

**Section 21-03.04                      LB Local Business District.**

Intent - The LB *District* is established to provide for small business groupings located outside of the village style mixed use concept and which provide for the full range of convenience uses necessary to meet the daily needs of nearby residential neighborhoods. *Permitted uses* within the LB *Districts* are regulated in character to assure harmonious development with the nearby residential *districts* served and are limited in size and scale to promote pedestrian access.

**(a)     *Permitted Uses.***

(1)     *Primary Uses.*

- (A)     Clothing Service: Including but not limited to: Costume Rental; Dressmaking; Dry Cleaning and Laundry Establishment; Millinery (Fabric) Shop; Self-service Laundry; Shoe Repair Shop; Tailor and Pressing Shop; Tuxedo Rental.
- (B)     Educational Uses: Including but not limited to: *Child Care Center; Child Care Ministry; Public Library.*
- (C)     Food Sales and Service: Including but not limited to: Bakery – Retail; *Bar \**; *Cabaret – 21 and Over \**; *Cabaret – Family*; Convenience Store; Dairy Bar – Retail; Delicatessen; Grocery; Ice Cream Store – Retail; *Nightclub \**; *Restaurant – Fast-food* (without drive in or drive through); *Restaurant – Family*; *Restaurant – Family, with Lounge*; *Tavern \**; Yogurt Store – Retail.
- (D)     Governmental Use: Including but not limited to: Governmental Offices; Post Office – without outdoor parking of delivery vehicles.
- (E)     Miscellaneous: Including but not limited to: *Bed & Breakfast*; Clinic (medical, dental or optometrists); Mortuary, Funeral Home or Crematory; Print Shop; Veterinary Hospital (without boarding).
- (F)     Office / Professional Services: Including but not limited to: Architect; Artist; Bank Machines (ATM's) – Walk-up; Bank Machines (ATM's) – Drive Through; Bank Machines (ATM's) – Free Standing; Construction Companies (office only); Consultant; Contractors (office only); Dentist; Design Services; Engineer; Financial Institution; Insurance Agent; Lawyer; Musician; Physician; Pharmacist; Photographic Studio; Professional Offices; Real Estate Office; Travel Agency.
- (G)     Personal Service: Including but not limited to: Barber Shop; Beauty Shop; Health Spa or Fitness Center; Locksmith; Tanning Salon.

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- (H) Public Facilities: Including but not limited to: Community Center; Funeral Home; Mortuary; *Neighborhood Recycling Collection Point*; *Parking Garage*; Parking Lot – Commercial; *Public* or *Private Park – Active* or *Passive*; *Religious Use*. (Ord. No. 9653-06)
- (I) Recreation: Including but not limited to: Aerobics Studio; Dance Studio.
- (J) Residential: Including but not limited to: Convalescent Home; Nursing Home; Rest Home.
- (K) Retail: Including but not limited to: Antique Shop; Apparel Shop; Art Gallery; Arts and Craft Store; Bicycle Sales and Service; Camera Store; Card Shop; Clock Shop; Coin and Stamp Shop; Computer Store; Drug Store; Fabric Store; Floor Coverings; Flower Shop; Frame Shop; Gift Shop; Hardware Store; Hobby Shop; Toy or Game Shop; Jewelry Store; Liquor Store; Music Store; Newsdealer; Paint Store; Pawnshop \*; Pet Store; Radio, TV, Music Sales and Service; Retail Showroom; Shoe Store; Sporting Goods; Stationery and Book Store; Tobacco Store; Variety Store; Video Store; Wall Coverings.

\* = *Controlled Use*. See Section 21-08.02 – Special Regulations for Controlled Uses for additional requirements.

(2) *Special Exception Uses*.

- (A) Automotive Uses: Including but not limited to: Automobile Parts Sales (new); Automobile Quick Oil Change Facility; Car Wash (automatic or self); Gasoline Service Station (without repair); Tire and Auto Service Center.
- (B) Food Sales and Service: Including but not limited to: *Manufacturing Retailers*; *Restaurant – Drive In*; *Restaurant – Drive Through*.
- (C) Government Use: Including but not limited to: Fire Station; Municipal / State Road Maintenance Facility; Police Station.
- (D) Miscellaneous: Including but not limited to: *Hotel*; *Motel*.
- (E) Personal Service: Including but not limited to: Tattoo, Body Piercing, Scarifying and Branding Establishments \*.
- (F) Public Facilities: Including but not limited to: Cemetery – with or without Crematory, Funeral Home, Mausoleum or Mortuary; *Public* or *Private Park – Active*.

- (G) Recreation: Including but not limited to: *Amusement Arcade* \*; Banquet Hall; Billiard Hall \*; *Country Club*; Fairgrounds; Fraternal Organization; *Golf Course*; Golf Driving Range; Lodge; Private Club; Public Dance Hall \*; Social Club; Swimming Pool - private or public. (Ord. 9760-07)
- (H) Utilities: Including but not limited to: Electricity Relay Station; Public Utility Substation; Pumping Stations; Water Towers.

