

Sec. 67. Minimum side yards.

In PB districts, the regulations governing side yards in R-1 and R-2 districts shall apply.

Sec. 68. Minimum rear yards.

In PB districts, the regulations governing rear yards in R-1 and R-2 districts shall apply.

Sec. 69. Maximum height.

In PB districts, no building or structure shall exceed a height of thirty-five (35) feet above grade.

Secs. 70, 71. Reserved.

ARTICLE VII. B-1 NEIGHBORHOOD BUSINESS DISTRICT

Sec. 72. Use and bulk regulations in all business districts.

Use and bulk regulations applying specifically to all business districts are set forth in this article. Also applying to business districts are additional regulations set forth in other articles and sections of this chapter as follows:

Section 4.	Zoning districts, establishment and application.
Section 5.	Rules and interpretation of district boundaries.
Section 6.	General provisions and supplementary district regulations.
Section 7.	Definitions.
Article XIII.	Planned Unit Development Districts.
Article XIV.	Mobile Homes and Mobile Home Parks.
Article XV.	Off-Street Parking and Loading.
Article XVI.	Signs.
Article XVII.	Nonconforming Uses and Nonconforming Buildings.
Article XVIII.	Site Plan Review.
Article XIX [XX].	Administration and Enforcement.
Article XX [XXI, section 246].	Use Variances.

Sec. 73. Purpose.

The purpose of this article is to establish a district designed and intended to accommodate retail, service, office and other miscellaneous uses and Use Variances, which are most compatible with uses typically found in residential neighborhoods.

Sec. 74. Limitations of use.

Permitted uses in the B-1 district are subject to the following additional general limitations:

- (a) Dwelling units are not permitted below the second floor.
- (b) All business establishments shall be retail or service establishments dealing directly with consumers.
- (c) Business establishments classified, as "retail and service" hereinafter are restricted to a maximum gross floor area of twelve thousand five hundred (12,500) square feet each, exclusive of any floor area devoted to off-street parking or loading facilities.
- (d) All permitted uses in this district shall be conducted in completely enclosed buildings, except for off-street parking and loading.
- (e) Establishments of a "drive-in" type offering goods or services directly to customers waiting in parked motor vehicles are not permitted, except for such services, which are clearly incidental to a principal permitted use.

Sec. 75. Permitted uses.

The following listed uses and no others are permitted uses in B-1 districts:

- (a) Retail and service uses as follows:
 - (1) Antique shops.
 - (2) Apparel stores.
 - (3) Art and school supply stores.
 - (4) Art galleries.
 - (5) Bakeries.
 - (6) Banks and financial institutions.
 - (7) Barber shops.
 - (8) Beauty shops and hair styling salons.
 - (9) Book and stationery stores.
 - (10) Camera and photographic supply stores.
 - (11) Carpet, rug, linoleum and tile stores.
 - (12) China and glassware stores.
 - (13) Coin and philatelic stores.
 - (14) Custom dressmaking and millinery shops.
 - (15) Dairy, ice cream and candy shops.
 - (16) Delicatessens.
 - (17) Florist shops and conservatories.

- (18) Gift shops.
- (19) Hobby stores.
- (20) Interior decorating shops.
- (21) Laundries and dry cleaners, automatic, self service coin operated.
- (22) Loan offices.
- (23) Locksmith shops.
- (24) Medical and dental clinics.
- (25) Musical instrument stores, including servicing.
- (26) Optician shops.
- (27) Schools, including music, dance or business.
- (28) Sewing machine stores, household machines only.
- (29) Shoe and hat repair shops.
- (30) Tailor shops.
- (31) Telegraph and facsimile offices.
- (32) Tobacco shops.
- (33) Variety stores.
- (b) Offices, business and professional.
- (c) Miscellaneous uses, as follows:
 - (1) Clubs and lodges (non-profit), fraternal or religious institutions.
 - (2) Electric and gas utilities.
 - (3) Meeting Halls.
 - (4) Post offices.
 - (5) Public libraries.
 - (6) Radio and television broadcasting.
 - (7) Signs, as classified and regulated in Article XVI.
- (d) Residential uses. In B-1 districts, lodging rooms and dwelling units are permitted if business uses occupy the first floor of the same building.
- (e) Uses incidental to principal permitted uses, as follows:
 - (1) Accessory uses.
 - (2) Home occupations.
 - (3) Temporary construction buildings.
- (f) Colleges and universities, including dormitories, fraternities, sororities and other accessory buildings.
- (g) Philanthropic institutes.

