

ARTICLE XXV. - BU-1A, LIMITED BUSINESS DISTRICT

Footnotes:

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Editor's note— Ord. No. 74-23, § 1, adopted April 16, 1974, amended Art. XXV, pertaining to the BU-1A District, to read as set out in §§ 33-246—33-251.5. Section 4 of said Ord. No. 74-23 provided:

"Section 4. The provisions of this ordinance shall become effective ten (10) days from date of its enactment. However: "Provisions of this ordinance shall not apply to those buildings for which a building permit has been issued and is in effect or for which proper and complete applications and plans have been submitted for building permits within sixty (60) days from the effective date of this ordinance provided that the construction under the permit shall be commenced and progressively carried to a conclusion within the time limitations for permits established by the Building Code. As to all such buildings, the pertinent zoning regulations in effect prior to the effective date of this ordinance shall be applicable. Where a development or project site plan has been approved prior to the adoption of this ordinance by resolution of the Zoning Appeals Board or Board of County Commissioners, or prior to the adoption of this ordinance, an agreement, letter of intent, or performance standards encompassing all of the basic items constituting a site plan has been recorded or adopted by resolution of the Zoning Appeals Board or the Board of County Commissioners, this ordinance shall not be applicable thereto so long as the following conditions are met:

(1) This exception shall apply only to those properties covered by the specific site plan, letter of intent, performance standards, or agreement.

(2) Such project is developed in accordance with the approved site plan or agreement, letter of intent or performance standards and in accordance with pertinent regulations in effect prior to the effective date of this ordinance.

(3) Such development or project shall be commenced on or before the expiration of nine (9) months from the effective date of this ordinance. Site preparation, such as filling or excavating as well as commencement of construction of buildings, shall, for the purpose of this section, constitute commencement of work.

(4) Such project is under continual construction unless acts of God cause an interruption in construction. Any cessation of construction for a period of nine (9) months shall be conclusive presumption of an abandonment of the approved project or development and uncompleted portion of said project or development shall be subject to terms and conditions of this ordinance."

Formerly Art. XXV, §§ 33-246—33-251, was derived from Ord. No. 57-19, § 19(A)—(C), adopted Oct. 22, 1957; Ord. No. 58-30, § 1, adopted July 17, 1958; Ord. No. 62-15, § 1, adopted March 6, 1962; Ord. No. 65-50, § 1, adopted July 27, 1965; Ord. No. 67-50, § 1, adopted July 11, 1967; Ord. No. 68-19, § 1, adopted April 16, 1968; Ord. No. 68-28, § 1, adopted May 21, 1968; and Ord. No. 69-54, § 2, adopted Sept. 17, 1969.

Sec. 33-246. - Purpose.

The purpose of the BU-1A, General Business District, is to provide for retail and service convenience facilities which satisfy the essential and frequent needs of the adjacent residential neighborhood as well as the more specialized commercial facilities which may serve several neighborhoods.

(Ord. No. 74-23, § 1, 4-16-74)

Sec. 33-247. - Uses permitted.

No land, body of water and/or structure shall be used or permitted to be used, and no structure shall be hereafter erected, constructed, reconstructed, moved, maintained or occupied for any purpose in any BU-1A District, except for one or more of the following uses:

