

PART II - LEGISLATIVE CODE
TITLE VIII - ZONING CODE
Chapter 66. - Zoning Code—Zoning District Uses, Density and Dimensional Standards
ARTICLE IV. - 66.400. BUSINESS DISTRICTS
Division 2. 66.420. Principal Uses in Business Districts

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Sec. 66.421. Principal uses.

Table 66.421, principal uses in business districts, lists all permitted and conditional uses in the OS—B5 business districts, and notes applicable development standards and conditions.

Table 66.421. Principal Uses in Business Districts

Use	OS	B1	BC	B2	B3	B4	B5	Definition (d) Standards (s)
Residential Uses								
<i>Dwellings</i>								
One-family dwelling			P					(d)
Two-family dwelling			P					(d)
Townhouse			P					(d)
Multiple-family dwelling	P		P			P	P	(d)
Carriage house dwelling			C					(d), (s)
Housing for the elderly	P		P			P	P	(d)
<i>Mixed Commercial-Residential Uses</i>								
Home occupation	P	P	P	P	P	P	P	(d), (s)
Live-work unit			P					(d), (s)
Mixed residential and commercial use	P	P	P	P	P	P	P	(d), (s)
<i>Congregate Living</i>								
Foster home	P	P	P	P	P	P	P	(d), (s)
Supportive housing facility	P	P	P	P	P	P	P	(d), (s)
Community residential facility, licensed correctional			C	C	C	C	C	(d), (s)
Emergency housing facility	P	P	P/C	P/C	P/C	P/C	P/C	(d), (s)
Overnight shelter						C	C	(d), (s)
Shelter for battered persons	P/C	P/C	P/C	P/C	P	P	P	(d), (s)
Sober house	P/C	P/C	P/C	P/C	P/C	P/C	P/C	(d), (s)
Roominghouse			C			P	P	(d), (s)
Adult care home	P	P	P	P	P	P	P	(d), (s)
Dormitory			P/C			P	P	(d), (s)
Fraternity, sorority			P/C					(d), (s)

Civic and Institutional Uses								
Club, fraternal organization, lodge hall				P	P	P	P	(d)
College, university, seminary, etc.	P	P	P	P	P	P	P	(d), (s)
Community center	P	P	P	P	P	P	P	(d), (s)
Day care	P	P	P	P	P	P	P	(d), (s)
Homeless services facility		P/C	P/C	P/C	P	P	P	(d), (s)
Museum						P	P	
Public library	P	P	P	P	P	P	P	
Public and private park, playground	P	P	P	P	P	P	P	
Religious institution	P	P	P	P	P	P	P	(d)
School, primary & secondary	P	P	P	P	P	P	P	
Trade school, arts school, dance school, etc.	P	P	P	P	P	P	P	
Public Services and Utilities								
Antenna, cellular telephone	P/C	P/C	P/C	P/C	P/C	P/C	P/C	(d), (s)
Electric transformer or gas regulator substation		C	C	C	P	P	P	(s)
Municipal building or use	P	P	P	P	P	P	P	(s)
Public utility heating or cooling plant						P		
Solar energy generation facility, community	P/C	P/C	P/C	P/C	P/C	P/C	P/C	(d), (s)
Utility or public service building	C	P	P	P	P	P	P	(d), (s)
Commercial Uses								
<i>Offices</i>								
Administrative office	P	P	P	P	P	P	P	
Artist, photographer studio, etc.	P	P	P	P	P	P	P	(d)
Insurance office, real estate office, sales office	P	P	P	P	P	P	P	
Professional office	P	P	P	P	P	P	P	(d)
<i>Medical Facilities</i>								
Clinic, medical or dental	P	P	P	P	P	P	P	(d)
Hospital					P	P	P	(d)
Medical laboratory	P	P	P	P	P	P	P	
Veterinary clinic				P	P	P	P	(d), (s)
<i>Retail Sales and Services</i>								
General retail		P	P	P	P	P	P	(d)
Alternative financial establishment					C	P	P	(d), (s)
Bank, credit union	P	P	P	P	P	P	P	
Business sales and services					P	P	P	(d)
Drive-through sales and services, primary and accessory	C	C		C	P	P	P	(s)
Dry cleaning, commercial laundry		P	P	P	P	P	P	(s)
Farmers market	P/C	P/C	P/C	P/C	P/C	P/C	P/C	(d), (s)
Food and related goods sales		P	P	P	P	P	P	(d)
Food shelf	P	P	P	P	P	P	P	(d)
Garden center, outdoor			C	C	P			(d), (s)

