

B: BUSINESS DISTRICT

154.165 INTENT.

The B: Business District is established to provide for businesses which provide for the full range of convenience uses necessary to meet the daily needs of residential neighborhoods. Permitted uses within the B: Business Districts are regulated in character to assure harmonious development with the nearby residential districts served.

(Ord. 51-05, § 8.04.03, passed 5-10-2005)

154.166 PERMITTED USES.

(A) *Primary uses.*

- (1) Antique shops;
- (2) Art and school supply stores;
- (3) Art galleries, but not including auction rooms;
- (4) Banks and financial institutions;
- (5) Barber shops;
- (6) Beauty parlors;
- (7) Bookstores and stationery stores;
- (8) Business machine sales and service;
- (9) Camera and photographic supply stores;
- (10) Candy and ice cream stores;
- (11) Carpet and rug stores;
- (12) Clothes pressing establishments;
- (13) China and glassware stores;
- (14) Coin and philatelic stores;
- (15) Custom dressmaking;
- (16) Day care centers;
- (17) Department stores;
- (18) Drug stores;
- (19) Dry-cleaning and laundry-receiving stations, processing to be done elsewhere;
- (20) Dry goods store;
- (21) Electrical and household appliance stores, including radio and television sales;
- (22) Fire station;
- (23) Florist shops and conservatories;
- (24) Food stores, grocery stores, meat markets, fish markets, bakeries and delicatessens;
- (25) Frozen food stores, including locker rental in conjunction therewith; *(Ord. 68-09; 8-11-2009)*
- (26) Funeral homes;
- (27) Furniture stores, including upholstery when conducted as part of the retail operations and secondary to the principal use;
- (28) Furrier shops, including the incidental storage and conditioning of furs;

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- (29) Garden supply and seed stores;
- (30) Gift shops;
- (31) Haberdasheries;
- (32) Hardware stores;
- (33) Hobby shops, for retail of items to be assembled or used away from the premises;
- (34) Interior decorating shops, including upholstering and making of draperies, slip covers, and other similar articles, when conducted as part of the retail operations articles, and secondary to the principal use;
- (35) Jewelry stores, including watch repair;
- (36) Launderettes, automatic, self only, or hand laundries, employing not more than two persons in addition to one owner or manager;
- (37) Leather goods and luggage stores;
- (38) Liquor stores, package;
- (39) Medical and dental clinics;
- (40) Microblading;
- (41) Millinery shops; (*Ord. 60-19; 7-9-19*)
- (42) Musical instrument sales and repair;
- (43) Newspaper distribution agencies for home delivery and retail trade;
- (44) Offices, business and professional;
- (45) Office supply stores;
- (46) Optician sales, retail;
- (47) Paint and wallpaper stores;
- (48) Phonograph record and sheet music stores;
- (49) Photography studios, including the developing of film and pictures when conducted as part of the retail business on the premises;
- (50) Physical culture and health services, including gymnasiums, reducing salons, massage salons, and public baths; (*Bill 103-20, 11/10/20*)
- (51) Picture framing, when conducted for retail trade on the premises only;
- (52) Police station;
- (53) Post offices;
- (54) Private park – active or passive; (*Ord. 19-20, 2/18/20*)
- (55) Public park – active or passive; (*Ord. 19-20, 2/18/20*)
- (56) Recycling Drop-Off Center;
- (57) Religious Uses;
- (58) Renewable energy systems. See §§ 154.505 through 154.516. (*Ord. 17-20, 2/18/20*)
- (59) Restaurants, including the serving of alcoholic beverages if incidental to the serving of food as the principal activity, but not including live entertainment or dancing;
- (60) Sewage treatment units, individual;
- (61) Sewing machine sales and service, household appliances only;
- (62) Schools, nursery;
- (63) Shoe stores;
- (64) Short-term rental, owner occupied; (*Ord. 19-20, 2/18/20*)
- (65) Sporting goods stores;

- (66) Tailor shops;
- (67) Taverns;
- (68) Telegraph offices;
- (69) Telephone booths, outdoor;
- (70) Temporary buildings for construction purposes, for a period not to exceed the duration of such construction:
 - (71) Temporary real estate offices for a period not to exceed two years;
 - (72) Ticket agencies, amusement;
 - (73) Tobacco shops;
 - (74) Toyshops;
 - (75) Travel bureaus and transportation ticket offices;
 - (76) Variety stores;
 - (77) Veterinary clinic and hospitals; (*Ord. 19-20, 2/18/20*)
 - (78) Water systems, individual; and
 - (79) Wearing apparel shops.

(B) *Special uses.*

(1) Boat sales, rentals, storage and repair; sales and service of marine motors, boat parts and accessories and boat fuel sales, subject to the following development standard: on lots having no less than 100 feet of frontage on a waterway used by the general public for boating activities; provided, that no principal building, accessory building or uses are within 200 feet from a residence district boundary;

(2) Manufacturing Retailer (*Ord. 42-13; 7-9-2013*)

(3) Parking lots, open and other than accessory, for the storage of private passenger automobiles, subject to applicable development standards set forth in chapter;

(4) Public utility and service uses, including:

- (a) Bus terminals, bus turnarounds (off-street), bus garages, or bus lots;
- (b) Electric substations and distribution centers;
- (c) Gas regulator stations;
- (d) Railroad passenger stations;
- (e) Railroad rights-of-way, but not including railroad yards and shops other than for passenger purposes;
- (f) Telephone exchanges, telephone transmission equipment buildings, and microwave relay towers; and
- (g) Waterworks, reservoirs, pumping stations, and filtration plants.

