

Sec. 98-54. - B-2 highway business.

- (a) *Purpose and intent.* The purpose of this district is to identify, within the area defined by the land use element of the comprehensive plan for commercial development. This district will normally be applied along principal arterial streets. With the exception of dispensing fuel in gas stations, outdoor seating for restaurants, craft/artisan production, brewpubs and automobile dealership display, all business shall be conducted within a fully enclosed building.
- (b) *Permitted uses.* The following uses shall be permitted principal uses in the B-2 district:
- (1) Package store, in accordance with section 98-104 of the Land Development Code;
 - (2) Church or other house of worship (not located in a shopping center);
 - (3) Clinic, medical;
 - (4) Financial institution;
 - (5) Fire and police stations;
 - (6) Gas stations;
 - (7) Hotel and motel, density is limited to 38 dwelling units per gross acre;
 - (8) Office, business and professional;
 - (9) Public park and recreation area;
 - (10) Restaurant (including outdoor seating for not in excess of 48 patrons);
 - (11) Store, convenience;
 - (12) Store, retail (excluding stores which sell firearms or ammunition for firearms);
 - (13) Store, personal service;
 - (14) Store, business service;
 - (15) Shopping center consisting of permitted or approved conditional uses as contained herein;
 - (16) Essential services;
 - (17) Theatre;
 - (18) Health and fitness club;
 - (19) Animal hospital;
 - (20) Funeral home;
 - (21) Boat sales;
 - (22) Marina;
 - (23) Amusement establishment/game center (subject to the restrictions contained within Code section 18-143);
 - (24)

Laundromat, provided that such facility is located at least 1,000 feet from any other laundromat facility. The distance requirements shall be measured and computed by following a straight line from the nearest point of the existing building or structure, or part thereof, in which a laundromat facility is located to the nearest point of the building or structure in which a laundromat facility is proposed to be located;

- (25) Laboratory, medical/dental;
- (26) Parking facility, commercial;
- (27) Parking facility, public;
- (28) Brewpub provided:
 - a. Revenue from food sales shall constitute more than 50 percent of the total gross sales;
 - b. Live music or entertainment shall only be allowed as an accessory use. All noise generated by live music or entertainment activities shall be fully contained within the indoor space occupied by the brewpub;
 - c. No more than 50 percent of the total gross floor area of the establishment shall be used for the brewery function including, but not limited to, the brewhouse, boiling and water treatment areas, bottling and kegging lines, malt milling and storage, fermentation tanks, conditioning tanks and serving tanks;
 - d. Outdoor seating for not in excess of 48 patrons is permitted;
- (29) Craft/artisan production, provided:
 - a. The maximum gross floor area is 10,000 square feet;
 - b. Must include a non-production area such as retail, eating, drinking or tasting that is at least ten percent, but no more than 30 percent of the total floor area;
 - c. The facility must front a street or have a well-marked and visible entrance;
 - d. All production, processing and distribution activities are to be conducted within a fully enclosed building;
 - e. Access and loading bays shall not face any street, excluding alleys;
 - f. Silos are permitted as accessory structures and must obtain site plan approval; the maximum height shall be as allowed in the dimensional requirements of the zoning district;
 - g. Live music or entertainment shall only be allowed as an accessory use. All noise generated by live music or entertainment activities shall be fully contained within the building;
 - h. Outdoor seating for not in excess of 48 patrons is permitted.
- (30) Sports performance training facility;
- (31) Tutoring center;
- (32) Dry cleaning establishment;

- (33) Dry cleaning plant provided that such facility is located at least 1,000 feet from any other dry cleaning plant. The distance requirements shall be measured and computed by following a straight line from the nearest point of the existing building or structure, or part thereof, in which a dry cleaning plant is located to the nearest point of the building or structure in which a dry cleaning plant is proposed to be located;
 - (34) Tattoo/body piercing studio, provided that such facility is located at least 1,000 feet from any other tattoo/body piercing facility. The distance requirements shall be measured and computed by following a straight line from the nearest point of the existing building or structure, or part thereof, in which a tattoo/body piercing studio is located to the nearest point of the building or structure in which a tattoo/body piercing studio is proposed to be located;
 - (35) Automobile accessories retail store, provided that such facility is located at least 1,000 feet from any other automobile accessories retail store. The distance requirements shall be measured and computed by following a straight line from the nearest point of the existing building or structure, or part thereof, in which an automobile accessories retail store is located to the nearest point of the building or structure in which automobile accessories retail store is proposed to be located;
 - (36) Thrift shop;
 - (37) Pharmacy, provided that the such facility is located at least 250 feet from any other pharmacy. The distance requirements shall be measured and computed by following a straight line from the nearest point of the existing building or structure, or part thereof, in which a pharmacy is located to the nearest point of the building or structure in which a pharmacy is proposed to be located;
- (c) *Conditional uses.* Upon application and after a favorable determination by the special master or the city commission (where the conditional use is part of the site plan application) that all conditions and provisions of a conditional use have been met, the uses listed below may be permitted as conditional uses in this district. In addition to any provisions listed herein, all proposed conditional uses shall comply with the requirements of this Code, be heard and decided by the zoning appeals special master (or city commission where applicable) as set forth herein and be consistent with the goals, objectives and policies of the city's comprehensive plan.
- (1) Dwellings, multiple-family provided:
 - a. Less than 50 percent of the building is utilized for residential purposes;
 - b. Dwelling units conform to the requirements of the RM-15 districts;
 - c. Dwellings are not on ground floor.
 - (2) Automobile dealership providing new car sales provided that:
 - a. The facility has a lot area of at least 20,000 square feet;

