

Article IX. Interstate Corridor Business, District B-2

Sec. 70- 69 Statement of Purpose and Intent

The B-2 Interstate Corridor Business District is intended to accommodate a wide range of commercial uses and service activities, such as general businesses, highway-oriented commercial uses, fast-food establishments, and similar uses that generate a large volume of traffic, but that are not characterized by extensive warehousing, frequent heavy trucking activity, open storage of materials unless otherwise provided for elsewhere in this chapter, or the nuisance factors of dust, odor and noise associated with manufacturing. The B-2 Business District is located in an area where such expanded uses will not have a detrimental effect on the historic atmosphere of the “downtown” business and residential areas. The boundaries of this district are clearly defined on the official zoning map, and the B-2 Interstate Corridor Business District is not intended to expand beyond its present limits. In order to preserve this area for these intended purposes, no future residential uses shall be permitted in the B-2 Business District except as provided in Section 70-71 of this Article.

Sec. 70- 70 Permitted Uses.

All non-residential uses that are permitted by right in the B-1 Business District shall be permitted in the B-2 Business District. In addition, the following uses shall be permitted in the B-2 Business District:

- (a.) Automobile service stations, provided that all repair is conducted inside a completely enclosed building, and in accordance with Sec. 70- 147 of this chapter.
- (b.) Convenience food stores, with adjunct fuel sales.
- (c.) Automobile, recreational vehicle, motorcycle, mobile home and similar vehicular sales and rental facilities, provided that all repair of vehicles takes place in a completely enclosed building. Adequate screening may be required.
- (d.) Veterinary hospitals and kennels; provided that all animals shall be kept inside sound-proofed, air-conditioned buildings.
- (e.) Lumber and building supplies, with storage inside a completely enclosed building.
- (f.) Plumbing and electrical supplies, with storage inside a complete enclosed building.
- (g.) Machinery sales and service, with service and storage inside a completely enclosed building.
- (h.) Storage of materials and supplies incidental to the conduct of any permitted use; provided that such storage is entirely enclosed and is conducted in the same building as the business to which it is incidental, or in a building immediately adjacent thereto.

- (i.) Car washes.
- (j.) Mortuary and funeral homes.
- (k.) Feed and grain stores, with storage in a completely enclosed building, and excluding silos, elevators, and milling operations.
- (l.) Bus stations.
- (m.) Wholesale business, where loading areas are completely screened from public view and where storage of supplies and materials is in a completely enclosed building.
- (n.) Miniature golf/golf driving range, in accordance with Sec. 70- 78 of this chapter.
- (o.) Re-upholstery shops, as defined.
- (p.) Private medical transport service, as defined in Section 70- 10, provided that no emergency lights, sirens or any other loud warning devices are used in conjunction with the operation of the business. This business shall comply with the requirements of Sections 70- 150 and 70- 152.

Sec. 70- 71 Permitted Uses with a Condition Use Permit.

The following uses may be permitted in the B-2 Business District, subject to the procedures and criteria established in the chapter:

- (a.) Private parking structures.
- (b.) Plant nurseries and greenhouses. Adequate screening may be required.
- (c.) Major furniture repairs and/or restoration, including stripping and refinishing
- (d.) Hospitals.
- (e.) Television and radio broadcasting facilities.
- (f.) Auction houses.
- (g.) Pharmaceutical, medical, or photographic laboratories.
- (h.) Light manufacturing or assembly that is established incidental to a retail business conducted on the premises, which is not objectionable because of smoke, odor, dust or noise, and where not more than fifteen (15) persons are employed on the premises in the manufacturing or assembly activities.

(i.) Mini-warehouse/ mini-storage facilities, as defined and in accordance with Sec. 70- 78 of this chapter.

(j.) Assembly halls.

(k.) Warehouses, adjacent to a primary business use.

(l.) Bowling alleys, night clubs, skating rinks, video arcades, pool halls, billiard rooms and other indoor and outdoor recreation or amusement enterprise not otherwise listed in this Article, and in accordance with the provisions of Sec. 70- 78 of this Article, where applicable.

(m.) Pawn shops.

(n.) Sporting goods shops with gun sales and repair.

(o.) Shopping centers, in accordance with Sec. 70- 144 of this chapter.

(p.) Monument stoneworks and sales.

(q.) Assembly of electrical appliances and electronic instruments and devises from pre-manufactured parts: provided that not more than fifteen (15) persons are employed.

(r.) Cabinet-making, furniture-making and upholstery shops.