- (h) Institutions for the care of patients, such as: hospitals, sanitariums, long-term care and short-term care facilities, rest and convalescent homes.
 - (i) Municipal and privately owned recreation buildings or community centers.
 - (j) Off-street parking lots, parking garages other than accessory, for vehicles not exceeding one ton capacity.
 - (k) Churches.
 - (l) Funeral parlor or mortuary establishment.
- (Ord. No. 2007-07, 6-26-2007; Ord. No. 2020-03, § 12, 2-11-2020)

Sec. 76. Reserved.

Editor's note—Ord. No. 2020-03, § 13, adopted February 11, 2020, repealed § 76 which pertained to use variances.

Sec. 77. Maximum floor area ratio.

In B-1 districts, the floor area ratio of all buildings and structures on a zoning lot shall not exceed 1.5.

Sec. 78. Maximum lot coverage.

The maximum lot coverage in B-1 districts is fifty percent (50%).

Sec. 79. Maximum building height.

The maximum building height in B-1 districts is thirty-five (35) feet.

Sec. 80. Minimum yards.

In B-1 districts, a minimum front yard measuring 25 feet is required. In B-1 districts, there shall be no side yard required along interior side lot lines. On corner lots having a rear yard abutting a residential district, there shall be a minimum setback of twenty (20) feet. On lots bordering a residential district, there shall be a minimum setback of ten (10) feet on the side bordering said residential district. In B-1 districts, a minimum rear yard of twenty (20) feet is required.

Sec. 81. Residential rear yards.

In B-1 districts, a rear yard shall be provided for residential uses located above the first floor. Such yard shall be not less than thirty (30) feet in depth and begin at a level no higher than that of the finished floor of the lowest residential unit. Required rear yards shall be unobstructed from ground level to sky except as otherwise provided in section 6(g)(5), "Permitted obstructions in required yards."

Sec. 82. Residential minimum lot size.

In B-1 districts, for every dwelling unit hereafter established there shall be provided a minimum of one thousand two hundred (1,200) square feet of lot area; except, that for every efficiency dwelling unit hereafter established there shall be provided a minimum of eight hundred (800) square feet of lot area, and for every lodging room hereafter established there shall be provided a minimum of six hundred (600) square feet of lot area.

ARTICLE VIII. B-2 CENTRAL BUSINESS DISTRICT**Sec. 83. Purpose.**

The purpose of this article is to establish a district designed and intended to accommodate retail, service, office and other miscellaneous uses and Use Variances which are most compatible with uses typically found in downtown business districts contained within a concentrated area and offering a broad range of uses.

Sec. 84. Limitations of use.

Permitted uses in the B-2 district are subject to the following additional general limitations:

- (a) Dwelling units are not permitted below the second floor, on lots, which contain a business use.
- (b) All business establishments shall be retail or service establishments not to exceed 3,500 square feet of gross floor area, and dealing directly with consumers, except for wholesale establishments where storage of merchandise is limited to samples.
- (c) All permitted uses in this district shall be conducted in completely enclosed buildings, except for off-street parking and loading; and outdoor sales of retail items may be sold only if:
 - (1) the sale takes place on the same property where a permanent retail business is located,
 - (2) the items sold are among the permitted uses listed for this district,
 - (3) the items are sold by the same owners of the permanent business,
 - (4) said outdoor sales shall not result in a lack of compliance with any other required provision of this chapter, such as setback, parking, etc., and
 - (5) the outdoor sale is a temporary, infrequent, special event sponsored by the downtown merchants, and approved by the Porter Town Council.
- (d) Establishments of a "drive-in" type offering goods or services directly to customers waiting in parked motor vehicles are not permitted, except for such services which are clearly incidental to a principal permitted use, or stand-alone automatic teller machines.