- b. All automobile service is performed in a completely enclosed building;
 - c. Parking and display areas shall be set back a minimum of 25 feet from the front and corner property lines and 20 feet from the interior side property line. No display tactics other than the storage of vehicles in permitted areas will be allowed. Examples of unacceptable display are elevated vehicles, open hoods or decorations such as balloons, festoons, flags or graphics.
- (3) Child and adult day care centers;
 - (4) Schools;
 - (5) School, arts;
 - (6) School, vocational;
 - (7) Nightclub in accordance with section 98-104 of the Land Development Code;
 - (8) Bar, lounge or saloon in accordance with section 98-104 of the Land Development Code;
 - (9) Indoor recreational facility (including pool halls);
 - (10) Club, private/public;
 - (11) Outdoor seating in excess of 48 seats for a restaurant, brewpub or a craft/artisan production facility;
 - (12) Assisted living facility, subject to the provisions of section 98-83 of this Code. Further, building height shall not exceed 45 feet. All other dimensional requirements are the same as RM-15 zoning districts. Density requirements are the same as RM-15 zoning district;
 - (13) Store, retail, which retail store sells firearms;
 - (14) Auto rental agency;
 - (15) Halfway house; provided the parcel upon which it is located is at least 1,000 feet from the nearest RS-5, RS-7, RM-10 or RM-15 zoning district and no halfway house is located within a radius of 1,000 feet of an existing halfway house.
 - (16) Pawnshop in accordance with section 98-99 of the Land Development Code;
 - (17) Secondhand store in accordance with section 98-99 of the Land Development Code.
 - a. Building height, as defined in this Code, shall not exceed 35 feet. All other dimensional requirements shall be those of the B-2 zoning district with the exception that the maximum FAR shall be .80 and the maximum lot coverage shall be 65 percent.
 - b. Storage of hazardous materials such as toxic or explosive substances shall be prohibited.
 - c. Storage bay doors on any perimeter buildings shall not face any abutting property located in a residentially zoned district, nor shall they be visible from any public road.
 - d.

Site arrangement, landscaping, signage, building size and architectural design elements such as roof pitch, material, colors, elevation details (doors, windows, trim) shall be designed so as to ensure that the property does not appear as an industrial warehouse development or facility.

(d) *Accessory uses.* The following uses shall be permitted accessory uses in the B-2 district.

(1) Accessory uses customarily incidental to a principal permitted or approved conditional use.

(2) Used car sales shall only be allowed as an accessory use to new car sales.

(e) *Property development requirements.* The property development regulations addressing minimum lot requirements, minimum floor area, required yards, maximum lot coverage, floor area ratio, height and minimum landscape area are presented in tabular form contained herein.

(f) *Outside storage and exterior display.* No outside storage of materials or sales goods is permitted except for motor vehicles at automobile sales lots.

(g) *Other development regulations.* All other applicable development regulations are set forth in this Code.

(Ord. No. 1997/016, § 2, 6-17-97; Ord. No. 1998/037, §§ 2, 3, 12-15-98; Ord. No. 2000/001, § 19, 4-5-00; Ord. No. 2002/023, § 2, 7-31-02; Ord. No. 2005/027, § 13, 9-6-05; Ord. No. 2008/013, § 8, 5-20-08; Ord. No. 2012/029, § 12, 7-10-12; Ord. No. 2013/034, § 5, 12-3-13; Ord. No. 2014/017, § 3, 6-17-14; Ord. No. 2014/033, § 4, 12-2-14; Ord. No. 2015/029, § 3, 10-6-15; Ord. No. 2016/024, § 4, 12-6-16; Ord. No. 2018/005, § 4, 1-16-18; Ord. No. 2018/008, § 2, 2-6-18; Ord. No. 2019/014, § 4, 5-21-19; Ord. No. 2024/009, § 3, 6-4-24)