

***DIVISION 12. GENERAL BUSINESS DISTRICT***

**Sec. 60-498. Purpose.**

This district is intended to include commercial uses serving both the city and the region, together with normal accessory uses compatible with a cohesive and attractive shopping and office area.

(Ord. of 9-21-2009, § 3.62A)

**Sec. 60-499. Use regulation.**

(a) *Permitted uses.* The following uses are permitted:

- (1) Residential dwelling uses permitted in the Multifamily Suburban District (MFS) (division 7 of article IV of this chapter).
- (2) Grocery stores and supermarkets.
- (3) Clothing stores.
- (4) Furniture stores.
- (5) Department stores.
- (6) Specialty shops.
- (7) Hotels and motels.
- (8) Funeral homes and mortuaries.
- (9) Child day care centers.
- (10) Medical and dental clinics.
- (11) Wholesale bakeries.
- (12) Retail laundries and dry cleaners, but not plants.
- (13) Banks, business and professional offices.
- (14) Public transportation passenger offices.
- (15) Governmental offices.
- (16) Municipal, civic or public service buildings and other utility facilities.
- (17) Warehouses, wholesale offices, salesrooms and showrooms.
- (18) Restaurants, bars, dining rooms or lunchrooms, but not to include drive-in and carry-out restaurants.
- (19) Halls, private clubs and lodges, bowling alleys, ice and roller skating rinks, indoor theaters and similar places of indoor amusement or recreation.
- (20) Animal hospitals and pet shops, but no kennels.
- (21) Business equipment repair and business services.

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- (22) Radio and television studios.
  - (23) Printing shops, but not publishing plants.
  - (24) Retail, service, office and commercial uses similar to the foregoing.
  - (25) Carwashes.
  - (26) Accessory uses, building and structures.
  - (27) Shelters for abused persons.
  - (28) Greenhouses and lawn maintenance services.
  - (29) Temporary outdoor places of amusement.
  - (30) Churches and temples.
  - (31) Adult use and medical marijuana stores subject to the requirements of chapter 14, article XVIII of the City of Auburn Ordinances.
  - (32) Marijuana cultivation accessory to a licensed retail store on the same property.
- (b) *Special exception uses.* The following uses are permitted as special exceptions after approval by the planning board in accordance with division 3 of article XVI of this chapter:
- (1) Automobile filling stations.
  - (2) Automobile repair and service stations.
  - (3) Automobile and marine sales lots and sales and service agencies.
  - (4) Automobile and marine paint and body repair shops.
  - (5) Hospitals, care homes, boardinghouses and lodginghouses.
  - (6) Research or philanthropic institutions.
  - (7) Outdoor theaters.
  - (8) Drive-in or carry-out restaurants.
  - (9) Commercial parks.
  - (10) Sales, rental and service agencies for mobile homes, farm equipment, trucks and trailers, and machine equipment.
  - (11) Light industrial plants which will not create a nuisance by noise, vibration, smoke, odor or appearance.
  - (12) Off-street parking as a commercial or municipal use provided that such parking is limited to occupants of buildings located within 500 feet of such parking area whether or not within the same district. The planning board may impose conditions regarding fencing and screening, drainage, ingress and egress, signs and lighting, and total capacity of the parking area as it deems necessary to protect the character of the neighborhood.
  - (13) Trucking terminals and similar nonprocessing storage and distribution uses, except bulk storage of chemicals, petroleum products and other flammable, explosive or noxious materials.
  - (14) Convenience stores.
  - (15) Research, experimental and testing laboratories.
  - (16) Landscape services.

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- (17) Any new building of 5,000 square feet or more or any existing building which proposes a use permitted under subsection (a) of this section which will occupy an area of 5,000 square feet or more.
  - (18) Automotive towing and storage.
  - (19) Major retail development provided that it meets the conditions noted in section 60-45(g).
  - (20) Outpatient addiction treatment clinics.
  - (21) Adaptive reuse of structures of community significance.
  - (22) Public safety services.
    - a. All projects shall provide a community impact and needs analysis with review and approval from city council or its designee.
  - (23) Government services.
    - a. All projects shall provide a community impact and needs analysis with review and approval from city council or its designee.