(s.) Major public utilities, as defined.

(t.) Other retail businesses and commercial uses, upon a finding by the governing body, in accordance with the provisions of this chapter, that such uses are of the same general character as those permitted and will not be detrimental to other uses within the district or to adjoining land uses. In addition, the town council reserves the right to require a conditional use permit for any retail or personal service use that is not specifically listed in Sec. 70- 60, subsections "s." and "x.", of this chapter.

(u.) A new residential use that is incidental to the primary commercial use of the property may be permitted upon a finding by the governing body that such a use will be consistent with the purpose and intent of the B-2 district; however, a new residential use that is the primary use of the property, including but not limited to multi-family dwellings and town houses, is not permitted.

Sec. 70- 72 Area Regulations.

For all uses other than shopping centers, the minimum lot area in the B-2 Business District shall be 10,000 square feet.

Sec. 70- 73 Setback Regulations.

With the exception of shopping centers, the minimum setback in the B-2 Business District shall be twenty-five (25) feet from any street right-of-way which is fifty feet or greater in width, or forty-five (45) feet from the centerline of any street right-of-way less than fifty feet in width; except that no building need be set back more than the average of the two adjacent structures on either side. This shall be known as the “setback” line. However, if either adjacent structure is not in compliance with the applicable setback requirements and has not received a variance therefore, or is not a nonconforming structure by reason of inadequacy of setback, this exception shall not apply. A vacant lot shall be assumed to be occupied by a building housing a minimum setback.

Sec. 70- 74 Frontage Regulations.

With the exception of shopping centers, the minimum lot width at the setback line in the B-2 Business District shall not be less than seventy-five (75) feet.

Sec. 70- 75 Yard Regulations.

(a.) Side. With the exception of shopping centers, the minimum width of each side yard in the B-2 Business District shall be ten (10) feet; except, that when such use abuts a residential district, there shall be a side yard of twenty (20) feet.

(b.) Rear. With the exception of shopping centers, the minimum rear yard shall be ten (10) feet; except that when such use abuts a residential district, the minimum rear yard shall be twenty feet.

Sec. 70- 76 Height Regulations.

(a.) Buildings in the B-2 Business District may be erected up to thirty-five (35) feet in height from grade, except that:

(b.) A public or semi-public building, such as a school, church, library or general hospital may be erected to a height of sixty (60) feet from grade: provided, that the required front, side and rear yards shall be increased on foot for each one foot of height over thirty-five (35) feet.

(c.) Church spires, belfries, cupolas, municipal water towers, chimneys, flues, flagpoles, television antennae and radio aerials shall be exempted. Parapet walls may be up to four (4) feet above the building upon which the walls rest.

Sec. 70- 77 Lot Coverage

Lot coverage for shopping centers shall be in accordance with Sec. 70- 144 of this chapter.

Sec. 70- 78 Special Provisions

(a.) Recreational uses.

As provided in Sec. 70- 38 of this chapter.

(b.) Screening, buffering and landscaping.

As provided in Sec. 70- 68 of this chapter.

(c.) Site plans.

As provided in Sec. 70- 68 of this chapter.

(d.) Additional off-street parking.

Upon recommendation of the zoning administrator and/or planning commission, additional area may be required for off-street parking of vehicles incidental to the business, its employees and its clients.

(e.) Mini-warehouse/ mini-storage facilities.

1. No exterior storage is permitted.

2. No business activities other than the rental of storage units and incidental office use shall be conducted on the premises or within the building. Specifically, no activities such as miscellaneous or garage sales shall be conducted on the premises. The servicing or repair of motor vehicles, boats, trailers, lawn mowers or similar equipment shall not be conducted on the premises. The operation of a mini-warehouse/ mini-storage facility shall in no way be deemed to include a transfer and storage business where the use of vehicles is part of such business.

3. When a mini-warehouse/ mini-storage facility is built adjacent to or within one-hundred (100) feet of a residential district without an intervening street, a solid wall or fence at least six (6) feet in height, with its finished side facing the residential district, shall be erected between the mini-warehouse/ mini-storage facility and the residential district. However, the wall or fence shall not be required to extend into the required front yard area of the lot on which it is located.

4. No entrances to individual compartments shall front on any public street.

5. The maximum height of a storage section on a mini-warehouse/ mini-storage facility shall be twenty-five (25) feet.

6. The maximum total storage area in a mini-warehouse/ mini-storage building shall be 7,500 square feet.

(g.) Access easements.

As provided in Sec. 70- 68 of this chapter.