(Ord. No. 2007-07, 6-26-2007)

Sec. 85. Permitted uses.

The following listed uses and no others are permitted uses in B-2 districts:

- (a) Any use permitted in B-1 districts.
- (b) Additional retail and service uses, as follows:
 - (1) Clothing/costume rental shop.
 - (2) Convenience printing establishments.
 - (3) Convenience stores.
 - (4) Drug stores or convenience pharmacy.
 - (5) Dry cleaning and laundry receiving stations, (retail only, no plant).
 - (6) Electric, household appliance, television and radio stores.
 - (7) Employment agencies.
 - (8) Furrier shops, including storage.
 - (9) Garden supply and seed stores.
 - (10) Grocery store.
 - (11) Haberdashery stores.
 - (12) Hardware stores.
 - (13) Jewelry stores, including watch repairs.
 - (14) Leather goods and luggage stores.
 - (15) Liquor stores, package goods only, not for consumption on premises.
 - (16) Machinery sales rooms, excluding repair or servicing. The storage and display of machinery, except for household appliances and office machines such as typewriters and computers, shall be restricted to new floor samples.
 - (17) Newspaper offices.
 - (18) Office supply stores.
 - (19) Paint and wallpaper stores.
 - (20) Pawn shops.
 - (21) Pet shops.
 - (22) Photograph developing and processing shops.
 - (23) Physical culture and health spas privately owned and operated. Such centers may include gymnasiums, swimming pools, reducing salons, karate and judo studios and the like.
 - (24) Picture framing establishments.
 - (25) Planned unit developments, business.
 - (26) Radio and television sales, repair and service shops.

- (27) Restaurants—no drive-through unless approved as use variance.
 - (28) Shoe stores.
 - (29) Sporting goods stores.
 - (30) Taverns, including live entertainment and dancing and the service of liquor in conjunction.
 - (31) Theaters, except for drive-in theaters.
 - (32) Ticket agencies and travel bureaus.
 - (33) Upholstering shops.
 - (c) Miscellaneous uses, as follows:
 - (1) Laboratories, including medical and dental, research and testing.
 - (2) Restricted production and repair, limited to the following: Art needle-work and hand weaving; clothing, custom industrial and altering for retail only; jewelry; watches; dentures; optical lenses; shoes; and other similar craft and professional services.
 - (d) Residential uses:
 - (1) In B-2 districts, single family dwelling units are permitted on blocks on which the current frontage is at least 50 percent single family residential, and must satisfy the requirements of the R-2 District.
 - (e) Bus terminals.
- (Ord. No. 2007-07, 6-26-2007; Ord. No. 2019-09, § 5, 8-13-2019; Ord. No. 2020-03, § 14, 2-11-2020)

Sec. 86. Maximum building height.

The maximum building height permitted in a B-2 district is 35 feet.
(Ord. No. 2024-08, § 1, 7-9-2024)

Sec. 87. Maximum floor area ratio.

In B-2 districts, the floor area ratio of all buildings and structures on a zoning lot shall not exceed 3.0.

Sec. 88. Required yards.

In B-2 districts, there shall be no minimum front setback requirement. In B-2 districts, regulations governing required side and rear yards in B-1 districts shall apply.

Sec. 89. Residential rear yards.

In B-2 districts, regulations governing residential rear yards in B-1 districts shall apply.

Sec. 90. Residential minimum lot size.

In B-2 districts, for every dwelling unit hereafter established there shall be provided a minimum of one five hundred (500) square feet of lot area; except, that for every efficiency dwelling unit hereafter established there shall be provided a minimum of three hundred fifty (350) square feet of lot area, and for every lodging room hereafter established there shall be provided a minimum of two hundred and fifty (250) square feet of lot area.

ARTICLE IX. B-3 GENERAL BUSINESS DISTRICTS**Sec. 91. Purpose.**

The purpose of this article is to establish a district designed and intended to accommodate retail, service, office and other miscellaneous uses and Use Variances which are most compatible with uses typically located along minor and major arterial local roads and county, state and federal highways. Access is provided to customers arriving in vehicles.

Sec. 92. Limitations of use.

