

§ 165-48 Use regulations.

A building may be erected, altered or used and a lot may be used or occupied for any of the following purposes and no other:

A.

Multifamily dwelling; multifamily dwelling group.

B.

Municipal uses.

C.

Except as set forth below, uses permitted in § [165-106A](#), [B](#) and [D](#) of Article [XIX](#) herein, on the same lot with a multifamily dwelling or a multifamily dwelling group, provided that the gross floor area of all such uses shall not exceed 7% of the gross floor area devoted to multifamily uses exclusive of the area required for garages and basements. Such commercial uses shall be located within such multifamily dwellings and shall be located only on the street floor, basement or top floor. Hotel, motel and restaurant uses shall not be permitted in this district.

D.

Signs, to be regulated by the provisions of Article [XXVII](#).

E.

Personal care facility as a conditional use in accordance with § [165-219.1](#).

[Added 2-25-1991 by Ord. No. 91-587]

F.

No-impact home-based businesses in accordance with the standards set forth in § [165-219.2](#).

[Added 9-18-2008 by Ord. No. 2008-772]

§ 165-106 Use regulations.

A building may be erected, altered or used and a lot may be used or occupied for any of the following purposes and no other:

A.

Retail establishment for the sale of dry goods, variety merchandise, clothing, foods, beverages, drugs, furnishings or other household supplies; sale and repair of jewelry, clocks, optical goods, musical instruments or scientific or professional instruments; florist shop.

B.

Business or professional office, studio, bank, savings and loan or other financial institutions, municipal building, library, museum, passenger station for public transportation.

C.

[Amended 6-6-1988 by Ord. No. 88-534; 8-21-1989 by Ord. No. 89-561] Restaurants, subject to the following regulations:

(1)

Eat-in restaurants and carry-out restaurants other than drive-thru restaurants shall be permitted as of right.

(2)

[Amended 12-12-1996 by Ord. No. 96-653] Drive-thru restaurants shall be permitted in accordance with the following regulations:

(a)

Drive-thru restaurants shall be prohibited within 500 feet of one another when located on and where access is on the same side of a thoroughfare, unless they share a common driveway and there is no other access from the thoroughfare to the parcel which is to be occupied by a drive-thru restaurant.

(b)

A vehicle queing lane to or from the ordering station and pick-up window shall be separate from the circulation lanes necessary for ingress, egress and access to required parking area and shall be distinctly identified as a vehicle queing lane for the drive-thru facilities.

(c)

Each queing lane space shall be a minimum of 60 feet between the ordering station and pick-up window and 100 feet before the ordering station. Queing lanes shall be a minimum of 100 feet for facilities without an ordering station. Queing lanes shall be a minimum of 12 feet in width if there is a single lane and 20 feet in width if there are multiple lanes.

D.

Personal service shop, including barber, beauty salon, shoe repair, tailor, dressmaking and pickup for dry cleaning and laundry.

E.

Bowling lanes, indoor theater, billiard room or other place of indoor amusement or recreation; or sexually oriented business, provided that the requirements of Articles [XXXVIII](#) and [XXXIX](#) are met.

[Amended 9-24-1990 by Ord. No. 90-582]

F.

Municipal or commercial parking garage or lot, other than the required parking space provided by establishments within the districts.

G.

Club, lodge or hotel, provided that where any of such uses makes provision for housekeeping facilities, the regulations of § [165-50](#) of Article [XI](#) herein shall apply, the definition of dwelling in § [165-5B](#) of Article [II](#) and the regulations of § [165-108](#) of this article to the contrary notwithstanding.

H.

Municipal uses.