

17.0317 - B-3 CENTRAL BUSINESS DISTRICT. (Rep. & recr. #2258)

The B-3 Central Business District is intended to provide appropriate regulations to ensure the compatibility of the diverse uses typical of the "downtown" area without inhibiting the development of commercial, cultural, entertainment, and other urban activities which contribute to its role as the "heart" of the City.

A. PRINCIPAL USES.

- (1) Antique and collectors stores.
- (2) Art galleries.
- (3) Bakeries where not more than 50 percent of the gross floor area is devoted to the processing of bakery goods.
- (4) Banks, savings and loan associations, and other financial institutions. Excluding convenient cash and similar businesses. (Am. #2267)
- (5) Barber shops.
- (6) Beauty shops.
- (7) Book or stationery stores.
- (8) Business and professional offices.
- (9) Camera and photographic supplies.
- (10) Candy stores, soda fountains, and ice cream stores.
- (11) Clothing and apparel stores.
- (12) Coffee shops.
- (13) Delicatessens.
- (14) Fish markets.
- (15) Florists.
- (16) Gift stores.
- (17) Jewelry stores.
- (18) Meat markets.
- (19) Music stores.
- (20) Parking lots for up to 24 vehicles with screening and landscaping.
- (21) Photographic and art studios.
- (22) Produce (fruit and vegetable) stores.
- (23) Restaurants, except drive-thru restaurants.
- (24) Single-family residential dwelling existing or approved prior to July 1, 2007. Provided no increase in square footage, volume, or habitable space is created unless approved by the Plan Commission.
- (25) Tailoring and dressmaking shops.
- (26) Planned mixed use. (Cr. #2356)

B. ACCESSORY USES. The following uses, subject to the requirements of Section 17.0504:

- (1) Garages used for storage of vehicles used in conjunction with the operation of the business.
- (2) Off-street parking and loading areas.

- (3) Residential quarters for the owner, proprietor, commercial tenant, employee or caretaker located in the same building as the business.
- (4) Roof-mounted exterior energy saving equipment.
- (5) Terrestrial and satellite dish antennas.

C. CONDITIONAL USES.

- (1) Additions and enlargements to existing nonconforming structures that would encroach into a required rear yard, provided the addition or enlargement does not extend into the required yard any further than the existing structure, as provided by subsection 17.0903.B.
- (2) Buildings with a floor area greater than 15,000 square feet.
- (3) Cocktail lounges, taverns and night clubs.
- (4) Civic buildings, such as libraries, post offices, and municipal centers.
- (5) Commercial recreation facilities, such as arcades, bowling alleys, clubs, dance halls, driving ranges, gymnasiums, miniature golf facilities, pool and billiard halls, racetracks, laser tag, paint ball, and skating rinks.
- (6) Computer and computer supply stores.
- (7) Decreases in the required rear yard.
- (8) Drive-thru banks.
- (9) Drive-thru restaurants.
- (10) Energy saving equipment other than those that are roof-mounted, erected as an accessory structure.
- (11) Furniture stores.
- (12) Grocery stores (maximum of 20,000 square feet).
- (13) Hobby and craft shops.
- (14) Hotels.
- (15) Increases in the height of accessory buildings, when, in the opinion of the City Plan Commission, it is appropriate for the use and will not be detrimental to adjacent properties or the general character of the neighborhood, and further provided that any increase in height complies with the limitations set forth on the Airport Zoning Map for General Mitchell International Airport.
- (16) Lifestyle enhancement center (day spa).
- (17) Micro brewery.
- (18) Mixed use consisting of any mix of permitted and accessory and/or Conditional uses.
- (19) Newspaper and magazine stores.
- (20) Outdoor display of retail merchandise.
- (21) Parking lots for 25 vehicles or more and parking structures.
- (22) Physical fitness centers.
- (23) Public passenger transportation terminals, such as bus and rail depots, and heliports, but not including airports, airstrips, and landing fields. Any such use shall be located not less than 100 feet from any residential district boundary.
- (24) Specialty tobacco shops.
- (25) Specialty wine and spirits.
- (26) Sporting goods store.

- (27) Temporary uses as set forth in Section 17.1007 of this Code.
  - (28) Theaters.
  - (29) Two-family and multifamily residential.
  - (30) Utility substations, municipal wells, pumping stations, and towers provided that the use is not less than 50 feet from any lot line.
  - (31) Decreases in required rear yard. (Cr. #2301)
  - (32) Commercial child care. (Cr. #2356)
- D. LOT AREA AND WIDTH. Lots in the B-3 District shall provide sufficient area and width for the principal structure(s) and its accessory structures, off-street parking and loading areas, and required yards.
- E. BUILDING HEIGHT AND AREA.
- (1) No principal building or parts of a principal building shall exceed 45 feet in height, unless a lesser height is required to comply with the limitations set forth on the Airport Zoning Map for General Mitchell International Airport. No garage shall exceed 15 feet in height, and no shed or other accessory building shall exceed 10 feet in height; unless a conditional use permit for an increase in height is granted by the City Plan Commission in accordance with subsection 17.0317.C(16) above.
  - (2) No principal building shall have a floor area greater than 15,000 square feet, unless the Plan Commission approves a conditional use permit in accordance with subsection 17.0317.C(2) above.
- F. SETBACK AND YARDS.
- (1) No minimum setback shall be required.
  - (2) Proposed buildings shall be built to a build-to line for a minimum of 80 percent of the lot width measured at the street. The build-to line shall consist of a line extended from the front wall of the nearest existing buildings to each side of the proposed building. If the buildings to each side are built at different setbacks, the build-to line shall be located by averaging the depth of the two (2) existing setbacks.
  - (3) No minimum side yard is required, except as provided in subsection 17.0205.D of this Code.
  - (4) There shall be a rear yard of not less than 25 feet, unless the Plan Commission approves a conditional use permit in accordance with subsection 17.0317.C(31) above. (Am. #2301)
- G. PLANS AND SPECIFICATIONS TO BE SUBMITTED FOR REVIEW AND APPROVAL. (Rep. & recr. #2356) To encourage a business environment that is compatible with the residential character of the City, building permits for permitted uses in the B-3 District shall not be issued without review and approval of the Design Review Committee and the City Plan Commission. Said review and approval shall be concerned with general layout, building plans, ingress and egress, parking, loading and unloading, landscaping, and open space utilization in accordance with Sections 17.1009 and 17.1011.