

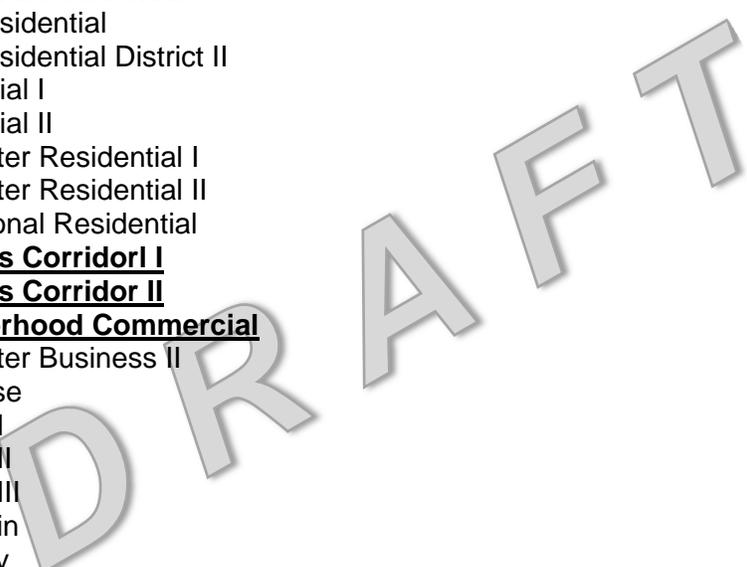
**Chapter 22 - ZONING**  
**ARTICLE IV. - ZONING DISTRICTS**  
**AND REGULATIONS**

**DIVISION 1. - GENERALLY**

**Sec. 22-131. - Districts enumerated.**

The city is hereby divided into the following zoning districts:

- AA ..... Airport Approach
- AR ..... Agricultural Residential
- RR ..... Rural Residential
- RR-2 .... Rural Residential District II
- R-1 ..... Residential I
- R-2 ..... Residential II
- CR-1 .... City Center Residential I
- CR-2 .... City Center Residential II
- PR ..... Professional Residential
- BC-1 .... Business Corridor I**
- BC-2 .... Business Corridor II**
- NC ..... Neighborhood Commercial**
- CB-2 .... City Center Business II
- MU ..... Mixed Use
- I-1 ..... Industry I
- I-2 ..... Industry II
- I-3 ..... Industry III
- F-1 ..... Floodplain
- F-2 ..... Floodway
- H ..... Historic District
- SB ..... Streambank
- MHC .... Multiple Use Healthcare



## DIVISION 7. - BUSINESS CORRIDOR DISTRICTS

### Sec. 22-303 Purpose Statements

(a) BC-1 Business Corridor I

The Business Corridor I District is established to provide for well designed, large scale commercial development serving a local and regional market located along arterial and collector roads with full municipal services. Permitted uses are predominantly commercial uses, which require a large land area and access to the area highway system such as shopping centers, restaurants, drive-through facilities and auto sales/services. Principal areas of concern for this District are safe and efficient access management, multi-modal transportation opportunities, clean and attractive appearances from the roadway, buffering and screening for adjacent neighborhoods.

(b) BC-2 Business Corridor II

The Business Corridor II District is established to provide necessary highway-oriented commercial development serving the local and regional market along collector roads with or without full municipal services. Permitted uses are predominantly commercial uses on smaller lots with access to the area highway system such as retail shopping, restaurants, auto sales/services, and offices. Principal areas of concern for this District are safe and efficient access management, multi-modal transportation opportunities, clean and attractive appearances from the roadway, buffering and screening for adjacent neighborhoods.

(c) NC Neighborhood Commercial

The Neighborhood Commercial District is established to provide locations for limited commercial uses that are compatible with surrounding residential development. Typical uses would include small scale business and retail, such as convenience grocery stores; professional offices; restaurants and personal services, and opportunities for mixed use commercial and residential developments. Principal areas of concern for this District are multi-modal transportation opportunities, clean and attractive appearances from the roadway, buffering and screening for adjacent neighborhoods.

### Sec. 22-304 – Interpretation of Table of Uses

No building, structure or land shall be used or occupied in the Business Corridor I (BC-1), Business Corridor II (BC-2), Neighborhood Commercial District (NC) except as set forth in the Table of Uses, Sec. 22-305, subject to all other provisions and standards of this Code of Ordinances and other local, state and federal laws, rules and regulations.

