

Section 11  
**BUSINESS DISTRICTS**

- 11.1 Purpose
- 11.2 B-1 Neighborhood Business District
- 11.3 B-2 General Business District
- 11.4 Adult-Use Cannabis Dispensing Organization

11.1 **PURPOSE:**

The Business Districts set forth herein are established to protect public health and promote public safety, comfort, convenience and the general welfare, and to protect the economic base of the Village and the value of property. These general purposes include, among others, the following specific objectives:

- A. To promote the most desirable use of land in accordance with a well considered plan so that adequate space is provided in appropriate locations for the various types of business uses, thereby protecting and strengthening the economic base of the village.
- B. To place in separate districts those businesses which may create noise, odors, hazards, unsightliness or which may generate excessive traffic.
- C. To permit selected business uses in districts where adjacent to or inclusion in a residential area has sufficient elements of service or convenience to such areas to offset the disadvantage.
- D. To encourage the grouping in appropriate locations of compatible business uses which will tend to draw trade that is mutually interchangeable and so promote public convenience and business prosperity and contribute to the alleviation of traffic and pedestrian congestion.
- E. To provide for the establishment of off-street parking facilities, permitted and required, so as to alleviate traffic congestion and so promote shopping convenience and business prosperity.

11.2 **B-1 NEIGHBORHOOD BUSINESS DISTRICT:** *Amended, 19-26, 08-11, 06-28, 05-05, 00-41, 00-29*

- A. **Legislative Intent:** The purpose of the B-1 Neighborhood Business District is to provide areas for a limited range of business and commercial establishments which offer convenience goods and services to residents located in the general vicinity of the district.
- B. **Permitted Uses:** Permitted uses in the B-1 Neighborhood Business District can be found in Appendix A of this Zoning Code.
- C. **Special Uses:** Special uses in the B-1 Neighborhood Business District can be found in Appendix A of this Zoning Code.

More than one special use may be applicable to or combined in one building or on one lot. Applications for special use permits where more than one such use is applicable to any one building or lot may be combined for public hearing purposes, but the Village may consider each special use relative to its own merits or impacts as well as their combined effect at its sole discretion. Intensification of an existing special use shall be deemed sufficient cause to require a subsequent public hearing and consideration by the Village of issuance of an additional or amended special use permit.

- D. Accessory Uses: Permitted accessory uses shall include, but not be limited to the following:
1. Accessory uses as listed in Section 7.
  2. Architectural and landscaping embellishments
  3. Automatic vending machines if located in the interior of an establishment, and as regulated by this Code if located on the exterior of an establishment.
  4. Temporary buildings or construction trailers for the management of construction during construction only, as regulated in this Code.
  5. Temporary storage of building materials during construction only as regulated in this Code.
- E. Area and Bulk Regulations: See Exhibit A, Area and Bulk Chart Regulations.
- F. Off-Street Parking Regulations: Adequate provision shall be made in all cases for off-street parking and loading facilities in accordance with the provisions of Section 17.08.
- G. General Regulations:
1. All buildings, structures and uses, whether permitted, special or accessory uses, shall undergo architectural and site plan review and approval by the Village in accordance with Section 19.04 and Chapter 16 of the Lakewood Municipal Code.
  2. For additional regulations and requirements pertaining to the B-1 Neighborhood Business District, see Section 17.05.
- H. Building Lot Coverage, Impervious Surface Coverage and FAR: For each lot less than 10,000 square feet, the FAR in the B-1 Neighborhood Business District shall be no more than .5, impervious surface coverage shall not exceed 60% of the lot, and building lot coverage shall not exceed 55%. See also Exhibit A, Area and Bulk Chart Regulations.

For each lot which is 10,000 square feet or more, in the B-1 Neighborhood Business District, the FAR for such lot in the B-1 Neighborhood Business District shall be no more

than .4, impervious surface coverage shall not exceed 70% of the lot, and building lot coverage shall not exceed 65%. See also Exhibit A, Area and Bulk Chart Regulations.

