

Title XII.

HIGHWAY BUSINESS (B-3) DISTRICT

- Sec. A: General provisions.
- Sec. B: Use regulations.
- Sec. C: Height regulations.
- Sec. D: Area, width and yard regulations.
- Sec. E: Off-street parking.
- Sec. F: Special exception.

Section A: General provisions.

The following provisions shall apply to Highway Commercial (B-3) Districts:

1. All business, service, storage, merchandise, display and, where permitted, repair and processing shall be conducted primarily within an enclosed building, and directly related to the business and except as otherwise permitted herein for specified uses such as off-street automobile parking and off-street loading.
2. Goods sold shall consist primarily of new merchandise and any goods produced on the premises shall be sold at retail on the premises unless otherwise permitted herein for specified uses.
3. Processes and equipment employed and goods processed or sold shall be limited to those which are not objectionable by reason of odor, dust, smoke, cinders, gas, noise, vibration, refuse matter, water-carried waste or hazardous materials, as defined by state or federal law.
4. In any commercial district where a commercial building is located on a lot which abuts property zoned for residential use, an opaque landscape screen, an opaque fence or screening having a maximum height of six (6) feet shall be provided along any side and/or rear lot line contiguous to the property zoned for residential use.
5. Sign requirements shall be in accordance with the provisions set forth in Title XVII in this Ordinance.
6. Parking spaces shall be in accordance with the provisions set forth in Title XVIII in this Ordinance.

(Ord. No. 95-20, § 10, 9-21-95)

Section B: Use regulations.

1. The following shall apply to the General Commercial (B-3) Districts:
 - a. The uses permitted in the B-2 Zoning Districts.
 - b. Caskets and casket supplies.
 - c. Contractors and construction offices, excluding storage of construction equipment.
 - d. Dog kennels.
 - e. Extermination shops.
 - f. Frozen food shops, including locker rental in conjunction therewith.
 - g. Garages, public.
 - h. Garden supply centers with open lot sales.
 - i. Hotels and motels.
 - j. Job printing shops.

- k. Machinery and equipment sales, including service, repair or reconditioning of all machinery within enclosed buildings.
 - l. Meat markets, including the processing and sale of meat and meat products when conducted as a part of the retail business of the premises.
 - m. Monument sales.
 - n. Orthopedic and medical appliance stores, but not including the assembly or manufacture of such articles.
 - o. Parking lots, automobile.
 - p. Plumbing showrooms and shops.
 - q. Radio and television service and repair shops.
 - r. Satellite dish sales establishments.
 - s. Truck stop/center complex.
 - t. Typewriter, adding machine and home computer sales and service establishments.
 - u. Other business uses similar to the permitted uses listed above and determined by the plan commission.
2. The following uses may be allowed by special exception:
- a. Those special exception uses allowed for the B-2 Zoning District, except those which are permitted in the B-3 Zoning District.
 - b. Bottling works.
 - c. Hospitals.
 - d. Ice cream manufacture, including storage of frozen food products;
 - e. Microwave relay towers.
 - f. Outdoor amusement establishments, golf driving range, miniature golf courses, par three golf courses, kiddie parks, and other similar amusement centers and places of amusement;
 - g. Theaters.
 - h. Mobile home sales.
- (Ord. No. 95-20, §§ 11, 12, 9-21-95)

Section C: Height regulations.

The maximum height of any building or other structure shall be not more than four (4) stories or fifty (50) feet.

Section D: Area, width and yard regulations.

1. *Minimum lot area and width.* A lot area of not less than eight thousand (8,000) square feet, and a lot width of not less than seventy (70) feet at the building line shall be provided for

every building or other structure erected or used for any use permitted in this zoning district. In the case of a developmental plan, the heights of buildings and other structures erected or enlarged in this zoning district and area, width, yard and building coverage requirements therefore shall be as specified on or in connection with the aforesaid development plan. The development plan shall encompass an area of not less than ten (10) acres.

2. *Front yard.* There shall be a front yard between the building line and the highway right-of-way lines as follows:

- a. On existing four-lane federal or state highways, a distance of sixty (60) feet;
- b. On existing two-lane federal or state highways, a distance of seventy-five (75) feet;
- c. All town and county highways, a distance of fifty (50) feet;
- d. All other streets, a distance of thirty (30) feet.

3. *Side yard.*

- a. On each corner lot, there shall be a side yard abutting the street, having a width of not less than fifteen (15) feet and another side yard having a width of not less than ten (10) feet, unless the building employs a common party wall with the building on the adjoining lot.
- b. On a lot abutting any residential zoning district, there shall be a side yard abutting such district having a width of not less than twenty (20) feet, which shall be effectively screened from abutting lots by a strip of planting not less than twenty (20) feet in ultimate width, such planting consisting of not less than fifty (50) percent opaque fencing and/or evergreen material scattered throughout, and shall be in accordance with the provisions set forth elsewhere in this Ordinance.
- c. Where abutting lots have buildings or other structures employing a common party wall, no side yard is required.
- d. All interior lots shall have two (2) side yards, each having a width of not less than ten (10) feet, except where party walls are used.

4. *Rear yard.* There shall be a rear yard on each lot, the depth of which shall be not less than thirty (30) feet from the rear lot line.

- a. On a lot abutting any residential zoning district, there shall be a rear yard abutting such district having a width of not less than twenty-five (25) feet, which shall be effectively screened from abutting lots by a strip of planting not less than twenty-five (25) feet in ultimate width, such planting consisting of not less than fifty (50) percent opaque fencing and/or evergreen material scattered throughout, and shall be in accordance with the provisions set forth elsewhere in this Ordinance.

5. *Building coverage.* No more than fifty (50) percent of any lot may be covered by buildings.

Section E: Off-street parking.

All off-street parking requirements for this zoning district shall be in accordance with the provisions set forth in Title XVIII of this Ordinance.

Section F: Special exception.

Any building built prior to the passage of this Zoning Ordinance that fails to meet the yard requirements as stated in Title XII, Section D, shall be considered a legal and conforming building, provided that it was a legal and conforming building under the previous zoning ordinance.

(Ord. No. 95-20, § 13, 9-21-95)