The following Table of Uses has been developed to indicate those uses which are permitted, permitted by special use permit and permitted by special exception.

(1) Permitted Uses: Permitted Uses are denoted by the letter “P” in the Table of Uses.

(2) Special Exception: Uses that are permitted only upon approval by the Zoning Board of Adjustment, subject to the regulations contained in division 3 of article II of this chapter, are denoted by letters "SE" in the Table of Uses.

(3) Special Uses: Uses that are permitted only upon approval by the Planning Board and issuance of a special use permit are denoted by letters "SU" in the Table of Uses.

(4) Any uses not expressly permitted or allowed by special exception or special use permit in the Table of Uses are prohibited.

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**Sec. 22-305 – Table of Uses**

	Business Corridor I (BC-1)	Business Corridor II (BC-2)	Neighborhood Commercial (NC)	Additional Regulations Reference (refer to these sections for additional regulations)
<b>Generally</b>				
	<b>BC-1</b>	<b>BC-2</b>	<b>NC</b>	
Accessory uses and buildings to a permitted use or use allowed by Special Use permit.	P	P	P	
Accessory uses and buildings to a use allowed by Special Exception	SE	SE	SE	
<b>Residential</b>				
	<b>BC-1</b>	<b>BC-2</b>	<b>NC</b>	
Single-family dwelling			P	
Duplex		SU	P	
Multifamily dwelling		SU	SU	Sec. 22-305.1
Conversion of existing single-family to duplex	SU	SU	SU	Sec. 22-305.1
Conversion of existing single-family to multifamily dwelling	SU	SU	SU	Sec. 22-305.1
Accessory dwelling units	SU	SU	SU	Sec. 22-305.2
Manufactured housing				Sec. 22-305.3
<b>Commercial</b>				
	<b>BC-1</b>	<b>BC-2</b>	<b>NC</b>	
Art galleries	P	P	P	
Automotive, gas stations	P	P	SU	Sec. 22-305.4
Automotive, sales	P	P		
Automotive, service & repair	P	P		
Banks, Branch Banks	P	P	P	
Building supply stores, contractor yards, retail or wholesale or membership stores with outdoor display or storage	P	SU		Sec. 22-305.5
Child care facilities	SE	SE	SE	Sec. 22-305.6
Convalescent homes			SE	Sec. 22-305.7
Copying and printing services	P	P	P	
Drive-in, drive-through services	P	SU	SU	Sec. 22-305.8
Feed and farm equipment sales	P	SE		
Funeral homes	P	P	SE	Sec. 22-305.9
General offices	P	P	P	
Home occupation	SE	SE	SE	Sec. 22-305.10
Home office	P	P	P	
Hotels and motels	SE	SE	P	
Housing for the elderly	SU	SU	P	Sec. 22-511

Laundromat	P	P	P	
Medical offices, clinics	P	P	P	
Personal service businesses	P	P	P	
Plumbing, electrical, carpentry, sign painting or similar shop	P	P		
Radio and television studios	P	P	P	
Radio, television, or other transmitting equipment	SE	SE		Sec. 22-305.11
Restaurants	P	P	SU	Sec. 22-305.12
Restaurants, fast food type	P	P		Sec. 22-305.12
Retail stores	P	P	P	Sec. 22-305.13
Seasonal vendor/farm stand	P	P	P	Sec. 22-305.14
Service establishments	P	P	P	
Veterinary Clinics or Animal Hospitals	SE	SE	SE	
Wholesale or membership stores	P			
<b>Mixed Use</b>	<b>BC-1</b>	<b>BC-2</b>	<b>NC</b>	
Mixed Use Building				
Commercial and other nonresidential use at street level	P	P	P	Sec. 22-305.1
Residential use in upper stories	SU	SU	SU	Sec. 22-305.1
<b>Institutional and Educational</b>	<b>BC-1</b>	<b>BC-2</b>	<b>NC</b>	
Fraternal or membership clubs, lodges or halls	P	P	SE	Sec. 22-305.15
Local Government Use	P	P	P	
Museums, churches & religious org.	SE	SE	SE	Sec. 22-305.16
Parking garages or facilities	SE	SE		
Schools and libraries	P	P	P	
Trade, professional or industrial schools	P	P	P	
<b>Industrial</b>	<b>BC-1</b>	<b>BC-2</b>	<b>NC</b>	
Bulk fuel storage and sales	SE	SE		Sec. 22-305.17
Light industry, manufacturing and assembly	P	SU		Sec. 22-305.18
Renewable energy facilities	SE	SE		
Warehousing and distributing, truck terminals and repair shops	SU	SU		Sec. 22-305.18
<b>Recreation and Entertainment</b>	<b>BC-1</b>	<b>BC-2</b>	<b>NC</b>	
Indoor amusement	SE	SE	SE	Sec. 22-305.19
Indoor theaters	P	P		
Nightclub or dance hall	P	SU		Sec. 22-305.20
Indoor commercial recreation facilities	P	P		
Outdoor commercial recreation facilities	P	SE		
Public parks and playgrounds	P	P	P	

