

11.05. B-4, Highway Business District

- (a) *Legislative intent.* The B-4, Highway Business District is intended to accommodate a wide range of specialized commercial and business uses including highway-oriented service and commercial-recreation types of establishments to serve a trade area embracing the City and inter-community traffic through the City.

- (b) *Allowed uses.* The following uses are allowed:
 - (1) Amusement establishments - bowling alleys, billiard parlors, gymnasiums, swimming pools, skating rinks, and miniature, pitch and putt, par-3 or standard courses, golf driving ranges, swimming pools and clubs and recreation centers containing one or more of the above uses.

 - (2) Appliance stores.

 - (3) Auction rooms.

 - (3a) Automobile services and repair shops.(Added as #66)

 - (3b) Automobile service stations.(Added as #67)

 - (3c) Automobile mart. Any building or premises used for dispensing, sale, or offering for sale at retail, any possible fuels or other forms of energy that assist automobile movement, having pumps and storage tank, but no repair services, also offering for retail sale convenience items with or without on-site consumption of food. (Added as #68)

 - (4) Automotive sales; for the sale of new and used automobiles and including auxiliary service and repairs in conjunction with, if conducted wholly within a completely enclosed building.

 - (5) Automotive accessory store, including, but not limited to, batteries, tires, engine parts, along with on-site repair of autos or replacement of sold items, if in an enclosed building.

 - (6) Banks or financial institutions.

 - (7) Blue printing or photostating establishments.

 - (8) Boat and marine showroom and sales.

 - (9) Building material sales with outdoor storage when the area for outside storage is completely surrounded by a uniformly painted solid fence or wall

not over eight (8) feet in height and no storage shall project higher than the height of the fence or wall.

- (10) Business machine sales and service.
- (11) Business schools.
- (12) Carpet and rug stores.
- (13) Casket sales and supplies.
- (14) Catering establishments.
- (15) Clothes stores.
- (16) Clubs or lodges.
- (17) Commercial printing.
- (18) Contractor's offices and shops.
- (19) Department stores; offering for sale at retail some or all of the goods allowed in the B-1 and B-2 districts.
- (19a) Drive-through facilities that are appropriate for an existing business and not disruptive to neighboring property uses. (Amended by Ordinance No. 4364 October 30, 2006)
- (20) Dry cleaning and laundry establishments.
- (21) Electronic communication and equipment sales.
- (22) Equipment rental and leasing service; home, office, business and industrial.
- (23) Exterminator shops.
- (24) Feed and seed stores.
- (25) Food stores, grocery stores, meat markets, and frozen foods.
- (27) Furniture stores.
- (28) Garages, storage or off-street parking lots or structures.
- (29) Greenhouses; retail and wholesale items.

- (30) Halls; capable for use as meeting rooms, party rooms and dance halls with or without live entertainment, food service and alcohol.
- (31) Home supply centers.
- (32) Hotels, motels or lodging houses.
- (32a) Lawn and garden centers. (Amended by Ordinance No. 4364 October 30, 2006)
- (33) Linen, towel and diaper service.
- (34) Linoleum or tile.
- (35) Live bait stores.
- (36) Machine, sheet metal, or welding shops - provided a building for such a use shall contain not more than 5,000 square feet of floor area, and operations are within the enclosed building, and glare from welding operations is not visible from outside the building.
- (37) Machinery and equipment sales establishments, construction and agriculture.
- (38) Machinery rental and sales.
- (39) Meat markets, including sale of meats to restaurants, clubs, hotels, institutions, and similar establishments.
- (39a) Medical clinics, supplies, and accessories. (Added as #69)
- (40) Mini-warehouses.
- (41) Monument sales.
- (42) Movie theatres; indoor.
- (43) Newspaper distribution agencies, or newspaper offices & printing.
- (44) Offices; general or professional.
- (45) Offices; physicians, surgeons, dentists, architects, engineers, lawyers or other professionals.
- (46) Parcel delivery stations.

- (47) Pawn shops.
- (48) Photograph developing and processing shops.
- (49) Pet shops.
- (50) Paint or wallpaper stores.
- (51) Printing, commercial.
- (52) Public garages.
- (53) Publishing of newspapers.
- (53a) Recreational vehicle and equipment sales and service. (Added as #70)
- (54) Restaurants, including drive-in, drive-through, or fast food establishments.
- (55) Second hand thrift stores; if conducted wholly within a completely enclosed building.
- (56) Sign painting establishments.
- (57) Snowmobile sales and service.
- (58) Studios; commercial, photographic, recording, radio and television.
- (59) Swimming pools and accessories.
- (60) Taverns and bars, except adult use.
- (61) Taxicab dispatching office facility; including accessory communications equipment.
- (62) Temporary buildings; on the premises for construction purposes for a period not to exceed the duration of such construction.
- (63) Temporary uses of special events; for a period not to exceed seventy-two (72) hours; as approved by the City Council at least ten (10) days before the event.
- (64) Video rentals.