(Ord. of 9-21-2009, § 3.62B; Ord. No. 11-11072016, 11-21-2016; Ord. No. 05-04032017, § 2, 4-24-2017; Ord. No. 05-05202019, 6-3-2019; Ord. No. 11-03012021, §§ 30, 31, 3-15-2021; Ord. No. 02-02132023, 2-17-2023)

## **Sec. 60-500. Dimensional regulations.**

All structures in this district, except as noted, shall be subject to the following dimensional regulations:

- (1) *Minimum lot width and depth.* No building used for commercial or office uses shall be constructed on a lot having less than 10,000 square feet minimum lot area and measuring 100 feet in width. No lot shall be less than 100 feet in depth. Buildings used for residential uses shall have the same minimum lot area, width and depth as provided for buildings in the Multifamily Suburban District (MFS), section 60-307(1).
- (2) *Density.* Not more than 30 percent of the total lot area shall be covered by buildings used for commercial or office uses. The density of residential uses shall be the same as that required for buildings in the Multifamily Suburban District (MFS), section 60-30(2).
- (3) *Yard requirements.*
  - a. *Rear.* There shall be behind every building a rear yard having a minimum depth of 35 feet or 35 percent of the average depth of the lot, whichever is less.
  - b. *Side.* There shall be a distance of five feet between any side property line, plus the side yard setback shall be increased one foot for every two feet or part thereof increase in street frontage over 60 feet to a maximum of 25 feet for side yard setback.
  - c. *Front.* There shall be in front of every building a front yard having a minimum depth of 25 feet or 25 percent of the average depth of the lot, whichever is less. No front yard need to be any deeper than the average depth off front yards on the lots next thereto on either side. A vacant lot or a lot occupied by a building with a front yard more than 25 feet shall be considered as having a front yard of 25 feet.
  - d. *Principal buildings.* More than one principal building may be erected on a lot, provided that the building meet all yard setback requirements and are separated by a distance equivalent to the height of the higher building or 30 feet, whichever is greater.
  - e. *Railroad tracks.* Where the principal use requires access to a railroad, the yard requirements are disregarded for the side of the building adjacent to the railroad trackage. The engineering

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requisites for a safe and properly designed siding and building setback acceptable to the railroad shall take precedence.

- f. *Open and unbuilt spaces.* Any yard, space or area required to be kept open and unbuilt on may be used, if otherwise lawful for outdoor storage and display of articles, supplies and materials. Such outdoor storage and display shall occupy no more than 20 percent of the lot with display areas not to exceed one-quarter of the total allowable area. Storage and display areas shall be clearly identified on the land in a fixed location. Storage areas shall be screened from the view of an abutting residential district or use and from the street by an evergreen tree line planted in staggered rows having the base of the trees not more than ten feet apart or by a solid fence not less than six feet in height.
- (4) *Height.* No permitted structure shall exceed four stories or 45 feet in height. Religious buildings, municipal buildings or buildings listed by the state historic preservations commission may have a steeple, cupola or tower to a maximum height of 90 feet, if said structure is limited to 15 percent of the footprint of the principal building. In the airport approach zone, Federal Aviation Administration regulations shall apply. Accessory structures, including windmills, that are necessary for the operation of an allowed principal use may exceed the above maximum height requirements, provided that the front yard, rear yard and each of the side yards shall be increased by one foot for each foot in height in excess of the yard required pursuant to this section. In the airport approach zone, Federal Aviation Administration regulations shall apply.
- (5) *Off-street parking.* Off-street parking and loading spaces shall be provided in accordance with the requirements for specific uses as set forth in article V of this chapter.

(Ord. of 9-21-2009, § 3.62C; Ord. of 3-22-2010; Ord. No. 11-03012021, §§ 32, 64, 3-15-2021)

**Secs. 60-501—60-523. Reserved.**