Greenhouse					C			(d), (s)
Laundromat, self-service		P	P	P	P	P	P	
Liquor store		P	P	P	P	P	P	
Massage center	P	P	P	P	P	P	P	
Mortuary, funeral home					P	P	P	
Outdoor uses, commercial				P/C	P/C	P/C	P/C	(d), (s)
Outdoor uses, commercial sales of consumer fireworks					C			(d), (s)
Package delivery service					P	P	P	(d)
Pawn shop					C	P	P	(d), (s)
Post office		P	P	P	P	P	P	
Service business	P	P	P	P	P	P	P	(d)
Service business with showroom or workshop			P	P	P	P	P	(d)
Small appliance repair				P	P	P	P	
Small engine repair, automotive bench work					P	P	P	
Tattoo shop			P	P	P	P	P	
Tobacco products shop			P/C	P	P	P	P	(d), (s)
<i>Food and Beverages</i>								
Bar				P/C	P	P	P	(d), (s)
Brew on premises store				P	P	P	P	(d), (s)
Catering				P	P	P	P	
Coffee kiosk				P	P	P	P	(d), (s)
Coffee shop, tea house		P/C		P	P	P	P	(d), (s)
Restaurant				P	P	P	P	(d)
Restaurant, carry-out, deli		P		P	P	P	P	(d)
Restaurant, fast-food				P/C	P/C	P	P	(d), (s)
Restaurant, outdoor				P	P	P	P	(s)
<i>Commercial Recreation, Entertainment and Lodging</i>								
Bed and breakfast residence		P	P	P	P			(d), (s)
Bingo hall, auction hall				C	P	P	P	
Health/sports club				P	P	P	P	(d)
Hotel, motel					P	P	P	(d)
Indoor recreation				C	P	P	P	(d), (s)
Outdoor sports/entertainment							P	
Reception hall/rental hall				P	P	P	P	
Short term rental dwelling unit	P/C	P/C	P/C	P/C	P/C	P/C	P/C	(d), (s)
Steam room/bathhouse facility			P	P	P	P	P	(d)

Theater, assembly hall, concert hall				P	P	P	P	
<i>Adult Entertainment</i>								
Adult use					C	C	C	(d), (s)
<i>Automobile Services</i>								
Auto convenience market				C	C		P	(d), (s)
Auto service station				C	C		P	(d), (s)
Auto specialty store				C	C		P	(d), (s)
Auto repair station					C		P	(d), (s)
Auto sales, indoor					P	P	P	
Auto sales and rental, outdoor					C			(d), (s)
Car wash					C			(s)
<i>Parking Facilities</i>								
Parking facility, commercial						P	P	(d)
<i>Transportation</i>								
Bus or railroad passenger station					P	P	P	
Helistop					C	C	C	(d), (s)
Railroad right-of-way	C	C	C	C	C	P	P	(s)
<i>Limited Production, Processing and Storage</i>								
Agriculture	P/C	P/C	P/C	P/C	P/C	P/C	P/C	(d), (s)
Brewery, craft				P/C	P/C	P/C	P/C	(d), (s)
Distillery, craft				P/C	P	P	P	(d), (s)
Finishing shop					P		P	(d), (s)
Limited production and processing					P		P	(d), (s)
Mail order house			P	P	P	P	P	
Plastic products							P	(d)
Printing and publishing				P/C	P	P	P	(s)
Recycling collection center					P			(d), (s)
Recycling drop-off station			P	P	P	P	P	(d), (s)
Storage facility, rental						P	P	(s)
Toiletries and cosmetic manufacturing							P	
Warehousing and storage							P	(s)
Wholesale establishment					P	P	P	(d), (s)
Winery, craft				P/C	P/C	P/C	P/C	(d), (s)
<i>Accessory Uses</i>								
Accessory use	P	P	P	P	P	P	P	(d), (s)

P - Permitted use C - Conditional use requiring a conditional use permit

Notes to table 66.421, principal uses in business districts:

(d) Definition for the use in Chapter 65, Land Use Definitions and Development Standards.

