

ARTICLE IX  
**B-1 Retail Business District**

**§ 270-54. Regulations to apply.**

The following regulations shall apply to all B-1 Districts.

**§ 270-55. Permitted uses.**

The following uses are permitted as of right in the B-1 District:

- A. All uses permitted as of right in the R-1 and R-2 Districts, subject to the regulations specified in such residential districts.
- B. Personal service shops, including but not limited to barbershops, shoeshine shops, beauty parlors, dry-cleaning and laundry-pickup and -delivery shops and card shops.
- C. Banks, offices, restaurants, cafes, tearooms, grocery and meat stores, flower shops and similar retail establishments, except businesses primarily engaged in the sale of used goods, merchandise or machinery.
- D. Banking, confectionary, dressmaking, laundromats, printing, tailoring and upholstering, subject to the following provisions:
  - (1) All such processing or manufacturing shall be done on the premises.
  - (2) Not more than five persons shall be employed at any one time.
- E. Indoor theaters, assembly halls, game rooms, billiard and pool parlors and bowling alleys.
- F. Funeral homes.
- G. Operations involving the repair, reconstruction, analysis or inspection of computers, electronic and communication equipment and similar components, provided that no manufacturing is performed and all operations are conducted within a completely enclosed building.
- H. Automobile parking lots with at least 10 parking spaces for private vehicles and a driveway for entrance and exit from such spaces. Such vehicles must be in running condition, able to be driven at any time under their own power. Lots for the sale or lease of motor vehicles are specifically prohibited.
- I. Antique sales and secondhand stores, provided that such establishments shall conduct all activities and storage entirely within an enclosed building. [Added 2-26-1997 by L.L. No. 2-1997]

**§ 270-56. Special uses.**

The following special uses may be permitted or denied subject to review under Article XIX of this chapter:

- A. Drive-in establishment accessory to a permitted use.

- B. Public utility or communications installations.
- C. Convenience store.
- D. Car wash.
- E. Fence companies, retail and wholesale. **[Added 9-8-1999 by L.L. No. 13-1999]**
- F. Disturbance on a wetland or watercourse area of any class or in a wetland or watercourse buffer area as defined in this chapter. **[Added 4-27-2005 by L.L. No. 9-2005]**
- G. Hotels and Motel, as defined under § 270-5, Definitions as a special uses in the (B-1) Retail Business District. **[Added 10-24-2018 by L.L. No. 9-2018]**
- H. Hospitals. **[Added 12-12-2018 by L.L. No. 11-2018]**
- I. Care homes. **[Added 12-12-2018 by L.L. No. 11-2018]**
- J. Brewpubs, microbreweries, microcideries, microwineries and microdistilleries. Brewpubs, microbreweries, microcideries, microwineries and microdistilleries, however, must comply with the following: **[Added 5-24-2023 by L.L. No. 5-2023]**
  - (1) Each brewpub, microbrewery, microcidery, microwinery, or microdistillery shall manufacture and sell alcoholic beverages in accordance with the provisions of the New York State Liquor Authority and shall maintain current licenses as required by said agency.
  - (2) No outdoor storage shall be permitted.
  - (3) All malt, vinous or distilled liquor production shall be within completely enclosed structures.
  - (4) By-products or waste from the production of malt, vinous or distilled liquor shall be properly disposed of off the property.
  - (5) The emission of odors or smells in such quantities as to produce a public nuisance or hazard is not permitted.
  - (6) Excessive noise in violation of Chapter 188 is prohibited and may result in revocation of the special use permit.
  - (7) Food cart vendors are permitted on-site only by permission of the Planning Board.
  - (8) Hours of operation shall be addressed during site plan review.

#### **§ 270-57. Accessory uses.**

Accessory uses permitted in the B-1 District shall be limited to the following:

- A. Parking and loading.
- B. Bus shelters and loading areas.

- C. Permitted signs.
- D. Storage and building accessory to the principal use.
- E. Accessory uses permitted in the R-1 and R-2 Districts, except raising of chicken hens. **[Amended 11-9-2022 by L.L. No. 8-2022]**
- F. Small wind energy facilities and wind measurement towers subject to the requirements of the Town of Rotterdam Wind Energy Facility Law.<sup>1</sup> **[Added 10-8-2008 by L.L. No. 10-2008]**

#### **§ 270-58. Maximum building height.**

The maximum building height shall be three stories, not exceeding 40 feet, for residential uses, and four stories, not exceeding 50 feet, for nonresidential uses.

#### **§ 270-59. Lot area. [Amended 12-26-1990 by L.L. No. 26-1990]**

The minimum lot area required for each principal use is 15,000 square feet, with a minimum lot width of 100 feet.

#### **§ 270-60. Lot coverage.**

Lot coverage shall not exceed 45% for residential uses and not exceed 60% for principal and accessory nonresidential buildings.

#### **§ 270-61. Yard requirements.**

- A. Any building used for purposes permitted in an R-1 District shall have front, side and rear yards as required in an R-1 District; and any building used for purposes permitted in an R-2 District shall have front, side and rear yards as required in an R-2 District.
- B. Yard requirements for all other buildings and structures shall be:
  - (1) Front yard depth: a minimum front yard of 30 feet is required, which area may be used for off-street parking in connection with the principal use of the lot.
  - (2) Side yard width: not less than 10 feet. In situations where two or more buildings, with the same zoning classification, are contiguous and share a common wall along an interior lot line, the minimum required side setback may be reduced to zero feet by the Planning Commission during the site plan review process. **[Amended 6-9-1999 by L.L. No. 9-1999]**
  - (3) Rear yard depth: not less than 25 feet.

#### **§ 270-62. Parking.**

Off-street parking requirements applicable in the B-1 District are set forth in § 270-149 of this chapter.

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1. Editor's Note: See Ch. 269, Wind Energy Facilities.