- (6.5) Wholesale and warehouse establishments - except for the sales or storage of flammable liquids, materials or gases, except those that are in the original sealed containers.

(Allowed uses. Amended by Ordinance No 4013 December 15, 2003)

(c) *Accessory uses.*

- (1) Those customarily incidental to the allowed uses.
- (2) Signs; per regulations in Article VIII of this Ordinance.
- (3) Communication devices; per regulations in Section 6.02 of this Ordinance.

(d) *Special uses.* The following uses are allowed as special uses when authorized by the City Council subject to the standards set forth in Section 15.12 of this Ordinance:

- (1) Ambulance services.
- (2) Animal hospital or kennels.
- (3) Automobile, bus and truck laundries; provided traffic congestion is minimized.
- (4) Automobile diagnostic center and repair; when part of a department store, and without the disbursement of fossil fuels or other forms of energy or material that assists automobile movement.
- (5) Automobile service and repair; where automobiles are painted, repaired, rebuilt, reconstructed or stored for compensation.
- (6) Automobile service station.
- (7) Automotive sales; for the sale of used automobiles and including auxiliary service and repairs in conjunction with, if conducted wholly within a completely enclosed building.
- (8) Banquet and/or meeting room.
- (9) Bus stations; provided that direct access to a major or secondary thoroughfare is available.
- (10) Churches, with or without portable Sunday school classrooms.

- (11) Communication devices; for radio and television transmission, and in accordance with Paragraph 6.02 of this Ordinance.
- (12) Communication devices; which exceed the height limitations set forth for business districts.
- (13) Day care facilities.
- (14) Fence, front yard.
- (15) Indoor sports and recreational facilities.
- (16) Live entertainment, except adult use.
- (17) Martial arts school.
- (18) Movie theatres; outdoor.
- (19) Public service facilities; including electric distributing sub-stations, telephone exchanges and similar non-municipal uses.
- (20) Sales and service uses; with a retail sales showroom and storage conducted within a totally enclosed building;
 - a. Electrical.
 - b. Flooring.
 - c. Glass.
 - d. Heating and ventilation.
 - e. Masonry.
 - f. Painting.
 - g. Paper hanging.
 - h. Plumbing.
 - i. Refrigeration.
 - j. Roofing.
- (21) Trailer rental.
- (22) Truck rental.
- (23) Undertaking establishments and funeral parlor; with one attached residential unit.
- (24) Multiple-family dwellings. (Amended by Ordinance No. 4439 July 9, 2007)
- (25) Outdoor/Indoor group lot sales (Amended by Ordinance No. 4592 April 13, 2009)

- (26) Medical cannabis dispensary organization operating in strict compliance with the Compassionate Use of Medical Cannabis Pilot Program Act, (410 ILCS 130/1 et seq.), as amended and the regulations promulgated thereunder, and that also meets the following additional requirements:
- i. The dispensary must be currently registered with the Illinois Department of Financial and Professional Regulation (or a successor agency) and be in good standing;
 - ii. A dispensary may not be located with 1,000 feet of the property line of a pre-existing public or private preschool or elementary or secondary school or day care center, day care home, group day care home, part day care facility or another dispensary. A registered dispensing organization may not be located in a house, apartment, condominium or any are zoned for residential use;
 - iii. A dispensary may not be located in the offices of a physician;
 - iv. A dispensary may only be open to the public between the hours of 8:00 a.m. and 8:00 p.m. any day of the week, including holidays;
 - v. A dispensary may not utilize amplified music outdoors;
 - vi. Medical cannabis inventory and cannabis infused products may not be displayed or stored in an area accessible to the public;
 - vii. A dispensary shall have appropriate security measures, in accordance with State regulations, to deter and prevent the theft of cannabis and unauthorized entrance into areas containing cannabis;
 - viii. Medical cannabis may not be consumed on the site of a dispensary;
 - ix. Exterior signage shall comply with the Zoning Ordinance, except that signs or exterior building surfaces depicting or simulating cannabis, cannabis infused products, smoking or cannabis paraphernalia shall not be permitted; and
 - x. The Mayor and City Council may condition a special use permit on a requirement that the dispensary organization defend and indemnify the City of Peru, and its officers and employees, from and against any claim arising from the organization's operation.

(e) *Minimum lot area:* Fifteen thousand (15,000) square feet.

(f) *Minimum lot width:* One hundred fifty (150) feet.

(g) *Maximum floor area ratio:* 1.0.

(h) *Minimum setbacks:*

(1) Front: Forty (40) feet.

(2) Rear: Forty (40) feet.

- (3) Side: Twenty (20) feet, except a side yard adjoining a street shall be forty (40) feet.
- (i) *Transitional yards.*
 - (1) Where a rear or side lot line coincides with a rear or side lot line in an adjacent residentially zoned district, rear and side yard setbacks of at least thirty (30) feet shall be provided.
 - (2) A landscaped buffer strip of at least twelve (12) feet width shall be provided immediately adjacent to any residential district for sight screening.
- (j) *Maximum building height.* Three (3) stories, not to exceed forty-five (45) feet.