

CHAPTER 22
CBD CENTRAL BUSINESS DISTRICT

Section 1. Purpose.

The regulations set forth in this Article, or set forth elsewhere in this Ordinance when referred to in this Article, are the district regulations for the Central Business District.

Section 2. Permitted & Special Uses

A building or premises shall be used only for the purposes contained in Chapter 29 of this ordinance except for the existing uses special provisions contained below:

Existing Uses

Any existing use, which is conforming as of November 1, 1998 shall be, considered a conforming use for that zoning lot for the purposes of this ordinance. The use can change to any other listed conforming use for the zoning lot, or to a listed downtown special use with approval by the Board of Adjustment. The zoning lot for the business after 11/1/98 may expand provided that the new area is a listed conforming use for that zoning lot, or to a listed downtown conditional permitted use with the prior approval by the Board of Adjustment. With Board of Adjustment approval a conforming use as of November 1, 1998 that is not a permitted or a downtown special use in CBD may move to an alternate zoning lot in the Central Business District, unless the use in question becomes vacant for a continuous period of six (6) months.

Section 3. Performance Standards.

Existing uses on the effective date of this ordinance shall not be required to modify existing operations to come into compliance with the following performance standards, but shall not increase the amount of outside storage. The following standards shall apply to newly created uses.

1. The use shall not be rendered objectionable or detrimental to the vision of the downtown districts due to exterior appearance or by the emission of dust, gas, noise, odor, or smoke, or in any other way.
2. There shall be no outside storage or display of goods and services (including temporary and portable structures), except for temporary goods and services removed on a nightly basis, equipment associated with a child care facility, schools, telecommunications equipment, or unless otherwise noted in this ordinance. The Board of Adjustment shall have the authority to waive this requirement for temporary or seasonal circumstances.
3. Parking areas for uses in the CBD district shall be submitted and approved by the city. Parking and parking lots shall not be used for the storage of a vehicle for more than (ten) 10 days.
4. Where a structure exists on a lot, the parking spaces shall be adjacent to the structure and shall not be adjacent to the right of way lined up perpendicular to the street along the frontage of the lot. The Board of Adjustment may waive this requirement in cases where it is logical to have parking adjacent and perpendicular to the street frontage. In cases where this requirement is waived, curb stops or other barriers shall be required to deter parking over the sidewalk.

Section 4 . Architectural Standards.

The following minimum standards shall apply to uses within the Central Business District. These standards shall be part of the site plan review process described in Chapter 5.

1. Individual uses shall be tied together by prominent features such as architectural theme, roofing material and style, and/or landscape materials.
2. The architectural design of any building shall be acceptable to the City. The visible sides of buildings, from the street, shall be consistent in design and use of materials. No wood, masonite, visible asphaltic exterior wall or roofing material, metal siding, nonarchitectural sheet metal, concrete block, or other similar materials shall constitute a portion of any building, except as trim material, unless the Site Plan Review Board determines that the said material, when used as a primary element, enhances the physical appearance, or provides continuity to unite all structures within the property together into one project concept.
3. Preferred building materials include: brick, stone, veneers, granite, decorative concrete block, stucco, or similar materials.
4. Building setback shall be in harmony and style with other buildings in the area.
5. Doorways adjacent to a right of way shall be set back so that doors do not swing into a right of way.
6. The location and size of signs shall be integrated into the design of the overall development.
7. Signage is considered as part of the architectural theme of the building and district, and shall be reviewed in the site plan.
8. All utilities shall be placed underground, where feasible.
9. All storm water collected from the roofs of the buildings shall be diverted underground, where feasible.

Section 5. Housing.

1. No new single family residences are permitted.
2. No new residential units shall be on the first floor of any existing or new multifamily or mixed-use building without approval from the Site Plan Review Board.

Section 6. Bulk Requirements

The following bulk requirements shall be observed for all uses within this district:

Front Yard Setback	None required, except for single family dwellings.
Side Yard Setback	1. None, except for existing single family dwellings. a) Existing Dwellings: For buildings not exceeding two and one-half (2 1/2) stories in height, there shall be a side yard on each side of the building, having a combined width of not less than fifteen (15) feet, provided that in no case shall either side yard be less than four (4) feet in width. Except as hereinafter provided, there shall be a side yard on each side of a three (3) story or a four (4) story building which shall have a width of not less than eight (8) feet.
Rear Yard Setback	None required, except for single family dwellings. a) Existing Dwellings: There shall be a rear yard having a depth of not less than twenty percent (20%) of the depth of the lot, but no lot shall be required to have a rear yard depth of more than twenty-five (25) feet.
Building Height	9 stories, except as herein provided.
Lot area Per Family	The Site Plan Review Board shall have authority over the zoning lot density and lot area per family.
Open Space Required:	None.

Section 7. Parking Lot and Buffering Requirements.

See Chapters 6 and 7 of this Ordinance.

Section 8. Site Plan Requirement.

See Chapter 5.

Section 9. Loading Regulations.

None.