- (1) All uses permitted in the BU-1 District, except that residential uses that are not part of a mixed-use development are subject to approval at a public hearing.
 - (1.1) Amusement center as defined in Section 33-1(5.1).
- (2) Auditoriums.
- (3) Automobile new parts and equipment, sales only. Notwithstanding the provisions of Section 33-251.2 to the contrary, as an ancillary service, a facility selling new automobile parts and equipment may perform minimal automobile maintenance repairs in that facility's on-site designated parking area, provided that all of the following conditions are satisfied:
 - (a) Such repairs are performed at no charge, solely as a courtesy for which no payment is charged or received;
 - (b) The sum of the repairs performed on an individual vehicle shall take no more than a total of twenty (20) minutes to perform;
 - (c) Such repairs shall not include oil changes, oil filter changes, transmission fluid changes, transmission fluid filter changes, engine coolant or engine anti-freeze changes, brake fluid changes, power steering fluid changes, tire repair, tire installation, tire rotation, or any other repair that falls within the scope of the repair certification categories set forth in Section 8A-161.25(2)(a)—(e) and (g) of this Code;
 - (d) The price(s) charged by the facility for automobile parts or equipment is not increased because of the performance of such repairs;
 - (e) The repairs are performed by an employee of the facility; and
 - (f) All residual, discarded, or waste products, parts, equipment, packaging, fluids, and other materials left over from such repairs are stored or disposed of by the facility immediately after the completion of the repairs, in compliance with all applicable laws, ordinances, and regulations governing the storage, handling, and disposal of such items.
- (4) Automobile and light truck, new sales agency or rental shall be permitted only upon approval after public hearing and subject to the following conditions:
 - (a) That a continuous, densely planted greenbelt of not less than fifteen (15) feet in width, penetrated only at points approved by the Director and the Director of the Public Works Department for ingress or egress to the property, shall be provided along all property lines abutting public rights-of-way or properties zoned residential. Said greenbelt shall have shade trees planted at a maximum spacing of thirty (30) feet on center. The shade trees shall have a minimum caliper of two and one-half (2½) inches at time of planting.

- (b) That a decorative masonry wall at least five (5) feet in height shall enclose the vehicle storage area and repair area approved through public hearing. The placement of said wall and openings through same shall comply with the requirements contained elsewhere in this article.
 - (c) That all outdoor paging or speaker systems are expressly prohibited.
 - (d) That no repair work of any type is permitted on premises unless approved after public hearing.
 - (e) That accessory used vehicle sales shall be permitted providing said vehicles are late model and in operable condition.
 - (f) That the applicant obtain a certificate of use and occupancy which shall be automatically renewable yearly upon compliance with all terms and conditions applicable.
- (5) Automobile gas stations/mini marts (which may include facilities available for sale of other retail products and services related to the servicing of automobiles) including rental of single axle hauling trailers. Plans for paved areas, driveways or curb cuts of gas stations shall be submitted to and approved by the Department of Public Works and Waste Management and, where required, the Florida State Department of Transportation before a permit can be issued. Gas stations providing self-service dispensing of fuel with attendant control of pumps shall ensure that the attendant-control area has clear visibility to all pumps. The use of signs on windows of the attendant-control area that would obstruct the clear visibility to all pumps are prohibited. As an accessory use, the gas stations may perform minor automobile repairs as herein listed:
- (a) Sale and servicing of spark plugs and batteries.
 - (b) Tire repair and servicing, but no recapping.
 - (c) Replacement of mufflers and tailpipes, water hose, fan belts, brake fluids, light bulbs, floor mats, seat covers, wiper blades, arms for windshields and replacement of grease retainers and wheel bearings.
 - (d) Radiator cleaning and flushing.
 - (e) Washing and polishing.
 - (f) Greasing and lubrication.
 - (g) Exchanging fuel pumps and installing fuel lines.
 - (h) Minor servicing or replacement of carburetors.
 - (i) Emergency wiring repairs.
 - (j) Adjusting brakes and installing or exchanging brake shoes.
 - (k) Tuning engines, with the exception of grinding valves, cleaning carbon or removing the head of engines and/or crankcases.

