Gateway Radial Thoroughfare.
- (41) ~~Secondhand stores and secondhand jewelry stores, except such use is not permitted on any zoning lot abutting a Gateway Radial Thoroughfare.~~
- (42)(43) Specially designated distributor's (SDD) or specially designated merchant's (SDM) establishment.
- (43) ~~Tattoo and/or piercing parlor.~~
- (44) Taxicab dispatch and/or storage, except such use is not permitted on any zoning lot abutting a Gateway Radial Thoroughfare.
- (45) Theater and concert cafe, excluding drive-in theaters.
- (46) Trailer coaches or boat sale or rental, open air display, except such use is not permitted on any zoning lot abutting a Gateway Radial Thoroughfare.
- (47) Trailers, utility - sales, rental or service; moving truck/trailer rental lots.
- (48) ~~Used goods dealer, except such use is not permitted on any zoning lot abutting a Gateway Radial Thoroughfare.~~
- (48)(49) Youth hostcl/hostcl.

(Code 1984, § 61-9-82; Ord. No. 11-05, § 1(61-9-82), eff. 5-28-2005; Ord. No. 13-11, § 1(61-9-82), eff. 8-23-2011; Ord. No. 38-14, § 1(61-9-82), eff. 10-16-2014; Ord. No. 13-15, § 1(61-9-82), eff. 7-11-2015; Ord. No. 37-17, § 1(61-9-82), eff. 2-6-2018)

Sec. 50-9-113. Conditional manufacturing and industrial uses.

Conditional manufacturing uses in the B4 General Business District are as follows:

- (1) Confection manufacture, except such use is not permitted on any zoning lot abutting a Gateway Radial Thoroughfare.
- (2) Dental products, surgical, or optical goods manufacture, except such use is not permitted on any zoning lot abutting a Gateway Radial Thoroughfare.
- (3) Food catering establishment.
- (4) Ice manufacture, except such use is not permitted on any zoning lot abutting a Gateway Radial Thoroughfare.
- (5) Jewelry manufacture, except such use is not permitted on any zoning lot abutting a Gateway Radial Thoroughfare.
- (6) Lithographing, except such use is not permitted on any zoning lot abutting a Gateway Radial Thoroughfare.
- (7) Research or testing laboratory.
- (8) Toiletries or cosmetic manufacturing, except such use is not permitted on any zoning lot abutting a Gateway Radial Thoroughfare.
- (9) Tool, die, and gauge manufacturing, small items, except such use is not permitted on any zoning lot abutting a Gateway Radial Thoroughfare.
- (10) Vending machine commissary, except such use is not permitted on any zoning lot abutting a Gateway Radial Thoroughfare.
- (11) Wearing apparel manufacturing, except such use is not permitted on any zoning lot abutting a Gateway Radial Thoroughfare.
- (12) Welding shops not exceeding 4,000 square feet of gross floor area.
- (13) Wholesaling, warehousing, storage buildings, or public storage ~~houses~~ facilities, except such use is not permitted on any zoning lot abutting a Gateway Radial Thoroughfare.

(Code 1984, § 61-9-83; Ord. No. 11-05, § 1(61-9-83), eff. 5-28-2005; Ord. No. 37-17, § 1(61-9-83), eff. 2-6-2018)

Sec. 50-9-114. Conditional other uses.

Other conditional uses in the B4 General Business District are as follows:

- (1) Antennas as provided for in Article XII, Division 3, Subdivision G, of this chapter.
- (2) Aquaculture as provided for in Article XII, Division 3, Subdivision H, of this chapter.
- (3) Aquaponics as provided for in Article XII, Division 3, Subdivision H, of this chapter.
- (4) Hydroponics as provided for in Article XII, Division 3, Subdivision H, of this chapter.
- (5) Medical marihuana caregiver centers, as provided for in Article III, Division 12, of this chapter, except such use shall not be permitted in any Gateway Radial Thoroughfare or Traditional Main Street overlay area.
- (6) Signs as provided for in Article VI of this chapter.
- (7) Telecommunications buildings, private.

(Code 1984, § 61-9-84; Ord. No. 11-05, § 1(61-9-84), eff. 5-28-2005; Ord. No. 10-13, § 1(61-9-84), eff. 4-16-2013; Ord. No. 31-15, § 1(61-9-84), eff. 3-1-2016)

Sec. 50-9-115. Intensity and dimensional standards.

Development in the B4 General Business District shall comply with the intensity and dimensional standards provided for in Article XIII, Division 1, Subdivisions C and ~~in Article XIII, Division 1, Subdivision D~~, of this chapter.

(Code 1984, § 61-9-85; Ord. No. 11-05, § 1(61-9-85), eff. 5-28-2005)

Sec. 50-9-116. Other regulations.

Any land use featuring drive-up or drive-through facilities shall be subject to site plan review as provided for in ~~See. 61-3-113(6) Section 50-3-113(6)~~ of this Code. No such drive-up or drive-through facilities or outdoor walk-up pass-through feature shall be approved without strict attention to traffic safety, as provided for in ~~See. 61-3-231(9) Section 50-3-281(9)~~ of this Code and the adequacy of vehicle stacking/access lanes, as provided for in Article XIV, Division 1, Subdivision H, of this chapter. ~~However,~~ In no instance shall a specially designated merchant's (SDM) establishment or a specially designated distributor's (SDD) establishment be considered for drive-up or drive-through facilities.

(Code 1984, § 61-9-86; Ord. No. 11-05, § 1(61-9-86), eff. 5-28-2005)

Secs. 50-9-117--50-9-130. Reserved.**DIVISION 6. B5 MAJOR BUSINESS DISTRICT****Sec. 50-9-131. Description.**

~~This~~ The B5 Major Business District is designed to provide adequate regulations within the Central Business District, the New Center Area, and may be successfully utilized in other regionally oriented shopping and office areas.

(Code 1984, § 61-9-91; Ord. No. 11-05, § 1(61-9-91), eff. 5-28-2005)

Sec. 50-9-132. Site plan review.

Site plan review is required for all conditional uses and for certain by-right uses within the B5 Major Business District. See Article III, Division 5, of this chapter.

(Code 1984, § 61-9-92; Ord. No. 11-05, § 1(61-9-92), eff. 5-28-2005)

Sec. 50-9-133. By-right uses.

Uses permitted by right in the B5 Major Business District are delineated in ~~See. 61-9-94 Section 50-9-134 through See. 61-9-98 Section 50-9-138~~ of this Code. See Article XII of this chapter for a complete listing of all use regulations and standards, Article III, Division 5, of this chapter, to determine when site plan review is required for by-right uses, and Article XII, Division 5, of this chapter for accessory uses, including home occupations.

(Code 1984, § 61-9-93; Ord. No. 11-05, § 1(61-9-93), eff. 5-28-2005)

Sec. 50-9-134. By-right residential uses.

By-right residential uses within the B5 Major Business District are as follows:

- (1) Assisted living facility.
- (2) Boarding school and dormitory.
- (3) Child caring institution.
- (4) Convalescent, nursing, or rest home.
- (5) Loft.
- (6) Multiple-family dwelling having ground floor commercial space or other space oriented to pedestrian traffic.
- (7) Pre-release adjustment center.