\* = *Controlled Use*. See Section 21-08.02 – Special Regulations for Controlled Uses for additional requirements.

- (3) Accessory Uses – See Section 21-03.11 (a) – Accessory Uses, Buildings and Structures.
- (4) Temporary Uses – See Section 21-03.11 (b) – Temporary Uses, Buildings and Structures.

**(b) *Development Standards.***

- (1) *Minimum Lot Width and Frontage* - each *lot* or *integrated center* shall have a minimum *lot width* and *frontage* on a *public street* of 50 feet.
- (2) *Minimum Yards and Building Setbacks*

- (A) *Front* - a minimum *front yard* and minimum *building setback* measured from the greater of the *proposed right-of-way* or existing *right-of-way* shall be provided as follows:

<i>Limited Access Highway:</i>	50'
<i>All Other Streets:</i>	30'

- (B) *Minimum Side Yard and Setback* - shall be provided from the *lot line* as follows:
  - i. *Minimum Side Yard* – five (5) feet, if provided. (Ord. 9760-07)
  - ii. *Minimum Side Residential Bufferyard* – twenty (20) feet.
- (C) *Minimum Rear Yard and Setback* - shall be provided from the *lot line* as follows:
  - i. *Minimum Rear Yard* – ten (10) feet.
  - ii. *Minimum Rear Residential Bufferyard* – twenty (20) feet.

(D) *Minimum Yards for Out Lots:*

- i. *Out Lots Along A Street* – *Out lots* within an *integrated center* shall provide a *minimum yard* of five (5) feet along all *lot lines* in common with other *out lots* or ten (10) feet along all *lot lines* in common with the main portion of the *integrated center*.
- ii. *Perimeter Out Lots* – If any portion of an *out lot* abuts the perimeter of the *integrated center*, that portion of the *out lot* shall be required to comply with the applicable *minimum front, side or rear yard* requirements set forth above.
- iii. *Interior Out Lots* – *Out lots* which are located on the interior of an *integrated center* (i.e., *out lots* which are not located along, oriented toward or primarily visible from a perimeter *street*) shall not be required to provide any *minimum yard*.
- iv. *Integrated Center* – The main portion of the *integrated center* shall not be required to provide a *minimum yard* along the *lot line* in common with any *out lot*.

(3) Use of *Minimum Yards* and *Residential Bufferyards*

Use of *Minimum Yards* and *Residential Bufferyards* - all *minimum yards* and *residential bufferyards* shall be landscaped in compliance with the requirements for perimeter *yard* landscaping as set forth in Section 21-07.01 – Landscape Regulations of this Ordinance and shall remain free from *structures* except where expressly permitted below:

(A) *Minimum Front Yards* –

- i. along *limited access highways* – may include: *parking areas, loading areas, interior access drives, interior access driveways* or *gasoline sales areas*, provided that no portion of such area may be located closer to the *right-of-way* than fifteen (15) feet; or, *signs* as regulated by Section 21-07.03 – Sign Regulations of this Ordinance, and shall be otherwise maintained as *open space* free from *buildings* or *structures*;
- ii. along all other *streets* – may include: *parking areas, interior access drives, interior access driveways* or *gasoline sales areas*, provided that no portion of such areas may be located closer to the *right-of-way* than fifteen (15) feet; *driveways*; or, *signs* as regulated by Section 21-07.03 – Sign Regulations of this

Ordinance, and shall otherwise be maintained as *open space* free from *buildings* or *structures*;

- (B) Minimum Front *Residential Bufferyards* - may include: *driveways*; or, *signs* as regulated by Section 21-07.03 – Sign Regulations of this Ordinance, and shall otherwise be maintained as *open space* free from *buildings* or *structures*;
  - (C) Minimum *Side* and *Rear Yards* - minimum *side* and *rear yards* may include: *interior access driveways*; *walkways*; or, pedestrian ways, connecting to adjoining *lots* or developments provided that the remainder of said *yards* shall be maintained as *open space* free from *buildings* or *structures*;
  - (D) Minimum *Side* and *Rear Residential Bufferyards* – minimum *side* and *rear residential bufferyards* may include *interior access driveways* connecting to adjoining *lots* or developments provided that the remainder of said *residential bufferyards* shall be maintained as *open space* free from *buildings* or *structures*.
- (4) *Maximum Building Height* – thirty-five (35) feet.
  - (5) *Maximum Gross Floor Area*:
    - (A) No single use or free-standing *out lot* use shall exceed sixteen thousand (16,000) square feet in *gross floor area*;
    - (B) No individual and separately operated use in a multi-tenant building in an *integrated center* shall exceed sixty thousand (60,000) square feet of *gross floor area*; and,
    - (C) No *integrated center* shall exceed eighty thousand (80,000) square feet of total *gross floor area*.
  - (6) *Landscaping* – See Section 21-07.01 – Landscape Regulations.
  - (7) *Lighting* – See Section 21-07.02 – Lighting Regulations.
  - (8) *Signs* – See Section 21-07.03 – Sign Regulations.
  - (9) *Parking* – See Section 21-07.04 – Off-Street Parking Regulations.
  - (10) *Loading* – See Section 21-07.05 – Off-Street Loading Regulations.
  - (11) *Greenway Connection Required* – If the *lot* abuts any portion of a *greenway*, a direct linkage from the *project* to such *greenway* shall be provided.