### 11.3 B-2 GENERAL BUSINESS DISTRICT *Amended 19-26*

- A. Legislative Intent: The purpose of the B-2 General Business District is to provide areas along arterial and collector streets for business and commercial establishments which offer goods and services for a larger consumer population than the more restrictive B-1 Neighborhood Business District.
- B. Permitted Uses: Permitted uses in the B-2 General Business District can be found in Appendix A of this Zoning Code.
- C. Special Uses: Special uses in the B-1 General Business District can be found in Appendix A of this Zoning Code
- D. Accessory Uses: Permitted accessory uses shall include, but not be limited to the following:
  - 1. Accessory uses as listed in Section 7.
  - 2. Architectural and landscaping embellishments
  - 3. Automatic vending machines if located in the interior of an establishment, and as regulated by this Code if located on the exterior of an establishment.
  - 4. Temporary buildings or construction trailers for the management of construction during construction only, as regulated in this Code.
  - 5. Temporary storage of building materials during construction only as regulated in this Code.
- E. Area and Bulk Regulations: See Exhibit A, Area and Bulk Chart Regulations.
- F. Off-Street Parking Regulations: Adequate provision shall be made in all cases for off-street parking and loading facilities in accordance with the provisions of Section 17.08.
- G. General Regulations:
  - 1. All buildings, structures and uses, whether permitted, special or accessory uses, shall undergo architectural and site plan review and approval by the Village in accordance with Section 19.04 and Chapter 16 of the Lakewood Municipal Code.
  - 2. For additional regulations and requirements pertaining to the B-1 Neighborhood Business District, see Section 17.05.

H. Building Lot Coverage, Impervious Surface Coverage and FAR: For each lot less than 10,000 square feet in the B-2 General Business District, the FAR for such lot shall be no more than .5, impervious surface coverage shall not exceed 60% of the lot, and building lot coverage shall not exceed 55%. See Exhibit A, Area and Bulk Chart Regulations.

For each lot which is 10,000 square feet or more, the FAR for such lot in the B-2 General Business District shall be no more than .4, impervious surface coverage shall not exceed 70% of the lot and building lot coverage shall not exceed 65%. See Exhibit A, Area and Bulk Chart Regulations.

#### 11.4 ADULT-USE CANNABIS DISPENSING ORGANIZATION 2019-38

No more than one Adult-Use Cannabis Dispensing Organization is permitted as a special use and only in the Adult-Use Cannabis Dispensing Organization Overlay District provided that each of the following factors are adequately addressed:

1. Impact of the proposed Adult-Use Cannabis Dispensing Organization on existing or planned uses located within the vicinity of the subject property.
2. Proposed structure in which the Adult-Use Cannabis Dispensing Organization will be located, including co-tenancy (if in a multi-tenant building), total square footage, security installations/security plan and building code compliance.
3. Hours of operation and anticipated number of customers/employees.
4. Anticipated parking demand and available private parking supply.
5. Anticipated traffic generation in the context of adjacent roadway capacity and access to such roadways.
6. Site design, including access points and internal site circulation.
7. Proposed signage plan.
8. Provide a copy of the state license.

Compliance with the following:

1. Adult-Use Cannabis Dispensing Organization shall not be located within 1,500 feet of the property line of a pre-existing public or private nursery school, preschool, primary or secondary school, day care center, day care home or residential care home. Learning centers and vocational/trade centers shall not be classified as a public or private school for purposes of this Section.
2. Adult-Use Cannabis Dispensing Organization shall not conduct any sales or distribution of cannabis other than as authorized by the Cannabis Regulation and Tax Act.
3. Adult-Use Cannabis Dispensing Organization shall file an affidavit with the Village affirming compliance with all requirements of the Cannabis Regulation and Tax Act

on each anniversary of the date of adoption of any ordinance approving such conditional use.

Additional Requirements: Adult-Use Cannabis Dispensing Organization shall install building enhancements, such as security cameras, lighting and other improvements to ensure the safety of employees and customers of the adult-use cannabis business establishments, as well as its environs. Said improvements shall be determined based on the specific characteristics of the site design for an Adult-Use Cannabis Dispensing Organization and the site on which it is located, consistent with the requirements of the Cannabis Regulation and Tax Act.

The following methods of sale of cannabis by Adult-Use Cannabis Dispensing Organization are prohibited:

1. Drive-through windows;
2. Vending machines;
3. Transport of cannabis to residences or other locations where purchasers may be for delivery.

An Adult-Use Cannabis Dispensing Organization is only allowed to operate in accordance with the following requirements:

1. Operation is only allowed between 6:00 a.m. and 10:00 p.m. local time.
2. Operation is prohibited when video surveillance equipment is inoperative.
3. Operation is prohibited when point-of-sale equipment is inoperative.
4. Operation is prohibited when the state's cannabis electronic verification system is inoperative.
5. Operation is prohibited when there are fewer than two people working at any time within a dispensing organization.

In addition, the term Adult-Use Cannabis Dispensing Organization shall be added to the "Use" list in Appendix A and shall be shown as a special use within the B-2 District, and accompanied by a footnote that provides "Pursuant to the definition in Section 3, Chapter 17, and the requirements of Section 4.1 of Section 4 as well as Section 11.4 of Section 11 of Chapter 17, and there shall be no more than one Adult-Use Cannabis Dispensing Organization in the Adult-Use Cannabis Dispensing Overlay District."