

## Chapter 54. Land Use and Development

### § 54-30.49. B-1 Neighborhood Business District.

[Ord. No. 95-24 § 54-127]

A. Permitted principal uses.<sup>[1]</sup> The B-1 district is intended to accommodate retail establishments of a neighborhood service character such as small personal or general service establishments, or small firms, branches or individuals providing business or professional services. Principal uses permitted include, but are not limited to the following:

- (1) Retail stores, such as delicatessens, dry cleaners and laundries, food stores, general stores, hardware stores, newsstands and package liquor stores;
- (2) Banks, including banks with drive-in facilities;
- (3) Business and professional offices or agencies, such as accountants, architects, dentists, engineers, medical doctors and realtors;
- (4) Eating and drinking establishments;
- (5) General service establishments such as appliance repair, carpentry, electrical and plumbing services, upholstery and furniture repair;
- (6) Personal service establishments, such as barber shops and beauty parlors;
- (7) Private schools and studios for dancing and music instruction;
- (8) One apartment in a building otherwise used for business; and
- (9) One single-family detached dwelling on a lot; provided the dwelling complies with all required conditions of the R-13 district.

[1] *Note: See Appendix A, included as an attachment to this chapter.*

B. Permitted accessory uses. Accessory uses and structures permitted in the B-1 district are those uses and structures which are customarily incidental and subordinate to a permitted principal use. In case of a question concerning whether a use or structure is accessory to a permitted principal use, the determination thereof shall lie with the Zoning Board of Adjustment.

C. Conditional uses. The conditional uses permitted in the B-1 district are indicated in Subsection 54-30.15; provided that such uses shall comply with the conditions for said uses in Subsection 54-30.15.

D. Prohibited uses.

- (1) Any business conducted outside the confines of a building, with the exception of those listed in paragraphs (a) through (d) below. Drive through service restaurants shall be considered a business conducted outside the confines of a building for purposes of this section.

Exceptions:

- (a) Plant material nurseries;

- (b) Gasoline service stations as a conditional use;
  - (c) Drive-in banks; and,
  - (d) Used car sales as an accessory use to a franchised new car dealership within the confines of a building; provided the area devoted to the sale of used cars is no larger than the floor area of the building in which the principal use of the premises is conducted, and further provided that the area to be devoted to such accessory use is surfaced with an approved pavement which shall be properly graded and legibly marked as approved by the Planning Board.
- (2) Industrial uses involving any process of manufacture, fabrication, assembly and disassembly other than repair;
  - (3) Storage buildings and yards, fuel distributing plants, lumberyards, or warehouses unless an accessory use;
  - (4) Auction establishments;
  - (5) Outdoor amusements;
  - (6) Junkyards, secondhand materials yard or the dismantling of automobiles;
  - (7) Any noise making devices such as phonographs, loudspeakers, amplifiers, radios, television sets or similar devices so situated as to be heard outside any building. No smoke, fumes, or objectionable odors shall be emitted from any building. The display of merchandise placed on the exterior premises of any building is prohibited; and
  - (8) Nightclubs with live entertainment, cabarets, discos, bowling alleys, health spas, racquetball clubs, amusement centers (penny arcades), flea markets, massage parlors, pool rooms.

E. Required conditions.

- (1) Minimum lot area. Each lot shall have a minimum lot area of 17,500 square feet.
- (2) Minimum lot width. Each lot shall have a minimum lot width of 100 feet, measured at the required front yard setback line.
- (3) Average lot width. Each lot shall have an average lot width of 100 feet, designed such that the minimum lot area of 17,500 square feet shall be provided within 175 feet of the front street right-of-way line.
- (4) Minimum front yard. There shall be a front yard of not less than 35 feet. Corner lots shall have a setback of 25 feet on the side street.
- (5) Minimum side yards. No side yard shall be less than 12 feet.
- (6) Minimum rear yard. There shall be a rear yard of at least 35 feet.
- (7) Maximum height. No building shall exceed a maximum of 35 feet in height.
- (8) Maximum impervious coverage. The total impervious coverage on any lot shall not exceed 60% of the total lot area; provided that if the lot is also located within the CWR district, the total impervious coverage shall not exceed 45% of the total lot area.