- (l) Wheel balancing and aligning.
- (m) Shock absorbers.
- (6) Reserved.
- (7) Automobile storage within a building.
- (8) Automobile tires, batteries and accessories (new) retail only installation permitted.
- (9) Automobile washing.
- (10) Bait and tackle shops.
- (11) Banks, including drive-in teller service.
- (12) Billiard rooms and pool rooms.
- (13) Boats carrying passengers on excursion, sightseeing, pleasure or fishing trips.
- (14) Bowling alleys, provided that such establishments are not located closer than five hundred (500) feet to an RU, or EU District, unless such building is so constructed as to prevent the emission of sound and vibration.
- (14.1) Brew Pubs (Restaurant, Pub, or Bar with a Brewery, Distillery, or Winery as Accessory Use), subject to the following conditions:
 - (a) Off-street parking for restaurant and other allowable uses shall be provided as otherwise required in this Code.
 - (b) The use complies with Article X (Alcoholic Beverages) of this chapter.
 - (c) In addition to a brewery, distillery, or winery as accessory use, a restaurant may also have an accessory cocktail lounge-bar use subject to the requirements of Article X of this chapter.
- (15) Convention halls.
- (16) Dancing halls or dancing academies in air conditioned buildings providing no intoxicating beverages of any kind are served, providing that such establishments are not located closer than five hundred (500) feet to an RU, or EU District, unless such building is so constructed as to prevent the emission of sound and vibration.
- (17) Dog and pet hospitals in air-conditioned buildings.
- (17.1) Donated goods centers, including drive-through drop-off facilities, for the acceptance and sale of new or used merchandise, excluding furniture and major appliances, upon compliance with the following conditions:
 - (a) The donated goods center must be operated by an organization which has been incorporated as a not-for-profit organization under the laws of Florida for a charitable purpose and which has been declared exempt from the payment of federal income taxes by the United States Internal Revenue Service;

- (b) The donated goods must be accepted by personnel directly employed by or volunteers for the not-for-profit organization;
 - (c) The monetary proceeds resulting from the sale of said merchandise must be used in accordance with the organization's charitable purpose to benefit persons within the boundaries of Miami-Dade County or outside of Miami-Dade County to provide emergency relief for victims of natural, man-made or economic disasters;
 - (d) The operation of the donated goods center, the collection and use of donations and proceeds thereof must be conducted by said not-for-profit organization and not by a licensee, subtenant, subcontractor or agent of the not-for-profit organization;
 - (e) The merchandise sold in the donated goods center must be neatly sorted and displayed.
- (18) Dry cleaning establishments, using nonflammable solvents in self-contained dry cleaning units of the Prosperity type or Dedrick type or an equal approved by the Director, provided such establishments contain not more than four thousand (4,000) square feet of floor area.
- (19) Electrical appliance and fixtures stores including related repair shops.
- (20) Employment agencies.
- (21) Furniture stores, retail of new merchandise only.
- (22) Grocery stores.
- (22.1) Group residential facility, in accordance with the group residential facility requirements of Section 33-208.
- (23) Handcrafted-products shop.
- (24) Health and exercise clubs, including bath and massage parlors.
- (24.1) Home improvement centers, subject to the conditions enumerated below. As used herein, a home improvement center is a facility engaged in the retail sale of a variety of home improvement products, including hardware, appliances, cleaning supplies, construction supplies, electrical and plumbing fixtures and supplies, paint and wall coverings, lumber, pool supplies, and tools as well as lawn and garden supplies. As an accessory use, a home improvement center may offer the short-term rental of tools, compressors, chain saws, ladders, post-hole diggers, hand trucks and similar light equipment as well as trucks (subject to the limitations set forth below). Additionally, a home improvement center may perform customer-requested cutting of pre-cut wood products and other products offered for sale, provided such cutting is done within the roofed area of the principal building.
- (a) Lawn, garden and pool supplies may also be stored, displayed and sold from attached areas with or without a solid roof, subject to the following limitations:
 - (1) such storage, display and sales areas does not exceed 35 percent of the home improvement center's gross building floor area; and