- (12) Outdoor Operations - All uses and operations (except *off-street parking*, *off-street loading* and delivery, walk-up customer service windows and drive-through customer service windows) shall be conducted completely within enclosed *buildings*, except where expressly permitted below:
- (A) Outdoor seating for restaurants:
- i. shall not be located between a *building line* and a *residential bufferyard*;
  - ii. shall not be located in any required *yard* or any *street right-of-way*;
  - iii. shall be located adjacent to the business' tenant bay or storefront façade;
  - iv. shall be included in the calculation of required *foundation landscaping area* and any applicable *building foundation landscaping area* and associated *foundation landscaping* shall be extended or relocated around the perimeter of the outdoor seating area;
  - v. shall not exceed ten percent (10%) of the *gross floor area* of the restaurant; and,
  - vi. shall not block an entrance or exit to or from the business or *building*.
- (B) Outdoor Display or Sales of Merchandise:
- i. shall be *accessory* to the *primary use*;
  - ii. shall not exceed ten percent (10%) of the *gross floor area* of each non-related and separately operated use;
  - iii. shall not be located in a *required yard* or *required residential bufferyard*; and,
  - iv. shall not be located so as to interfere or conflict with *sidewalks*, *walkways*, pedestrian ways, entrances or exits to or from the business or *building*, required *parking areas*, required *loading areas*, *driveways*, *interior access drives*, *interior access driveways*, perimeter landscape *yards* or foundation plantings.
  - v. Merchandise displayed or sold shall be merchandise normally found within the on premise business. (Ord. No. 9653-06)

- (C) Gasoline Pumps - provided that no outdoor operations other than the dispensing or installation of gasoline, oil, antifreeze and other similar products and the performance of minor services for customers as related to said dispensing or installation are conducted on the site.
  - (D) Walk-up or drive through customer service windows or Automated Teller Machines (ATM's), provided that such facilities shall:
    - i. be set flush with the façade of the *building*;
    - ii. if free-standing, abut the façade of the *building* or be located within a service unit island under a drive-through canopy attached to the *building*; and,
    - iii. be located so as to not interfere or conflict with sidewalks, pedestrian ways, entrances or exits to or from the business or *building, parking areas, loading areas, driveways, interior access drives, interior access driveways, perimeter landscape yards or foundation landscaping.*
- (13) Architecture:
- (A) Additions to Existing *Buildings*: All additions to existing *buildings* shall utilize *building materials* that are compatible and harmonious with the materials used on the existing building.
  - (B) Exterior Renovations, Major Additions and *Accessory Buildings*: Exterior renovations, major additions and *accessory buildings* to existing *buildings* or facilities are encouraged to comply with the provisions in sub-Section (C), below, for new construction, however, the minimum requirement for exterior renovations, major additions and accessory buildings shall be the same as in sub-Section (A), above, for additions to existing *buildings*.
  - (C) New Construction: In order to create variation and interest in the built environment, all new primary *buildings* shall comply with one (1) of the following two (2) sets of architectural regulations regarding *building material* and architectural features on each facade visible from a *public street*:
    - i. All brick (excluding window, display window, door, roofing, fascia and soffit materials), provided that the brick used on each applicable facade shall include:

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- a. at least two (2) architectural elements (e.g., quoins, pilasters, soldier courses, lintels, friezes, cornices, dentils, architraves, etc.); or,
  - b. at least two (2) colors of brick, with the secondary color constituting a minimum of ten (10) percent of the façade (excluding windows, display windows, doors, roofing, fascia or soffit materials); or,
- ii. Two (2) or more *building materials* (excluding window, display window, door and roofing materials), provided:
- a. *Primary Building Material*: The primary *building material* shall be either: brick; stone (limestone, granite, fieldstone, etc.); architectural pre-cast concrete, if the surface looks like brick or stone; or, exterior insulation and finish system (E.I.F.S.) or equivalent, and shall constitute a minimum of fifty (50) percent of each applicable façade.
  - b. *Secondary Building Material*: The secondary *building material* shall constitute a minimum of ten (10) percent of the façade. Glass curtain wall or a faux window (not intended for use as a window or display window) may qualify as a secondary *building material*.
  - c. *Architectural Features*: In addition, the exterior *building material* selection shall be supplemented with the use of multiple colors, textures (e.g., rough, smooth, striated, etc.) or architectural elements (e.g., quoins, pilasters, soldier courses, lintels, friezes, cornices, dentils, architraves, etc.) on each facade visible from a *public street*.