

Article 7.07 Central Business Districts

7.07.01 Intent

- (a) The CBD-1 Central Business District is designed to provide for office buildings and the great variety of retail stores and related activities which occupy the prime retail frontage of the core downtown area by serving the comparison, convenience and service needs of the entire City area as well as a substantial area of the adjacent and surrounding residential developments and agricultural area beyond the City limits. The retail stability of the district is promoted by encouraging a continuous grade level retail frontage.
- (b) The CBD-2 Central Business District is designed to provide for office buildings and retail stores and related activities which serve to support and complement central business district activities of the prime retail areas of the CBD-1 District.

7.07.02 Schedule of Uses

Buildings or land shall be not used and buildings shall not be erected except for one (1) or more of the following specified uses, unless otherwise provided for in this ordinance. Land and/or buildings in the districts indicated at the top of Table 7.07.1 may be used for the purposes denoted by the following abbreviations:

- (a) **Permitted Use (P).** Land and/or buildings in this district may be used for the purposes listed by right.
- (b) **Special Land Use (SLU).** Uses which may be permitted by obtaining special land use approval when all applicable requirements in *Article 7.13 Use Requirements* and the standards of *Section 7.19.04 Review Standards* are met.
- (c) **Additional Requirements.** Indicates requirements or conditions applicable to the use.

Table 7.07.1: Central Business Districts Schedule of Uses

Use	CBD-1	CBD-2	Additional Requirements
Residential Uses			
Apartments above business establishments	P	P	—
Public & Institutional Uses			
Business schools, or private schools, operated for profit	P	P	—
Places of public assembly & places of worship, including other facilities normally incidental thereto, with a seating capacity of less than five hundred (500) people or parking for less than two hundred and fifty (250) vehicles	P	P	Section 7.13.03(c)
Municipal buildings & post office	P	P	—

Use	CBD-1	CBD-2	Additional Requirements
Publicly owned buildings, public utility buildings, telephone exchange buildings; electric transformer stations & substations; gas regulator stations with service yards, but without storage yards; water & sewage pumping stations	P	P	—
Retail Uses			
Dry cleaning establishments, or pick-up stations, dealing directly with the consumer	P	P	—
Funeral homes and mortuary establishments	P	P	Section 7.13.04(d)
Generally recognized retail business which supplies commodities on the premises within a completely enclosed building, such as, but not limited to: foods, drugs, liquor, furniture, clothing, dry goods, notions or hardware	P	P	—
Newspaper offices & printing plants	P	P	—
Offices & showrooms of plumbers, electricians, decorator or similar trades, in connection with which not more than 25% of the floor area of the building or part of the building occupied by said establishment is used for making, assembling, remodeling, repairing, altering, finishing, or refinishing its products or merchandise	P	P	—
Personal service establishments which perform services on the premises, such as but not limited to: repair shops (watches, radio, television, shoe & etc), tailor shops, beauty parlors or barber shops, photographic studios, & self-service laundries & dry-cleaners	P	P	—
Lodging & Food Service Uses			
Bed & breakfast dwellings	P	P	
Motels & Hotels	SLU	SLU	Section 7.13.06(a)
Restaurants, brewpubs & taverns where the patrons are served while seated within the building occupied by such establishment, & wherein said establishment does not extend as an integral part of, or accessory thereto, any service of a drive-in or open front store	P	P	—
Sale & service of food & drink out of doors provided such use is incidental to a similar principal use indoors & conducted adjacent to said principal use & subject further to street occupancy permits & all rules & regulations to control such street occupancy	P	P	—
Entertainment & Recreation Uses			
Amusement arcades which provide space for patrons to engage in playing of electronic & mechanical video amusement devices or similar activities	P	P	Section 7.13.07(b)
Theaters when completely enclosed	P	P	—
Finance, Insurance, Real Estate & Professional Uses			
Banks, credit unions, savings & loan association, without drive-thru facilities	P	P	—
Office buildings for any of the following occupations: executive, administrative, professional, accounting, writing, clerical, stenographic, drafting & sales	P	P	—

Use	CBD-1	CBD-2	Additional Requirements
Health & Human Care & Uses			
Adult day care centers	P	P	
Child care center, nursery schools & day nurseries	P	P	Section 7.13.09(a)
Convalescent Homes, Nursing Homes and Child Care Institutions	P	P	Section 7.13.09(b)
Hospices	P	P	
Hospitals	P	P	Section 7.13.09(c)
Medical offices and clinics	P	P	—
Transportation & Warehousing Uses			
Bus passenger stations	P	P	—
Parking lots & parking structures	P	P	—
Warehouse & storage facilities when incident to & physically connected with any principal use permitted, provided that such facility be within the confines of the building or part thereof occupied by said establishment	P	P	—
Accessory & Similar Uses			
Accessory uses, customarily incident to any of the above permitted uses	P	P	—
Accessory buildings, customarily incident to any of the above permitted uses	—	P	—
Drive-thru pharmacy, banks, credit unions and savings and loans as an accessory use only, when customarily incident to a principal use permitted in the district	SLU	SLU	Section 7.13.04(b)
Sidewalk sales	P	P	Section 7.13.10(b)
Other uses similar to the above uses	SLU	SLU	Section 7.13.11
Wireless telecommunications antenna	P	P	Section 7.13.10(e)
Other Temporary Uses	P/ SLU	P/ SLU	Section 7.13.10(c)

7.07.03 Area, Height, and Placement Requirements

All lots and buildings shall meet the following dimensional requirements:

Table 7.07.2: Central Business Districts Schedule of Uses Area, Height, and Placement Requirements

Zoning District	Min. Lot		Max. Building Height	Min. Setbacks(ft.) (4)			
	Area (sq. ft.)	Width (ft.)(1)	Feet (2)	Front (3)	Side Yards (5,6)		Rear (5)
					Least 1	Total 2	
CBD-1	---	---	--	---	---	---	---
CBD-2	---	---	25	10	---	---	---

(a) **Footnotes to Schedule of Area, Height, and Placement Requirements**

- (1) **Depth to Width Ratio.** All lots created after the adoption date of this ordinance shall have a lot depth not more than four (4) times its width, as measured at the front lot line.

- (2) **Building Height.** Exceptions to building height shall be as provided for in *Section 7.14.03(a) Height Limit*. There shall be no specific height limitation in a CBD-1 District; provided, however, that prior to the issuance of a building permit for any structure over thirty-five (35) feet in height, the Planning Commission shall make a finding that such a height will not be detrimental to the light, air or privacy of any other structure or use currently existing or approved for construction.
- (3) **Build-to Line.** Buildings in the CBD-1 district shall be constructed so that at least 60% of the front wall is located at the front lot line.
- (4) **Natural Features Setback.** All structures shall be set back at least twenty-five (25) feet from all natural features such as drains, regulated wetlands, natural ponds, lakes and streams.
- (5) A setback and screening buffer as listed in Table 7.15.1 is required when a rear or side lot line is adjacent to different zoning district or use.
- (6) Side yards are not required along the interior side lot lines of the District, except as otherwise specified in the Building Code, provided that if walls of structures facing such interior side lot line contain windows, or other openings, side yards of not less than ten (10) feet shall be provided. Where a lot borders on a residential district or a street, there shall be provided a setback of not less than ten (10) feet on the side bordering the residential district or street.