- (2) all such storage, display and sales areas must be enclosed by a solid masonry wall or ornamental metal picket fence or combination thereof, a minimum of eight feet in height. The items stored within these areas shall not exceed the height of the wall or metal picket fence. Openings for ingress and egress purposes, restricted to the narrowest width necessary, are permitted, subject to administrative site plan review; and
 - (3) setbacks as required for the principal building shall apply to all storage, display and sales areas; and
 - (4) parking for the home improvement center, including such storage, display and sales areas, shall be provided in accordance with Section 33-124(h)(3.1) herein.
- (b) Notwithstanding paragraph (a) above, a display area may be established outside of an enclosure, after administrative site plan review, where:
- (1) the display area abuts one of the building's walls;
 - (2) the display area is limited to no greater than 40 percent of the lineal building's frontage where the display area is located;
 - (3) displayed items are within 10 feet of the building; and
 - (4) all accessible pedestrian circulation is maintained.
- (c) The rental of trucks for the convenience of customers purchasing items only shall be permitted at home improvement centers with greater than 100,000 square feet of gross floor area, subject to the following limitations:
- (1) The total number of trucks available for rental shall not exceed five;
 - (2) The location of storage areas for rental trucks shall be subject to site plan review;
 - (3) Storage area for rental trucks shall not utilize any of the facility's minimum required parking spaces; and
 - (4) No repairs for maintenance of rental trucks shall take place on the premises.
- (d) Loading dock facilities for the purpose of supplying the home improvement center shall be oriented away from adjacent residential zoning districts unless screened from view by a masonry wall of not less than six feet in height but not more than eight feet in height.
- (e) Notwithstanding any other provision of this chapter to the contrary, during the time that a Local State of Emergency has been declared pursuant to chapter 8B and is in effect, products may be sold outside of enclosed buildings, provided that all of the following conditions are satisfied:
- (1) Vehicular circulation is not interrupted.
 - (2) Accessibility parking spaces are not reduced.
 - (3)

Outdoor sales are only conducted in the interior of the site and are oriented away from public rights-of-way.

- (4) Outdoor sales areas do not encroach in any minimum setback areas.
- (5) Tents or other membrane structures that are greater than 10' x 12' in size shall obtain a building permit.
- (6) The outdoor sales end when the Local State of Emergency is terminated.
- (f) Variances to these requirements are subject to section 33-311(A)(4)(b) for non-use variances.

(24.2) Jewelry loan centers, subject to the following conditions:

- (a) As used herein, a jewelry loan center is a service offered at a jewelry store where a loan is secured by jewelry. Said jewelry loan center shall be ancillary to a jewelry store, and the loan center service shall cease if the primary use is discontinued.
- (b) The operating hours for the jewelry loan center shall not extend beyond 8 p.m.
- (c) No jewelry loan center shall be located less than twenty-five hundred (2,500) feet from a place of business having an existing, unabandoned, legally established jewelry loan center or pawnbroker. The twenty-five hundred (2,500) foot distance requirements shall be measured by following a straight line from the nearest entrance to the site where the business is located.
- (d) Attention attracting devices, such as blinking or flashing lights, streamer lights, pennants, banners, streamers, and all fluttering, spinning advertising devices (either mobile or stationary), shall be prohibited, except as permitted under point-of-sale sign regulations.
- (e) The jewelry loan center shall have all applicable licenses issued by the State of Florida for the jewelry loan center use, including demonstrating compliance with the requirements for a pawnbroker's license set forth in Chapter 539, Florida Statutes.
- (f) A Certificate of Use shall be obtained and renewed annually. The Certificate of Use application shall contain:
 - (i) A certified spacing survey from a registered surveyor, which shall indicate that the distance requirements of this section have been met.
 - (ii) A site plan shall be submitted as part of the Certificate of Use indicating location of structure/structures, entrances and egresses, walls, fences, landscaping, signage and distance to nearest residential development. The use shall be established and maintained in accordance with the approved plan.

(25) Junior department stores.

(26) Lawn mowers, retail, sales and service.

