

ARTICLE 11

BUSINESS DISTRICTS (B)

SECTION 1100 – Business District Intent

The purpose of the business district is to assure the orderly development and use of real estate in which business, retail sales and economic development are given priority. The development must coordinate traffic movement, pedestrian movement, parking, fire protection, police protection, and necessary access by sources of supply for the business enterprise. This District is characterized by compact use of the real estate area.

The maps for this District establish Three (3) categories that are more specifically described as follows:

- (1) Map Designation B-1 is intended to be a transition area between the Map Designation of the Residential District and the Map Designation of B-2. This business area is intended to be utilized by local residents or as a neighborhood business that is relatively compatible with residences. The businesses require low to moderate vehicular traffic, they are relatively small in size with a small number of employees, minimal parking requirements, and the primary business product is a service;
- (2) Map Designation B-2 is the general business district for all consumer retail businesses;
- (3) Map Designation B-3 is the heavy business district for non-consumer; commercial sales and service; wholesale businesses; and businesses that deal with equipment, machinery, or products that require large size truck traffic or noise.

SECTION 1105 – Principally Permitted Uses B-1

The following uses are permitted in the B-1 District:

1. Welfare and charitable services;
2. Banking and financial services savings and loan associations, credit unions and other credit services; business and personal credit services and title services, security brokers investment services and finance companies;
3. Office supplies and equipment, copy centers, and small print shops;
4. Insurance carriers and agents, accounting, auditing and bookkeeping services, travel agents and agencies, detective and protective services;
5. Real estate operators, agents, lessors and real estate sub-dividing and developing services, operative builders and related services, real estate agents brokers and management services;

6. Physician and dental services, but not clinics or multiple specialty group practices or extended medical treatment facilities;
7. Legal, engineering, architectural, education and scientific research services, charitable and social services administration offices;
8. Professional, social, fraternal, civic and business associations and organizations with all meetings and activities being conducted indoors;
9. Beauty and barber services and tanning salons, and massage;
10. Group Child Care Centers Class I and II (Site Plan Review required) ;
11. Bed and Breakfast Inns;
12. Laundering, dry cleaning and dyeing services including self-service, alteration and garment repair and custom tailoring, shoe repair, shoe shining and hat cleaning services. Laundromats and self-service washing and drying;;
13. Photography studios, retail sales of cameras and accessories, photo finishing services and supplies, picture framing;
14. Art, music, dancing, karate or similar schools;
15. Dwelling units, provided the living area is located within the structure of a business and the living area does not occupy more than 50 percent of the structure.
16. Funeral Homes and crematoriums including cemeteries or mausoleums.

SECTION 1110 - Accessory Uses B-1

Accessory uses, buildings and structures customarily incidental and subordinate to any of the permitted uses defined to be:

1. Uses or spaces of integral relation to the developed portions of the district;
2. Accessory uses for dwelling listed in Article 10;
3. Signage;
4. Parking;
5. Temporary buildings incidental to construction;
6. Storage, uncrating or unpacking areas provided such activities are an integral function of a permitted use and do not create enclosed or outside spaces which will tend to enlarge or overpower the activities of permitted uses;
7. Automatic teller machines;
8. Recycling collection points;
9. Recreation.
10. Any accessory uses must comply with the size and distance regulations for the District.

SECTION 1115 – Conditional Uses and Criteria B-1

The following uses and appropriate accessories subject to the approval and conditions of the Board of Zoning Appeals provided: a) the activity is an integral and subordinate function of a permitted commercial use, professional or personal service; or b) the activity will further add to and not detract from the creation of a compact, multi-purpose center; and, c) the arrangement of uses, buildings or organization of permitted and accessory uses to be protected in the district:

1. Garden and landscape sales including florist greenhouses, lawn furniture, gazebos, sheds and the like;
2. Mini-warehouses or storage facilities;
3. Printing of newspapers, books, and periodicals;
4. Real estate management services and builders offices etc. requiring outside storage equipment or supplies;

SECTION 1120 – Permitted Permanent Special Exceptions B-1

The following are permitted as permanent special exceptions when authorized by the Decatur County Board of Zoning Appeals in the B-1 District:

1. Municipal or public buildings such as libraries, post offices, museums, schools, fire stations, City Hall, senior citizen centers, and similar buildings or uses; also public parks and playgrounds;
2. Professional medical or dental clinics or multiple specialty treatment facilities and nursing homes;
3. Private clubs and fraternal lodges;
4. Parking lots, veterinary clinics, animal kennels;
5. Food service facilities designed for pick up or delivery but not for on premises consumption.

