

# ARTICLE 15

## LB - LOCAL BUSINESS DISTRICT

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### **SECTION 15.1 INTENT AND PURPOSE**

The Local Business District is intended to encourage mixed use village patterns and pedestrian connections and serve the limited convenience retail and service needs of the immediate area through development of low intensity commercial activity with minimal impact on the community.

**SECTION 15.2 USES AND STANDARDS** [This Section has been amended by Ordinance #116, adopted February 8, 2011, effective February 22, 2011 and by Ordinance #176, adopted July 9, 2019, effective July 24, 2019 and by Ordinance #180, adopted December 10, 2019, effective December 25, 2019; and by Ordinance #181, adopted March 9, 2021, effective March 21, 2021]

### Permitted Uses

**Accessory Buildings and Uses**, *subject to Section 4.6*  
**Accessory Dwelling to a Commercial use**, *subject to Section 4.9.*  
**Banking Establishment**  
**Contractor Facility, Minor**  
**Convenience Commercial Establishment**  
**Dwelling, single unit detached**  
**Family Day Care Home**  
**General Retail Sales Establishment**  
**Government Buildings and Public Parks**  
**Home Occupation**  
**Office Building/Clinic**  
**Personal Service Establishment**  
**Restaurant, without drive-thru**  
**Adult Care Facilities**  
**Small WECS** *subject to Section 4.25*  
**Roadside Stand for Agricultural Products**, *subject to Section 4.22*  
**General Farming and Agriculture** *subject to Section 19.24*  
**Development Options** *subject to Article 18*

### Conditional Uses

**Billboard**, *subject to Section 19.7*  
**Building With Excess Floor Area** *subject to Section 19.11*  
**Child Care Center**, *subject to Section 19.13*  
**Drive Through Business**, *subject to Section 19.16*  
**Dwelling, Multiple Unit**, *subject to Section 19.17*  
**Dwelling, Two-unit**, *subject to Section 19.18*  
**Educational Facility**, *subject to Section 19.21*  
**Funeral Home/Mortuary**, *subject to Section 19.23*  
**Graphic and Performing Arts Studio**, *subject to Section 19.26*  
**Home Occupation, Major**, *subject to Section 19.28*  
**Hotel or Motel**, *subject to Section 19.30*  
**Group Child Care Home**, *subject to Section 19.33*  
**Motor Vehicle Service Station, without repair**, *subject to Section 19.38*

### District Regulations

<b>Minimum Net Lot Area:</b>	1 Acre
<b>Minimum Lot Width:</b>	150 feet
<b>Maximum Building Height:</b>	40 feet
<b>Minimum Building Setbacks</b>	
Front:	40 feet
Side:	20 feet
Rear:	20 feet
<b>Building Floor Area Limits:</b>	
7,500 square feet total floor area or smaller shall be a permitted use, buildings greater than 7,500 square feet total floor area shall be a conditional use, subject to <b>Section 19.11</b>	

### Additional Standards

**Parking Requirements** Article 25  
**Signs** Article 21  
**Fences** Section 4.12  
**Lot Configuration** Section 4.4  
**Site Plan Requirements** Article 24  
**Conditional Land Uses** Article 19.

**Open Air Business**, *subject to Section 19.39*  
**Place of Public Assembly**, *subject to Section 19.41*  
**Public Utility Structure**, *subject to Section 19.44*  
**Second Hand Store/Pawn Shop**, *subject to Section 19.45*  
**Tavern**  
**Veterinary Establishment**, *subject to Section 19.53*  
**Wireless Communication Facility**, *subject to Section 19.57*  
**Development Options** *subject to Article 18*

## SECTION 15.3 SITE PLAN REVIEW

All uses in this district are subject to Site Plan Review as described in **Article 24** or plot plan review as described in Article 20 of this Ordinance.

## SECTION 15.4 DISTRICT REGULATIONS

1. **Minimum Lot Area.** One (1) acre.
2. **Minimum Lot Width.** One hundred fifty (150) feet wide at the front setback line.
3. **Minimum Yard Setbacks.**
  - a. **Measurement.** All setbacks shall be measured to the foundation, or the face of the building, if cantilevered.
  - b. **Front Setback.** Forty (40) feet for parcels abutting for all public or private roads.
  - c. **Side Setback.** Twenty (20) feet, except when abutting a public or private road, where it shall meet all of the requirements of a front yard.
  - d. **Rear Setback.** Twenty (20) feet.
4. **Maximum Building Height.** Forty (40) feet.
5. **Building Size.** 7,500 sq ft total floor area or smaller is a permitted use; buildings greater than 7,500 sq ft total floor area shall be subject to the provisions of Section 19.11
6. **Other requirements.**
  - a. Side and rear yards may not be used for storage or display within the minimum side or rear yard setback areas. No portion of the front yard shall be used for storage. Temporary merchandise display may be permitted within the front yard setback area, in an area limited to no more than twenty-five percent (25%) of the front yard area bounded by the building, the side yard setback lines and the front lot line. Provided, however, that materials on display must not obstruct sight lines of drivers or pedestrians and all merchandise shall be removed from such outdoor display area when the business is closed. Outdoor