(26.1)

Medical observation dormitory as defined in Section 33-1(69.05) subject to the following conditions:

- (a) That such uses on sites of ten (10) net acres or more shall be approved only after public hearing;
- (b) That such uses shall be located on sites having frontage on a major access road, including major roadways (three (3) or more lanes) and frontage roadways serving limited access highways and expressways;
- (c) Minimum five (5) foot high masonry wall be provided along all perimeter property lines abutting residentially zoned property, penetrated only at points approved by the Directors of the Planning and Zoning Department and the Public Works Department for ingress and egress;
- (d) That the facility is located on a site consisting of at least three (3) or more net acres;
- (e) That research conducted at the property shall be limited to testing of normal healthy volunteers and of clinically stable representatives of the diseased states for which medications being tested are ultimately intended;
- (f) That protocols that require treating of mentally ill subjects, including persons with any mental or psychological disorder, such as intellectual disability, organic brain syndrome, emotional or mental illness, and specific learning disabilities, shall not be performed at the research facility;
- (g) That such use shall be located no less than twenty-five hundred (2,500) feet from any other such establishments. For the purposes of this subsection, the distance shall be measured by following a straight line from the front door of the proposed place of business to the nearest property line of the existing place of business. For the purpose of establishing the distance between such establishments, the operator shall furnish a certified sketch of survey from a registered engineer or surveyor. Such sketch shall indicate the distance between the proposed place of business and any existing establishment within 2,500 feet. Each sketch shall indicate all such distances and routes. In case of dispute, the measurement scaled by the director shall govern;
- (h) That the operator obtains an annually renewable certificate of use and occupancy for such use on the property.

(26.2) Mixed-use developments, provided that:

- (a) Such uses are located along a SMART Plan Corridor and in accordance with the CDMP; and
- (b) Such uses are developed in accordance with Article XLV.

(27) Mortuaries or funeral homes.

(28) Motorcycles sales and repair.

(29) Natatoriums.

- (30) Open-air theaters.
- (31) Package stores in shopping centers provided the shopping center is in full compliance with all provisions of Section 33-150(E)(9) of this Code.
- (32) Pet shops, pet care centers and dog beauty parlors in air-conditioned buildings.
- (33) Post office stations and branches, operated by postal service employees or agents, which directly serve the public.
- (34) Printing shops.
- (35) Private clubs.
- (36) Propagating and growing plants for sale. Fertilizers, manure, compost and soil shall be limited for sale. Fertilizers, manure, compost and soil shall be limited in quantities for immediate use and shall be kept at least two hundred (200) feet from residential buildings in RU and EU Districts.
- (37) Pubs and bars if approved at public hearing.
- (37.1) Restaurants providing an accessory children's outdoor playground facility subject to the following requirements:
 - (a) The restaurant providing such an accessory use shall contain not less than two thousand five hundred (2,500) square feet of improved building area;
 - (b) The total outdoor playground area shall not exceed thirty-five (35) percent of the square footage of the subject restaurant structure;
 - (c) The playground equipment shall be the non-mechanical type and shall be designed and intended for children two (2) through twelve (12) years of age;
 - (d) The playground shall be immediately adjacent to, visible from, and accessible from the indoor patron area;
 - (e) The playground area shall be enclosed with a masonry wall or fence not less than four (4) feet in height and any gates shall be of the spring lock type, so that they shall automatically be in a closed and fastened position at all times;
 - (f) The playground area shall not reduce required parking or landscaping for the site and shall be set back no less than ten (10) feet from any property line and in compliance with all Code requirements; and
 - (g) Site plan review and approval shall be required as provided in Section 33-251.5.
- (37.2) Restaurants with an accessory cocktail lounge-bar use, subject to compliance with Article X, Alcoholic Beverages, of this Code.
- (38) Self-service mini-warehouse storage facility only upon approval at public hearing and in accordance with the conditions set forth in Section 33-255 of the code. In addition, no such facility shall be located less than 2,500 feet from any other such facility, measured by

following a straight line from the nearest portion of the structure of the proposed use to the nearest portion of the structure of the existing use.

(39) Skating rinks, provided same are not located closer than one thousand (1,000) feet to an RU or EU District, or any lawful existing residential use, provided that such building is so constructed as to prevent the emission of sound and vibration. The 1,000-foot distance requirement shall be measured by following a straight line from the nearest portion of the skating rink structure to the nearest residential property line. For purposes of establishing such distances, the applicant for skating rink use shall furnish a certified survey from a registered surveyor, which shall indicate such distances. In case of dispute, the measurement scaled by the Director of the Department of Planning and Zoning shall govern.