Permitted uses in the B-3 district are subject to the following additional general limitations:

- (a) Dwelling units and lodging rooms other than those located in a transient hotel or motel are not permitted.
- (b) All businesses, services, processing or storage shall be conducted in completely enclosed buildings unless said open storage is a minimum of one hundred fifty (150) feet from any residential district, and then only if said open storage is completely invisible by reason of a wall or opaque fence, or as otherwise indicated hereafter, and except when establishments of the "drive-in" type offer goods and services directly to customers waiting in parking motor vehicles.
- (c) Outdoor sales of retail items may be sold only if:
 - (1) the sale takes place on the same property where a permanent retail business is located,
 - (2) the items sold are among the permitted uses listed for this district,
 - (3) the items are sold by the same owners of the permanent business,
 - (4) said outdoor sales shall not result in the lack of compliance with any other required provision of this chapter, such as setback, parking, etc.

Sec. 93. Permitted uses.

The following listed uses and no others are permitted uses in B-3 districts:

- (a) Any use permitted in B-2 districts except dwelling units, churches, parks, and playgrounds.

(b) Additional retail and service uses, as follows:

- (1) Ambulance services.
- (2) Amusement establishments, including miniature golf, video game parlors, pool halls, and other similar uses.
- (3) Animal hospitals, pounds and shelters; provided that all activities that take place for the care and boarding of animals, except for exercise runs, shall be conducted in completely enclosed buildings.
- (4) Auctions.
- (5) Automobile accessory stores.
- (6) Automobile service stations or filling stations; provided that no automobile service station shall be hereafter erected except on a lot on the corner of an intersection of two streets, or on a lot situated on a corner where one street runs into another at a "T" intersection. In such instances the lot on which the service station is located shall have not less than 100 feet frontage on one street and not less than 150 feet frontage on the other street. Such service stations shall have entrances no closer than 75 feet from the intersection of curb lines.
- (7) Battery, brake and tire sales and service stations.
- (8) Bicycle stores, including rental and repair.
- (9) Blueprinting and Photostatting establishments.
- (10) Boat sales, motor and sail, including servicing and repairs conducted in conjunction therewith.
- (11) Car washes and auto laundries.
- (12) Caskets and casket supplies.
- (13) Clothing and costume rental shops.
- (14) Dry cleaning plants.
- (15) Feed and seed stores.
- (16) Frozen food lockers.
- (17) Greenhouses and nurseries.
- (18) Commercial laundries.
- (19) Linen, towel, diaper and other similar services.
- (20) Live bait stores.
- (21) Machinery sales.
- (22) Mobile home sales.
- (23) Monument sales.
- (24) Motor home sales, camper and motor vehicle trailer sales.

- (25) Motor vehicle sales, including servicing and repairs conducted in conjunction therewith.
 - (26) Motorcycle sales, including servicing and repairs conducted in conjunction therewith.
 - (27) Orthopedic, medical and surgical supply stores.
 - (28) Parking lots, open and other than accessory for the storage of private passenger automobiles.
 - (29) Plumbing, electric and other building material showrooms/sales.
 - (30) Restaurant, hotel and bar fixture stores.
 - (31) Second hand stores and rummage shops.
 - (32) Taxidermists shops.
 - (33) Undertaking establishments and funeral parlors.
 - (34) Lumberyards.
 - (35) Roofing materials sales.
 - (36) Warehouses, mini, personal type.
 - (c) Public and community service uses, as follows:
 - (1) Libraries.
 - (2) Police stations.
 - (3) Fire stations.
 - (4) Other such public uses.
 - (d) Residential uses, as follows:
 - (1) Motels and transient hotels.
- (Ord. No. 2020-03, § 16, 2-11-2020)

Sec. 94. Maximum building height.

The maximum building height permitted in a B-3 district is 35 feet.
(Ord. No. 2024-08, § 2, 7-9-2024)

Sec. 95. Maximum floor area ratio.

In B-3 districts, the floor area ratio of all buildings and structures on a zoning lot shall not exceed 5.0.

Sec. 96. Required yards.

In B-3 districts, regulations governing required yards in B-1 districts shall apply.

Secs. 97—101. Reserved.