**Sec. 22-305.1 – Residential Units in Business Corridor Districts**

[language pending, outline below]

- \* Enable occupancy of existing residential buildings.
- \* Encourage rehabilitation of under-developed, vacant and abandoned buildings, preservation of historic

properties and development of code compliant and enhanced housing stock

\* There is established a special use permit for multifamily dwellings, mixed-use buildings with residential units, and residential conversion of existing single-family and duplex buildings in the Business Corridor I, Business Corridor II, Neighborhood Commercial Districts subject to the following:

(1) Granting criteria: Sec. 22-100 and Sec. 22-101. Standards of Review.

(2) Residential conversion and construction shall meet the minimum development standards for individual dwelling units in Sect. 22-387.1(2), and municipal water and sewer must be provided. The total number of dwelling units shall not exceed 8 maximum.

### **Sec. 22-305.2 – Accessory Dwelling Units**

The purpose of this provision is to allow a property owner-resident of an existing single-family residence to maintain an accessory dwelling unit if their property is of sufficient size and if it does not change the character of, or negatively impact, the neighborhood. One (1) accessory dwelling unit per property is allowed by special use permit in the Business Corridor I, Business Corridor II, Neighborhood Commercial Districts, subject to the following:

(1) Granting criteria: A finding that the following conditions are met:

- a. The existing home is and will remain a single family, owner-occupied structure;
- b. The existing home is currently conforming to zoning;
- c. The property owner states that the occupant of the accessory dwelling unit shall be a family member and that the accessory dwelling unit shall not be used as a rental unit;
- d. The property shall be sufficient in size so that there is at least 5,000 square feet of property per dwelling unit or a total of 10,000 square feet in the Business Corridor I, Business Corridor II, Neighborhood Commercial Districts;
- e. The property shall have only one curb cut and driveway;
- f. The front setback shall not be utilized for parking;
- g. The accessory dwelling unit shall be part of the primary structure;
- h. The accessory unit shares utilities in common with the primary residence;
- i. The accessory dwelling unit shall be not more than one quarter of the size of the primary residence or more than 500 square feet, whichever is greater;
- j. Adequate vehicle parking and turn-around on site; and
- k. A deed addendum with approval conditions and including a restriction that the accessory dwelling unit shall not be used as a rental unit be executed and recorded prior to the issuance of a building permit.

(2) Additional granting criteria: Sec. 22-100 and 22-101. Standards of Review.

**Sec. 22-305.3 – Manufactured Housing**

Manufactured housing is not permitted Business Corridor I, Business Corridor II, or Neighborhood Commercial Districts.

**Sec. 22-305.4 – Automotive, Gas Stations**

Gas stations are allowed in the Neighborhood Commercial District by special use permit, subject to the Standards of Review provided in Sec. 22-100 and Sec. 22-101.

**Sec. 22-305.5 – Building Supply Stores, Contractor Yards, Retail, Wholesale, or Membership Stores with Outdoor Display or Storage**

[language pending]

\* City review of larger retail and wholesale establishments to manage visual impact of outdoor displays

**Sec. 22-305.6 – Child Care Facilities**

Child care facilities must maintain licenses and meet all applicable regulations of state and federal law and regulation.