(39.5) Small scale medical facility, subject to the following conditions:

- (1) the site contains less than ten acres; and
- (2) the site has frontage on a major access road, which is limited to either major roadways (3 or more lanes) or frontage roadways serving limited access highways or expressways; and
- (3) no ingress or egress driveways shall be permitted except from the major access road referenced in (2) above; and
- (4) the facility may not exceed four stories or seventy feet in height; and
- (5) the facility shall have capacity for no more than 50 beds; and
- (6) the facility operates a 24-hour emergency room; and
- (7) a minimum 5 foot high masonry wall shall be provided and maintained along all perimeter property lines abutting residentially zoned property, with wall openings only at points approved by both the Directors of the Regulatory and Economic Resources Department and the Transportation and Public Works Department for ingress and egress; and
- (8) outdoor lighting shall be designed to avoid spilling beyond the site boundaries; and
- (9) an annually-renewable certificate of use shall be required.

(40) Supermarkets.

(41) Tailor shops.

(42) Telegraph stations.

(43) Telephone exchange.

(44) Theaters for live stage production and motion pictures.

(45) Variety stores.

(Ord. No. 74-23, § 1, 4-16-74; Ord. No. 76-5, §§ 3, 4, 1-20-76; Ord. No. 77-45, § 1, 7-5-77; Ord. No. 77-69, § 3, 9-20-77; Ord. No. 80-35, § 1, 5-6-80; Ord. No. 81-58, § 2, 5-19-81; Ord. No. 85-37, § 1, 6-6-85; Ord. No. 87-6, § 2, 2-17-87; Ord. No. 90-118, § 1, 11-6-90; Ord. No. 91-92, § 1, 9-16-91; Ord. No. 95-105, § 1, 6-20-95; Ord. No. 95-215, § 1, 12-5-95; Ord. No. 96-127, § 15, 9-4-96; Ord. No. 01-131, § 2, 9-13-01; Ord. No. 02-4, § 2, 1-29-02;

Ord. No. 02-176, § 2, 10-8-02; Ord. No. 02-227, § 1, 11-19-02; Ord. No. 03-80, § 2, 4-8-03; Ord. No. 04-60, § 2, 3-16-04; Ord. No. 09-103, § 1, 11-17-09; Ord. No. 13-76, § 4, 9-4-13; Ord. No. 13-83, § 8, 9-17-13; Ord. No. 15-43, § 1, 6-2-15; Ord. No. 15-107, § 3, 10-6-15; Ord. No. 18-14, § 1, 2-6-18; Ord. No. 18-136, § 3, 11-8-18; Ord. No. 20-20, § 8, 2-19-20; Ord. No. 20-110, § 9, 10-6-20; Ord. No. 25-5, § 3, 1-22-25)

Sec. 33-248. - Setbacks, cubic content, yard area, etc.

Setbacks, cubic content, yard area, lot sizes, etc., shall be as specified in Article II of this chapter.

(Ord. No. 74-23, § 1, 4-16-74)

Sec. 33-249. - Height.

The maximum height of a building shall be four (4) stories and shall not exceed forty-five (45) feet in height.

(Ord. No. 74-23, § 1, 4-16-74)

Sec. 33-250. - Floor area ratio and lot coverage.

The floor area ratio shall be 0.40 at one (1) story and shall be increased by 0.11 for each additional story. Structure parking shall not count as part of the floor area, but shall be counted in computing building height and number of stories. The total lot coverage permitted for all buildings on the site shall not exceed forty (40) percent of the total lot area. Enclosed or nonenclosed mail areas shall not count as part of the floor area for floor area ratio computation purposes, nor as part of the lot coverage.

(Ord. No. 74-23, § 1, 4-16-74)

Sec. 33-251. - Landscaped open space.

