

## SECTION 12

### “HBD” HISTORIC BUSINESS DISTRICT

#### 12-010 PURPOSE

This district provides for small-scale retail, entertainment, municipal and personal service uses that meet the regular needs of the City. Uses that require larger scale structures or spaces than those generally found in the district or that will generate excessive parking needs should locate in one of the General Business Districts. All uses shall preserve the structural fabric and scale of the district. To preserve or recapture the original character and integrity of this district, all new development or rehabilitation of existing structures shall be held to the standards defined in the *Design Guidelines for Tonganoxie’s Central Business District*.

#### 12-011 DEVELOPMENT STANDARDS

##### a. General Requirements

1. Temporary exterior display of merchandise on sidewalk areas immediately adjacent to the business shall be allowed only during the regular business hours of the business for which they are displayed. No less than one-half of the width of the walkway shall be clear space and merchandise shall not interfere with pedestrian circulation.
2. No exterior display yards shall be allowed. However other outside sales and display areas may be permitted in the side or rear yard on a permanent basis upon approval of a special use permit obtained pursuant to the provisions of Section 22.020.e.
3. Placement of fixtures required in connection with a designated patio or courtyard eating area adjacent to a restaurant shall be allowed.
4. All business shall be conducted within a completely enclosed building except for parking and loading/unloading, and outdoor sales and display areas as permitted by Sections 12-011.a.1 and 12-011.a.2. Any drive-in or drive-thru business shall be subject to Site Review approval.
5. All buildings shall incorporate windows and/or showcases into sidewalk facades at the street level to encourage pedestrian traffic.
6. Sites or parcels where structures have been severely damaged, destroyed or removed due to deterioration shall be considered buildable for re-development purposes. All re-development shall conform to all use and development standards for this district except for minimum lot size or width.
7. Service vehicles or equipment parked or stored on site shall be within an enclosed structure or fully screened yard. All vehicles and equipment must be licensed and/or registered as required by the State of Kansas.
8. No temporary storage structures or moveable containers shall be permitted.

#### 12-012 ALLOWED USES

##### a. Residential Uses

1. Limited lodging facilities such as bed & breakfast, rooming or boarding house
2. Residential use shall be allowed in the form of apartment(s) as an accessory use with the following limitations:

- (a) When the apartment(s) occurs on the same level as the store front, the apartment shall not consist of more than 50% of the gross floor area.
  - (b) The apartment(s) shall not be accessible from the common store front entrance.
  - (c) The width of the store front may not be reduced to add an apartment(s) except for accommodating access to an upper, lower or rear apartment.
3. Accessory uses as subordinate, incidental and compatible to the efficient operation of the main use of the site.
  4. Please refer to Appendix A for a list of suggested, permitted uses.

b. Institutional:

1. General uses such as museum, library, art center, church, lodge or fraternal organization, mortuary or funeral home
2. Educational uses such as private or group instruction in the arts or athletics, technical and professional training classes, university or college satellite classes.
3. Municipal and governmental service offices or centers

c. Commercial:

1. Retail, office and service businesses such as medical or dental office or clinic, legal and administrative services, financial institution, restaurant, retail outlet, clothing store, specialty shop, tradesmen, and other similar uses.

d. Prohibited:

1. Any business using highly flammable or hazardous material is prohibited unless the business files an approved Fire Plan with the City Fire Department.

12-013 AREA REGULATIONS

Any existing parcel as of the approval of this ordinance shall be considered buildable. All remaining development regulations shall be enforced.

Minimum area for new lots is 3000 square feet

Minimum width for new lots shall be thirty (30) feet

12-014 HEIGHT REGULATIONS

No building shall exceed two and one-half (2½) stories or thirty-five (35) feet in height except as provided in Section 23 Supplemental District Regulations.

12-015 REQUIRED SETBACKS

No setbacks are required unless abutting a residential use or zone. In that case, the minimum side setback shall be ten (10) feet and the minimum rear setback shall be fifteen (15) feet.

12-016 PARKING

There are no off-street parking requirements in the Historic Business District, except there shall be one (1) parking space for each dwelling unit, and except for the requirements for special parking set out in Section 20.

12-017 SIGNS

Please refer to Section 25, Signs, of this Ordinance

(Ord. 1289, Ord. 1365)