(s) Standards and conditions for the use in Chapter 65, Land Use Definitions and Development Standards.

(C.F. No. 05-441, § 4, 8-24-05; C.F. No. 07-633, § 2, 8-15-07; C.F. No. 07-1148, § 2, 1-9-08; C.F. No. 08-640, § 5, 7-9-08; Ord No. 10-33, § 2, 10-27-10; Ord No. 11-26, § 2, 3-23-11; Ord No. 11-27, § 1, 4-20-11; Ord No. 12-26, § 1, 5-23-12; Ord 13-51, § 6, 11-13-13; Ord 13-57, § 3, 12-4-13; Ord 15-5, § 3, 2-5-15; Ord 16-5, § 1, 4-13-16; Ord 17-1, § 4, 1-25-17; Ord 17-38, § 5, 10-25-17; Ord 19-10, § 1, 6-26-19; Ord 19-60, § 1(Att. A), 10-9-19; Ord 19-72, § 2, 1-8-20; Ord 22-3, § 1, 1-19-22; Ord 21-33, § 1, 11-10-21)

Division 3. 66.430. Business District Density and Dimensional Standards

Sec. 66.431. Density and dimensional standards table.

Table 66.431, business district dimensional standards, sets forth density and dimensional standards that are specific to business districts. These standards are in addition to the provisions of chapter 63, regulations of general applicability.

Table 66.431. Business District Dimensional Standards

Zoning District	Floor Area Ratio (FAR)	Height Maximum		Yard Setbacks Minimum (feet)		
		Stories	Feet	Front	Side	Rear
	Maximum					
OS office-service	1.0	3(a)	30(a)	15(b),(d)	6	(e),(f)
B1 local business	1.0	3	30	15(b),(d)	6	(e),(f)
BC community business (converted)	(g)	3(a)	30(a)	25(c)	4	25
B2 community business	2.0	(a)	30(a)	0(d),(f)	(e)	(e),(f)
B3 general business	2.0	(a)	30(a)	0(d)	(e)	(e),(f)
B4 central business	8.0(h)	no limit	no limit	0	0	0(f)
B5 central business-service	5.0(h)	no limit	no limit	0	0	0(f)

Notes to table 66.431, business district dimensional standards:

- (a) The height of the structure may exceed the maximum building height allowed in the district, provided the structure is set back from all setback lines a distance equal to the height which said structure exceeds the maximum building height allowed in the district.
- (b) Off-street parking shall be permitted to occupy a required front yard provided that the off-street parking area, exclusive of access driveways, shall be set back a minimum distance of six (6) feet from any street right-of-way and meet the setback requirements of section 66.431(d).
- (c) Since BC zoned property has a residential character, buildings shall maintain a twenty-five-foot front setback or meet the requirements of section 66.231(f).