**Sec. 22-305.7 – Convalescent Homes**

Convalescent and rest homes must be located on a lot of at least 20,000 square feet and meet the minimum area requirement for facilities of this type pursuant to state and federal law and regulation.

**Sec. 22-305.8 – Drive-in and Drive-Through Facilities**

[language pending]

\* City review of businesses with drive-throughs to manage intensity of development and traffic impacts

**Sec. 22-305.9 – Funeral Homes**

Funeral homes must be located on a lot with an area of at least 20,000 square feet and provide at least 15 off-street parking spaces.

**Sec. 22-305.10 – Home Occupations**

(1) Home occupations, as defined by Sec. 22-1, shall be permitted in the Business Corridor I and Business Corridor II Districts.

(2) Home occupations that do not meet the requirements as set forth by Sec. 22-305.10 (1) shall only be permitted by variance.

(3) Any home occupation in the Neighborhood Commercial District shall only be permitted by special exception. The inability to meet any requirement as set forth in Sec. 22-1 will require a variance from the zoning board of adjustment for that requirement prior to the issuance of a special exception.

**Sec. 22-305.11 – Radio, Television, or Other Transmitting Equipment**

[language pending]

- \* reference to telecom facilities
- \* provide administration latitude to regulate unanticipated transmission equipment

**Sec. 22-305.12 – Restaurants**

Restaurants and taverns are allowed in the Neighborhood Commercial District by special use permit, subject to the Standards of Review provided in Sec. 22-100 and Sec. 22-101.

[language pending]

- \* define scales and types of restaurants
- \* manage presence of larger restaurants and fast food or drive-through restaurants in the NC district

**Sec. 22-305.13 – Retail Stores**

[language pending]

- \* smaller neighborhood commercial stores in the NC district (22-387.12)
- \* direct 'big box' stores to BC-1, moderate sized stores in BC-2

**Sec. 22-305.14 – Seasonal Vendor/Farm Stand**

[language pending]

- \* note that licenses are required for seasonal/itinerant vendors

**Sec. 22-305.15 – Fraternal or Membership Clubs, Lodges or Halls**

Fraternal clubs, lodges or halls in the Professional Residential District must be located at least 25 feet from any lot line.

**Sec. 22-305.16 – Museums, Churches & Religious Organizations**

Museums and churches and religious organizations must have any parking associated with such uses located in the rear or side of the structure.

**Sec. 22-305.16 – Fraternal Clubs, Lodges or Halls**

Fraternal clubs, lodges or halls in the Professional Residential District must be located at least 25 feet from any lot line.

**Sec. 22-305.17 – Bulk Fuel Storage and Sales**

Bulk fuel storage and sales shall be permitted in the Business Corridor I and Business Corridor II Districts by the zoning board of adjustment subject to the provisions contained in division 3 of article II of this chapter as well as any other applicable regulations of this chapter and regulations of the state, and the following conditions and safeguards.

- (1) The location is deemed acceptable by the fire chief and the city engineer and meets accepted standards of fire protection.

- (2) The fuel storage tanks are fenced or located belowground.
- (3) The fuel storage tanks are located at least fifty (50) feet from any lot line.

**Sec. 22-305.18 – Industrial Uses in the Business Corridor I and II Districts**

In order to allow industrial uses in the Business Corridor I and Business Corridor II Districts without detracting from the area's character or image, there is established a special use permit for light manufacturing and assembly, warehousing and distributing, and repair shops in the Business Corridor I and Business Corridor II Districts, subject to the Standards of Review provided in Sec. 22-100 and Sec. 22-101.

**Sec. 22-305.19 – Indoor Amusement**

Indoor places of amusement, namely public auditoriums, gymnasiums, dance halls, ice or roller skating rinks, bowling lanes, pool and billiard facilities and similar indoor amusement operations shall be permitted in the Business Corridor I, Business Corridor II, and Neighborhood Commercial Districts by the zoning board of adjustment subject to the provisions contained in division 3 of article II of this chapter as well as any other applicable regulations of this chapter and regulations of the state.

**Sec. 22-305.20 – Nightclubs and Dance Halls**

Nightclubs and dance halls are allowed in the Highway Commercial II District by special use permit, subject to the Standards of Review provided in Sec. 22-100 and Sec. 22-101.

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