SECTION 1125 – Principally Permitted Uses B-2

The following uses are permitted in B-2:

1. Reception Halls and event facilities;
2. Eating and drinking establishments, including alcoholic beverages, and pizza delivery, excluding drive-thru facilities;
3. Grocery stores and supermarkets; convenience stores; liquor, beverage, drug, and proprietary stores;
4. Music, video, and game rental stores;
5. Household appliances, china, glassware and metal ware;

6. Stores with retail sales of meat, fish, seafood, dairy, poultry products, fruit and vegetables, bakeries, candy/nut/confectionery stores;
7. Real estate management services and builders' offices (excluding outside storage of equipment and the like);
8. Postal services and packaging services provided the use is essential for pick-up and delivery convenience and not storage or transfer activities;
9. Veterinary services, pet grooming services, and boarding of animals (does not include confined feeding operations);
10. Writing and publishing of newspapers, periodicals and books;
11. Family clothing, shoe stores, specialty clothing or boutiques, and other apparel retail trades;
12. Sales and repair of computers, radios, televisions, VCR's, clocks, pianos, and jewelry sales and repair;
13. Hardware and home improvement stores, paint, glass, and wallpaper stores and related products;
14. Draperies, curtains, upholstery and floor coverings, carpet and rugs, and related household products;
15. Furniture and bedding stores, antiques, used merchandise, other specialty stores, art, craft, hobby supplies and products, gifts and novelties, and pawn shops;
16. Book, newspaper, magazine, and card stores;
17. Colleges, junior colleges, universities, including fraternity and sorority houses, dormitories, business colleges, trade schools, boarding nursery schools, preschools, libraries, and museums;
18. Florists including greenhouses;
19. Sporting goods sales, indoor shooting ranges, fitness and recreation centers including gymnasiums, clubs, and similar indoor athletic uses;
20. Churches, synagogues, temples, and other places of religious assembly for worship;
21. Assisted living, adult care, nursing and rest homes, hospitals, clinics and institutions for the care of the aged and for children, homeless shelters and other similar and related residential uses;
22. Police and fire stations, ambulance services;
23. Telephone exchange stations, radio broadcasting studios, television broadcasting studios and other communication centers and offices excluding any relay, transmitting or receiving towers or similar equipment;
24. All principally permitted uses of a B-1 District including drive-thrus and all permanent special exceptions allowed in the B-1 District;
25. Department stores, mail order houses, direct retail selling organizations of general merchandise;
26. Art and craft galleries and similar exhibit space;

27. Aquariums, botanical gardens and other natural exhibitions;
28. Motion picture theaters (indoor);
29. Bowling alley, skating rinks, roller skating rinks, miniature golf courses golf driving ranges, and skateboard facilities;
30. Hotels and motels including convention facilities;
31. Garden and landscape sales including florist greenhouses, lawn furniture, gazebos, sheds and the like;
32. Garden and landscape sales, lawn furniture and the like, farm and garden supply outlets including equipment and vehicles;
33. Self storage facilities;
34. Reupholsters and furniture repairing and refinishing services;
35. Wireless Telecommunication Facilities, according to Article 14 of this ordinance;
36. Hospitals, mental facilities, facilities for the insane, substance abuse and related facilities;
37. Water towers, electrical substations, telephone switching stations, facilities dealing with boosting or receiving data or communications signals and county garage facilities;
38. Jails, and detention centers or similar uses excluding prisons or correctional facilities;
39. Car wash, retail auto parts store;
40. General office buildings;
41. Billiard room.

SECTION 1130 - Accessory Uses B-2

Accessory uses, buildings and structures customarily incidental and subordinate to any of the permitted uses including:

1. Uses or spaces of integral relation to the developed portions of the district;
1. Accessory uses for dwelling;
2. Signage;
3. Parking;
4. Temporary buildings incidental to construction;
5. Storage, uncrating or unpacking areas provided such activities are an integral function of a permitted use and do not create enclosed or outside spaces which will tend to enlarge or overpower the activities of permitted uses;
6. Automatic teller machines;
7. Recycling collection points;
8. The rental of trucks and trailers (only permitted to be displayed in the side or rear of the property);
9. Recreation.

10. Any accessory uses must comply with the size and distance regulations for this District.

SECTION 1135 – Conditional Uses and Criteria B-2

The following uses and appropriate accessories subject to the approval and qualifications of the Board of Zoning Appeals provided: a) the activity is an integral and subordinate function of a permitted commercial use, professional or personal service; or b) the activity will further add to, not detract from, the creation of a compact, multi-purpose and pedestrian oriented commerce center; and c) the arrangement of uses, buildings or structures will be mutually compatible with the organization of permitted and accessory uses to be protected in the district:

1. Drive-in restaurants, movie theater or similar use;
2. Truck stops, wash and repair facilities;
3. Flea markets and similar uses;
4. Real estate management services and builders offices etc. requiring outside storage equipment and the like;
5. The writing, publishing of newspapers, periodicals and books provided any printing operation is subservient to the writing and publishing activity and does not conflict with the purposes of permitted uses of the district;
6. Radio and television transmitting or relay stations; antennas or satellite dishes, telephone exchange stations, radio broadcasting studios, television broadcasting studios and other communication centers and offices requiring relay, transmitting or receiving towers or similar equipment;
7. Automotive repair facility and wash services for vehicles;
8. Eating and drinking establishments, including alcoholic beverages, with drive-thru facilities;
9. Small scale sales or leasing of new and used motor vehicles requiring the storage of no more than fifty (50) vehicles on the premises;
10. Wireless Telecommunication Facilities, radio and television transmitting or relay stations; antennas or satellite dishes, telephone exchange stations, radio broadcasting studios, television broadcasting studios and other communication centers and offices requiring relay, transmitting, or receiving towers or similar equipment;

SECTION 1140 – Permanent Special Exceptions B-2

The following are permitted as Permanent Special Exceptions in the B-2 District when authorized by the Decatur County Board of Zoning Appeals:

1. Gas station with light service such as oil change, headlight replacement, but not general repair or replacement of major engine or vehicle body parts;
2. Compressed Natural Gas Filling Station;
3. Print shops, small engine repair and service, lawn mower sales;
4. Billiard room with sales and service, spa sales and service, satellite sales and service, swimming pool sales, supplies and service;

5. Wireless Telecommunication Facilities.

SECTION 1145 – Principally Permitted Uses B-3

The following uses are permitted in the B-3 District:

1. Arcades and other amusement centers;
2. Gasoline filling station and automotive repair facility;
3. Compressed Natural Gas Filling Station;
4. Sales of automobile, boats, and other watercraft, motorcycles, farm implement, lawn and garden equipment, recreational vehicles, campers, single wide manufactured homes, sheds, car ports, and other pre-fabricated buildings;
5. Golf courses, miniature golf, driving ranges, go-cart tracks, and other specialized amusement facilities, roller skating, bowling, swimming beaches, skiing, and other similar outdoor activities;
6. Camping, recreation vehicle camps (transient or seasonal use only) and related activities, dude ranches, youth camps, retreat centers, health resorts, ski resorts, amusement and water parks, fairgrounds, and amphitheaters;
7. Yachting, boat rentals, boat access sites and marinas, including the sale of fuels;
8. Stadiums, arenas, field houses, race tracks, both vehicle and animal related activities and uses;
9. Sporting goods and accessories including the sales and service of new and used marine craft, recreational vehicles, camping trailers, motorcycles, and other sporting equipment and sales;
10. Sales of lumber, building materials, heating and plumbing equipment, electrical supplies, hardware, farm equipment (normally require large outside storage and display areas);
11. Equipment, tool, automobile, truck rental and leasing services;
12. Airports, bus terminals, or other transportation facilities;
13. Automobile and Truck service and repair, automobile body shops, and painting shops;
14. Any utility structure, substation, or pumping station;
15. Wholesale businesses;
16. Dairy processing plants, wholesale bakeries and bakery products prepared for shipping and delivery, beverage bottling plants;
17. General auction barns or facilities, but not animal, vehicle, or farm machinery auctions;
18. Essential utility services;
19. Any Principally Permitted Use in B-1 and B-2 Districts, and any Permanent Special Exception in the B-1 and B-2 Districts;
20. Wireless Telecommunication Facilities.

SECTION 1150 – Permanent Special Exceptions B-3

The Decatur County Board of Zoning Appeals may approve a special exception in the B-3 District that conforms to the following definitions and exceptions:

1. Any business not particularly described or permitted in any other section of this Ordinance that is unique or has a mixed character that may involve both sales characteristics and manufacturing or fabricating operations. These businesses may include businesses of multiple characteristics that are somewhat compatible with industrial districts and somewhat compatible with business districts.
2. Sexually Oriented Businesses can be approved in the B-3 District as a Permanent Special Exception when approved by the Decatur County Board of Zoning Appeals and in compliance with the Article contained in this Ordinance regarding Sexually Oriented Businesses.

SECTION 1155 – Size and Distance Regulation B-1, B-2, and B-3

The following are the dimension or distance requirements for uses or structures within the Business Districts:

Classification	Minimum Front Setback	Minimum Side Setback	Minimum Rear Setback
B-1	30 feet	10 feet	20 feet
B-2	30 feet	10 feet	20 feet
B-3	30 feet	10 feet	20 feet

All distances in this District shall be measured from the Federal, State, local road, or public right-of-way.

Classification	Height Limitation
B-1	20 feet
B-2	40 feet
B-3	50 feet

Height limitation applies to all structures in this District. The height for purposes of this section shall be the distance from the highest ground elevation around the perimeter of the structure.