

SECTION 11            B – BUSINESS DISTRICT

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**1101**      Intent (Amended 8/11/09)

To provide areas for retail business uses in balance with residential development as an integral part of the community providing essential services and employment opportunities that are conveniently and efficiently located to reduce unnecessary commuting, protect air quality and facilitate the cost-effective provision of services. Adequate facilities, such as roads, water and sanitation, fire protection, emergency service, and public utilities shall be available to serve the development. Growth should occur in a phased and contiguous manner to save on the costly, premature extension of basic infrastructure.

Development within this district is encouraged in compact centers rather than in extended strips of development along roadways so as to provide for orderly development, minimized traffic congestion, and provide for safe pedestrian movement. Business centers shall be located so as to minimize conflicts with residential and agricultural uses, wildlife habitats/corridors, and environmentally and visually sensitive areas in accordance with the intent of the Douglas County Comprehensive Master Plan, as amended. Offices may serve as a transition between urban residential and major commercial or industrial areas.

The B zone district is characterized by retail business buildings situated in a landscaped setting with landscaped off-street parking areas. Site improvements including landscaping shall be provided and designed to minimize the impact on adjacent residential uses and maintain the appearance and visual quality of the County. A site improvement plan is required prior to the use of the lot for any purpose. Typical uses include drug stores, flower shops, book stores and other general merchandise stores, offices, banks, private clubs, and public recreational areas. Development or use of land in this district is permitted only in accordance with the provisions herein. Land disturbance activities may require permit(s).

**1102**      Principal Uses (Amended 6/22/05)

The following uses shall be allowed upon the approval of, and in accordance with, a Site Improvement Plan in accordance with Section 27 of this Resolution, and shall be conducted entirely within an enclosed building, unless exempted by the Director. The Director may determine other similar uses as appropriate.

- 1102.01      Automobile service station with gasoline pumps
- 1102.02      Bank/financial institution (*including drive-up facility*)
- 1102.03      Bar/lounge
- 1102.04      Club/country club

- 1102.05 Community uses:
- Church
  - Cultural facility
  - Fire station
  - Library
  - Open space/trails
  - Park/playground
  - Recreation facility – Indoor
  - School – including college or university and related facilities
  - Sheriff substation
- 1102.06 Day-care center – (*outdoor play area shall be enclosed by 6' fence*)
- 1102.07 Event Center (*Amended 4/28/15*)
- 1102.08 Firing range – indoor
- 1102.09 Hospital (*helipad permitted as an accessory use*)
- 1102.10 Hotel/motel, including conference or convention facilities located within the principal building
- 1102.11 Nursing or convalescent home and other extended-care facilities
- 1102.12 Office
- general, medical, dental, professional, governmental
  - temporary (*refer to Section 22*)
- 1102.13 Parking lot – public or private
- 1102.14 Restaurant/fast-food establishment
- 1102.15 Retail/service business – indoor
- 1102.16 Retirement home
- 1102.17 Seasonal use (*refer to Section 22A*)
- 1102.18 Theater – indoor
- 1102.19 Utility service facility
- 1102.20 Veterinary clinic or hospital – animals shall be confined in an enclosed building which is part of the principal structure

### 1103 Accessory Use

The following shall be allowed only when a principal use has been established on the lot:

- 1103.01 Accessory uses and buildings *(Amended 5/27/14)*
- 1103.02 Satellite dish
- 1103.03 Single or multifamily residence for management or employees *(provided unit is incorporated into principal structure)*

### 1104 Uses Permitted by Special Review *(Amended 6/22/05)*

The following uses are permitted, upon approval by the Board, in accordance with Section 21, Use by Special Review, of this Resolution. *(Amended 3/26/24)*

- 1104.01 Heliport
- 1104.02 Residence
  - Group home *(Amended 5/10/16)*
  - Group home for registered sex offenders
  - Group Residential Facility
  - Multifamily – apartments, condominiums
- 1104.03 Utility – major facility

1105 Minimum Lot Area: none

1106 Water and Sanitation Requirement

All uses shall be served by a central water and sanitation facility.

1107 Utilities

All public utility distribution lines shall be placed underground.

1108 Land Dedication

A portion of the gross site area shall be dedicated to Douglas County for public use, or cash-in-lieu of land as required by the Douglas County Subdivision Resolution.

**1109**      Street Standards

Construction of paved streets in accordance with the Douglas County Roadway Design and Construction Standards, Storm Drainage Design and Technical Criteria manual, and other applicable County regulations.