storage of materials must be screened on all sides. Such storage area shall be screened from view from surrounding properties and roadways. Screening shall consist of a fence, wall or evergreen landscaping meeting the requirements of Section 4.12.

- b. Trash containers, including dumpster type, shall be enclosed by a structure on at least three sides. Dumpsters shall be positioned on a concrete pad and located in an inconspicuous area and not within a required yard area.
- c. Air conditioning units, heating oil, storage tanks or similar appurtenances shall be screened from the view of surrounding properties and roadways. Screening shall consist of trees and/or shrubs or fencing meeting the requirements of Section 4.12 to the height of the particular piece of equipment.

**7. Site Design and Development Requirements.** The construction of any building or structure requiring site plan approval by the Planning Commission shall conform to the provisions set forth below or as modified by **Article 18**, Development Options; or as varied pursuant to **Article 23**, Zoning Board of Appeals.

- a. Material which is normally and reasonably discarded from commercial uses of property may not be externally stored except within an enclosed and properly screened dumpster.
- b. When a side or rear lot line abuts areas adjacent to a residential district lot line, a buffer strip in addition to the minimum yard setback requirements of Section 15.4.3 of this Article shall be provided. The buffer strip shall consist of the following:
  - 1) Landscaped strip. A landscaped strip at least twenty (20) feet in width along the entire length of the abutting residential district lot line.
    - 1. Trees. The number of trees shall be determined as follows, three (3) trees and three (3) shrubs for each fifty (50) feet, or fraction thereof, of lot line length. The trees and shrubs shall be placed within the buffer strip so as to provide the best screening as approved by the Zoning Administrator. Shrubs shall be at least two (2) feet in height at planting and trees shall be at least the following size at the time of planting:  
  
Evergreens:      six (6) feet in height,  
  
Deciduous:      two and one-half inches (2½") in caliper measured at breast height.
    - 2. Sight-proof screening. Sight proof screening four (4) feet in height shall be provided along the entire length of a residential district lot line by use of the landscape elements as described in subparagraph (a) hereof or wooden fencing, and berms. These elements may be used separately or in combination as determined by the Zoning Administrator.
  - 2) All required plantings must be maintained in a live and healthy state. Dead or unhealthy trees and shrubs shall be replaced with the size and type of plantings required in this Section.
- c. Fencing shall be subject to **Section 4.12**.
- d. Exterior lighting in accord with **Section 4.13** shall be so arranged that it is deflected away from adjacent properties and so that it does not impede the vision of traffic along the adjacent street or streets. Flashing lights shall not be permitted.
- e. Any of the requirements of this Section may be waived or modified through the site plan review process, provided the Planning Commission finds that specifically identified characteristics of the site or site

vicinity would make the required landscaped strip and/or sight-proof screening unnecessary due to existing vegetation, or where it would impair vision at a driveway or road intersection.

8. Ground Water Protection. The following standards for ground water protection shall apply to all businesses and facilities, including private and public facilities, which use, store or generate hazardous substances in quantities greater than 100 kilograms per month (equal to about 25 gallons or 220 pounds).
  - a. Sites at which hazardous substances are stored, used or generated shall be designed to prevent spills and discharges to the air, surface of the ground, groundwater, lakes, streams, rivers or wetlands.
  - b. Secondary containment for aboveground areas where hazardous substances are stored or used shall be provided. Secondary containment shall be sufficient to store the substance for the maximum anticipated period of time necessary for the recovery of any released substance.
  - c. General purpose floor drains shall be allowed only if they are connected to a public sewer system, an on-site holding tank (not a septic tank with drainfield), or a system authorized through a state groundwater discharge permit.
  - d. State and federal agency requirements for storage, spill prevention, record keeping, emergency response, transport and disposal of hazardous substances shall be met. No discharges to groundwater, including direct and indirect discharges, shall be allowed without required permits and approvals.