- (d) On those lots or parcels, or portions of lots or parcels, which adjoin a right-of-way line of a parkway, the required setbacks from the parkway right-of-way line shall be equal to that required for residential uses in effect along the parkway right-of-way or twenty-five (25) feet, whichever is greater. The following parkways and portions of parkways are excluded from this setback requirement: Ford Parkway (from Kenneth Street to Finn Street and north side between Finn Street and Mississippi River Boulevard), Gannon Road, and Lexington Parkway (from Pierce Butler Route to the nearest Burlington Northern Railroad tracks).
- (e) No side or rear yards are required along the interior lot lines of the district, except as otherwise specified in the building code; provided, that if walls of structures facing such interior lot lines contain windows or other openings, yards of not less than six (6) feet shall be provided. Side and rear yards of at least six (6) feet shall be required when a business district adjoins a side yard in an adjacent residence district. These setback requirements from interior lot lines shall be waived when an easement agreement is recorded as to the affected properties. Proof of such recorded easement shall be provided at the time of application for a building permit. The recording of the easement agreement shall be interpreted to mean that the following intents and purposes of these setback requirements are met: adequate supply of sunlight and air to adjacent property; sufficient space for maintenance of the building from the same lot; and prevention of damage to adjoining property by fire or runoff from roofs.
- (f) Off-street loading space shall be provided in the rear yard in accordance with the requirements of section 63.400.
- (g) In the BC community business (converted) district, principal structures shall not cover more than thirty-five (35) percent of any zoning lot, and residential buildings shall meet the maximum floor area ratio (FAR) requirements of section 66.231 for the RM2 multiple-family residential district.
- (h) Floor area bonuses, which encourage certain building features which produce public benefits, shall be granted as follows:

Table 66.431(f). Business District Floor Area Bonuses

Building Feature	Unit of Feature Upon which Bonus is Based	Square Feet of Bonus Floor Area per Unit of Feature		Maximum Bonus (Percent of Basic Allowable Gross Floor Area)
		B-4 Central Business District	B-5 Central Business Service District	
1 Setback from street	Each square foot of setback area (minimum setback of 10 feet)	10	7	20%
2 Arcade	Each square foot of arcade area	7	4	15%
3 Plaza	Each square foot of plaza area	7	5	15%
4 Setback from side lot line	Each square foot of side setback area	5	3	15%

5 Lower coverage above 4th floor	Each square foot of building setback from floor below	3	2	10%
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For the purpose of this bonus provision, an arcade and plaza shall be defined as follows:

Arcade. An "arcade" is a continuous area open to a street or to a plaza, which is open and unobstructed to a height of not less than twelve (12) feet, is accessible to the public at all times, and either:

- (1) Adjoins a front lot line or a plaza boundary, is not less than ten (10) feet or more than thirty (30) feet in depth (measured perpendicular to the front lot line or plaza boundary which it adjoins), and extends for the full length of, or forty (40) feet along, such front lot line or plaza boundary, whichever is the lesser distance; or
- (2) On a corner lot, is bounded on two (2) sides by the two (2) intersecting street lines, and has an area of not less than five hundred (500) square feet and a minimum dimension of ten (10) feet.

Such an arcade shall not at any point be above the level of the sidewalk or plaza which it adjoins, whichever is higher. Any portion of an arcade occupied by building columns shall be considered to be part of the area of the arcade for purposes of computing a floor area bonus.

Plaza. A "plaza" is an open area accessible to the public at all times, which is either:

- (1) A continuous open area along a front lot line, not less than ten (10) feet deep (measured perpendicular to the front lot line), with an area of not less than five hundred fifty (550) square feet, and extending for its entire depth along the full length of such front lot line or for a distance of at least forty (40) feet thereof, whichever is the lesser distance; or
- (2) A continuous open area on a through lot, extending from street to street and not less than forty (40) feet in width, measured perpendicular to the nearest side lot line; or
- (3) On a corner lot, an open area of not less than three hundred fifty (350) square feet, which is bounded on two (2) sides by the two (2) intersecting street lines and which has a minimum dimension of ten (10) feet; or
- (4) An open area of not less than four thousand (4,000) square feet, with a minimum dimension of forty (40) feet, which is bounded on one side by a front lot line or which is connected to the street by means of an arcade or by an open area of not less than thirty (30) feet wide.

Except for an open area as set forth in item (4) above, no portion of such an open area which is bounded on all sides, except for one opening, by either building walls, or building walls and a side lot line, shall be considered part of the plaza, unless the opening of such portion is at least forty (40) feet in width.

A plaza shall not at any point be more than five (5) feet above the curb level of the nearest adjoining street, and shall be unobstructed from its lowest level to the sky, except for those obstructions permitted by the planning commission.

(Ord 20-28, § 1, 9-9-20)