The minimum landscaped open space at one (1) story shall be in accordance with the following table:

Size of the Total Lot Area	Percent of the Total Lot Area
Up to one (1) acre	18.0
More than one (1) acre and up to five (5) acres	16.0
More than five (5) acres and up to twenty-five (25) acres	14.0
More than twenty-five (25) acres	12.0

The minimum landscaped open space shall be increased by one and one-half (1.5) percent for each additional story or part thereof. For the purpose of computing the amount of required landscaped open space where the building height varies, the number of stories shall be equal to the sum of the products of the number of stories of each part of the building(s) of a different height times its floor area divided by the sum of the floor area of all parts of the building(s). Said open space shall be extensively landscaped with grass, trees and shrubbery. Water areas may be used as part of the required landscaped open space provided such water areas do not exceed twenty (20) percent of the required landscaped open space. The specific areas within enclosed or nonenclosed malls which are landscaped with grass, trees and/or shrubbery, water areas therein, and area therein with permanent art display may be used as part of the required landscaped open space provided such areas do not exceed ten (10) percent of the required landscaped open space. Landscaping and trees shall be provided in accordance with Chapter 18A of this Code.

(Ord. No. 74-23, § 1, 4-16-74; Ord. No. 95-223, § 1, 12-5-95)

Sec. 33-251.1. - Prohibited uses.

Sale of fruit or merchandise from trucks, wagons or other vehicles parked on or along public or private streets or from open stands or vacant lots shall be prohibited. Such business on private or public property shall be conducted only from within approved permanent substantial buildings.

(Ord. No. 74-23, § 1, 4-16-74)

Sec. 33-251.2. - Enclosed uses.

All uses shall be conducted within completely enclosed buildings, unless otherwise specifically provided herein. All materials and products shall be stored within the building or within an area completely enclosed with walls which have a life expectancy of twenty (20) years or more from the date of installation of said walls. Storage shall not be made above the height of the walls.

(Ord. No. 74-23, § 1, 4-16-74)

Sec. 33-251.3. - Business property adjacent to residential districts.

Where a business lot abuts an AU, GU, RU or EU zoned property, a decorative masonry wall at least five (5) feet in height shall be erected on the business lots along the common property line separating the two (2) districts. Where a dedicated alley separates the two (2) districts, the five-foot decorative masonry wall shall be erected along the business lots adjacent to the alley, permitting only openings for egress and ingress purposes with the smallest width possible for this purpose. Where the business property is a through lot, and the rear of the business lot lies across the street right-of-way from AU, GU, RU or EU zoned property, said wall shall be located on the business lot ten (10) feet in from the official right-of-way line at

the rear of the lot, and the ten-foot strip shall be substantially landscaped. The Director shall determine which part of the lot is the rear property line. No wall will be required along the front property line of the business lot where the same is separated from a residential zone by a street. Where the common property line between the two (2) districts is an interior side property line, the required wall shall extend only to a point fifteen (15) feet from the official front property line.

(Ord. No. 74-23, § 1, 4-16-74)

Sec. 33-251.4. - Reserved.

Editor's note— Section 33-251.4, pertaining to expansion of existing commercial structures, has been deleted as obsolete. The section was derived from Ord. No. 74-23, § 1, adopted April 16, 1974.

Sec. 33-251.5. - Review Procedure/Administrative Site Plan Review (ASPR).

All development shall be reviewed in accordance with Section 33-310.4.

(Ord. No. 19-51, § 24, 6-4-19)

Editor's note— Ord. No. 19-51, § 24, adopted June 4, 2019, repealed the former § 33-251.5, and enacted a new § 33-251.5 as set out herein. The former § 33-251.5 pertained to plan review standards and derived from Ord. No. 74-23 § 1, adopted April 16, 1974; Ord. No. 95-19, § 10, adopted Feb. 7, 1995; Ord. No. 95-215, § 1, adopted Dec. 5, 1995; Ord. No. 95-223, § 1, adopted Dec. 5, 1995; Ord. No. 96-127, § 16, adopted Sept. 4, 1996; Ord. No. 98-125, § 21, adopted Sept. 3, 1998; Ord. No. 99-38, § 11, adopted April 27, 1999; and Ord. No. 12-47, § 2, adopted July 3, 2012.