**1110**      Parking Standards

Parking shall be provided as shown on the approved USR Plan Exhibit or Site Improvement Plan prepared in accordance with Section 21, Use by Special Review, or Section 27, Site Improvement Plan; and 28 Parking Standards, of this Resolution. *(Amended 3/26/24)*

**1111**      Landscaping Requirement

Each lot shall be landscaped as shown on the approved landscape plan prepared in accordance with Section 21, Use by Special Review, or Section 27 Site Improvement Plan, of this Resolution. Areas to be landscaped include the lot area within the required setback from the street, parking areas, and other areas as required. *(Amended 3/26/24)*

**1112**      Minimum Setbacks

Street	SETBACK FROM:		
	LSB/B/C	LI/GI	RES/AG/OS
Regional/major arterial: 75' minor arterial: 40' collector/local: 20**	no setback	25'	60'

\* No parking shall be located within this setback.

The setback is measured from the lot line to the wall of the structure horizontally and perpendicular to the lot line. *(See illustration in the Definition Section.)*

**1113**      Encroachments

- 1113.01      A cornice, canopy, eave, fireplace, wing wall or similar architectural feature may extend 3 feet into a required setback. Fire escapes may extend 6 feet into a required setback.
- 1113.02      A building permit shall not be issued for any structure which is to be located within an easement unless written approval by the easement holder(s) is provided.
- 1113.03      Utility distribution lines and related equipment commonly located along property lines may be located within a required setback. A neighborhood substation or gas regulator/meter station shall meet the required setbacks.

**1114     Building Height**

Maximum building height: 60 feet

- 1114.01     The maximum building height shall not apply to belfries, cupolas, penthouses or domes not used for human occupancy, roof-mounted church spires, chimneys, skylights, ventilators, water tanks, silos, parapet walls, cornices, antennas, utility poles and necessary mechanical appurtenances usually carried above the roof level.
- 1114.02     The maximum height of a roof-mounted church spire shall not exceed 1.62 times the height of the church. The church height shall be measured from the main level finished floor (*walk-out level excluded*) to the highest roof peak. The height of the roof-mounted spire shall be measured from the top of the spire to the finished floor of the lowest walkout level of the church. (*refer to Section 36 building height definition – spire height calculation*)
- 1114.03     The maximum height of a parapet wall shall be established on the approved USR Plan Exhibit or Site Improvement Plan based on overall mass and bulk and its compatibility with the surrounding area. (*Amended 3/26/24*)
- 1114.04     The height of a ham radio antenna shall be no greater than the distance to the nearest lot line, except, engineered structures which shall be in compliance with the minimum setbacks. (*refer to Section 27A for cell sites and Section 21 for telecommunication facilities*)
- 1114.05     All roof-mounted equipment (*mechanical, ventilating, antennas*) shall be properly screened, with the exception of solar collectors/heaters.

**1115     Fencing Standards (*Amended 3/26/24*)**

Fencing shall be allowed, as shown on the approved USR Plan Exhibit or Site Improvement Plan, in accordance with the following standards:

- 1115.01     Fences, walls, or hedges shall not be erected in the public right-of-way, but shall be allowed within a setback. A building permit is required for any retaining wall greater than 4 feet in height or for any fence or wall greater than 6 feet in height, or as required by the Building Code, as amended and adopted by Douglas County.
- 1115.02     Solid fences, walls, or hedges shall not exceed 4 feet in height when located in the required setback from a street.
- 1115.03     Fences, walls, or hedges shall be erected and maintained in a manner which does not obstruct the vision of automobile traffic on streets, rights-

of-way, or driveways in accordance with the Douglas County Roadway Design and Construction Standards manual.

- 1115.04 Fences, walls, or hedges shall be maintained in good structural or living condition. The landowner is responsible for the repair or removal of a fence, wall, or hedge, which constitutes a public safety hazard by reason of inadequate maintenance, dilapidation, obsolescence, or abandonment.
- 1115.05 Fences constructed of woven wire or ornamental iron which are a minimum of 80% open may be constructed with no height limitation; however, a building permit may be required by the Building Code, as amended and adopted by Douglas County.
- 1115.06 Barbed, electrically charged, concertina, or razor wire or other hazardous materials used for fencing shall be prohibited.
- 1115.07 Swimming pools shall be enclosed by a fence or wall that meets or exceeds the requirements of the Building Code, as amended and adopted by Douglas County.

1116 Outdoor Storage

Outdoor storage shall be permitted only upon the approval of the Board or the Director, as shown on the approved USR Plan Exhibit or Site Improvement Plan, as applicable, in accordance with the outdoor storage standards set forth in the C – Commercial District of this Resolution. *(Amended 3/26/24)*

1117 Sign Standards – Refer to Section 29 of this Resolution

1118 Lighting Standards – Refer to Section 30 of this Resolution

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