

§ 113-309. Permitted uses.

Within the B Zone, no lot or structure shall be used, and no structure shall be erected or altered to be used, in whole or in part, unless it complies with Schedule I¹ and the following regulations:

- A. Agricultural uses, as permitted in the R-1, R-2, R-3, R-5 and R-10 Zones. **[Amended 6-2-1997; 3-5-2002]**
- B. Retail sales and personal services establishments. **[Amended 4-18-2023 by Ord. No. 2023-04]**
- C. Restaurants and taverns, excluding drive-through restaurants. **[Amended 4-18-2023 by Ord. No. 2023-04]**
- D. Business, medical, and professional offices, including banks and telephone exchanges. **[Amended 4-18-2023 by Ord. No. 2023-04]**
- E. Funeral homes.
- F. Theaters, except drive-in; clubs and lodges.
- G. Commercial recreation buildings such as bowling alleys and tennis centers.
- H. Veterinary hospitals.
- I. Customary accessory uses and structures which are clearly incidental to the principal structure or use.²
- J. Kennels on lots of not less than five acres.
- K. Upper-story apartments, provided that a minimum of 20% of the total number of units shall be set aside for very-low-, low- and moderate-income units if they are for sale or for rent. **[Amended 4-18-2023 by Ord. No. 2023-04]**
- L. Urgent care centers and outpatient surgical facilities. **[Added 4-18-2023 by Ord. No. 2023-04]**
- M. Health clubs and physical fitness centers. **[Added 4-18-2023 by Ord. No. 2023-04]**

§ 113-310. Conditional uses.

The following uses are permitted in the B Zone as conditional uses, subject to Planning Board or Zoning Board of Adjustment approval and the standards specified in Article 50.

- A. Nursery or day schools on lots of not less than five acres.
- B. Hospitals on lots of not less than 15 acres and nursing homes on lots of not less than 10 acres.
- C. Community buildings, clubs, social halls, recreational and athletic clubs and facilities and

1. Editor's Note: Schedule I is included at the end of this chapter.

2. Editor's Note: Former Subsection J, regarding motor vehicle sales, service and repair facilities, was repealed 5-18-2004. This ordinance also provided for the redesignation of former Subsections K and L as Subsections J and K, respectively.

similar uses on lots of not less than five acres.³

- D. Public utility uses necessary and convenient for the satisfactory provision of service by the utility to the neighborhood or area in which the particular use is to be located. No service or storage yards shall be permitted as conditional uses under this subsection.
- E. Cemeteries, subject to the terms and conditions of Article 42. **[Added 12-19-1989 by Ord. No. 2:19H-89]**

§ 113-310.1. Outdoor business and outdoor dining in B Zone. [Added 4-18-2023 by Ord. No. 2023-04]

Outdoor business and outdoor dining in the B Zone shall be permitted, subject to the following standards:

- A. Any such outdoor business area or outdoor dining area shall be subject to minor site plan review, except where variance relief is required, such outdoor business area or outdoor dining area shall be subject to preliminary and final site plan review.
- B. Standards. Outdoor business areas and outdoor dining areas shall be subject to the following standards:
 - (1) An outdoor business area or outdoor dining area must be located on private property. No portion of an outdoor business area or outdoor dining area may be located on a sidewalk or within the public right-of-way.
 - (2) No outdoor business area or outdoor dining area shall provide less than five feet of clear, unobstructed passageway between outdoor dining areas and any curb lines, street trees, bicycle racks, signposts, or other fixture or obstruction.
 - (3) No outdoor business area or outdoor dining area shall impede upon current exit access and/or means of egress for the main entrances of any building or for areas designed by the Township Fire Official as necessary for public safety.
 - (4) Except for plant material nurseries and garden centers, outdoor business areas shall be limited to 25% of the total floor area of the principal building devoted to business purposes.
 - (5) Outdoor dining areas shall be limited to not more than 20% of the total maximum permitted seating for the interior of the establishment.
 - (6) The highest standards of cleanliness of the outdoor dining areas shall be maintained at all times, including frequent litter removal within and around the outdoor dining area. Outdoor trash receptacles shall be required for all outdoor dining areas where there will be no table service.
 - (7) Permissible hours of operation shall be from 7:00 a.m. to 10:00 p.m.

3. Editor's Note: Former Subsection D, regarding motor vehicle filling stations and garages, was repealed 5-18-2004. This ordinance also provided for the redesignation of former Subsections E and F as Subsections D and E, respectively.

- (8) Lighting servicing the outdoor business area or outdoor dining area shall be kept at the minimum necessary to ensure the safety of the public and patrons and servers of the establishment. All lighting shall be directed towards the principal restaurant and shall comply with the lighting regulations set forth in the Township's Land Use and Development Regulations, except that the maximum lighting fixture and mounting height shall be 12 feet. Lighting for outdoor dining areas shall be restricted to its hours of operation.
- (9) Exterior live music, outdoor loudspeakers, public address systems, radios, or any type of exterior sound system shall not be permitted after 10:00 p.m. Noise shall be kept as such levels as to comply with all provisions of the Township ordinances, including Chapter 121, Noise.