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(5) Renewable energy systems. See §§ 154.505 through 154.516. (*Ord. No. 17-20, 2/18/20*)

(6) Wireless Telecommunication Facilities, per the requirements of § 154.457(C)(1)(c). (*Ord. 91-07; 10-9-2007*)

(C) *Accessory uses*. See § 154.070. Further, accessory uses, incidental to and on the same lot as a permitted principal use shall also be permitted, including the following:

(1) One dwelling unit provided that the dwelling unit is located within the building containing the permitted principal use; and

(2) Renewable energy systems. See §§ 154.505 through 154.516. (*Ord. 69-09; 8-11-2009; Ord. 17-20, 2/18/20*)

(D) *Temporary uses*. See § 154.071.

(*Ord. 51-05, § 8.04.03A, passed 5-10-2005; Ord. 91-07, § 9, passed 10-9-2007; Ord. 68-09, § 5, passed 8-11-2009; Ord. 69-09, § 8, passed 8-11-2009*) Penalty, see § 154.999

154.167 GENERAL DEVELOPMENT STANDARDS.

(A) *Lot area*. Lot area shall not be less than 2,500 square feet of lot area for each business establishment.

(B) *Lot width*. The minimum lot width shall be 35 feet.

(C) *Minimum yards and building setback*. Yards shall be as follows, except when this Chapter specifies a greater yard requirement for a particular permitted primary use, conditional use, special use or accessory use, the greater specified yard requirements shall control:

(1) *Front yard and building setback*. Front yard and building setback shall be 40 feet in depth measured from the right-of-way line.

(2) *Side yard and building setback*. Side yard and building setback shall be provided from the lot line as follows:

(a) If a side yard is provided along an interior lot line, it shall be not less than five feet in width.

(b) On a corner lot, a side yard adjoining a street shall be not less than 40 feet in width, except if a corner lot of record, recorded prior to March 21, 1961, has insufficient width to provide such a yard of 40 feet in width and still to maintain a buildable width of 30 feet, then the side yard adjoining a street may be reduced by the distance necessary to maintain such buildable width.

(3) *Side yard and building setback abutting a residential district or residential use.* Side yard and building setback abutting a residential district or residential use shall not be less than 20 feet in depth from the lot line, provided, however, when an alley separates such lots, the side yard shall be not less than five feet in width.

(4) *Rear yard and building setback.* Rear yard and building setback shall not be less than 20 feet in depth from the lot line, provided, however, when an alley separates such lots, the rear yard shall be not less than five feet in width.

(D) *Use of yards:* All minimum yards shall be landscaped in compliance with the requirements for perimeter yard landscaping as set forth in § 154.330 through 154.339 and shall be maintained as open space free from buildings or structures except where expressly permitted below. (Ord. 52-20; 8/25/20)

(1) *Minimum front yards.* Minimum front yards may include:

(a) Along limited access highways may include: loading areas located no closer to the right-of-way than 15 feet;

(b) All front yards may include: parking areas, interior access drives, interior access driveways, and fuel pumps, air pumps, water pumps, and freestanding canopies in conjunction with automobile service stations located no closer to the right-of-way than 15 feet; driveways, greenways, sidewalks, fences, or signs as regulated by §§ 154.370 through 154.380. (Ord. 52-20; 8/25/20)

(2) *Minimum front yards across from a residential district or residential use.* Minimum front yards across from a residential district or residential use may include: driveways, greenways, sidewalks, fences, and signs as regulated by §§ 154.370 through 154.380. (Ord. 52-20; 8/25/20)

(3) *Minimum side and rear yards.* Minimum side and rear yards may include: interior access drives, interior access driveways, greenways, sidewalks, and fences. (Ord. 52-20; 8/25/20)

(4) *Minimum side and rear yards abutting a residential district or residential use.* Minimum side and rear yards abutting a residential district or residential use may include interior access driveways, greenways, sidewalks, and fences. (Ord. 52-20; 8/25/20)

(E) *Floor area ratio.* Floor area ratio shall not exceed 1.0.

(F) *Maximum building height.* Unlimited, provided, however, when a building or structure exceeds 40 feet in height, the yard required above shall be increased by two feet in width for each one foot of building height over 40 feet.

(G) *Landscaping.* See §§ 154.330 through 154.339.

(H) *Lighting.* See §§ 154.350 through 154.355.

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(I) *Signs.* See §§ 154.370 through 154.380. (*Ord. 52-20; 8/25/20*)

(J) *Off-street parking.* See §§ 154.415 through 154.423.

(K) *Off-street loading.* See §§ 154.435 through 154.442.

(L) *General requirements.*

(1) All business establishments shall be retail or service establishments dealing directly with consumers. All goods produced on the premises shall be sold at retail on the premises where produced.

(2) All business, servicing, or processing, except for off-street parking or loading, trash containers, and renewable energy systems shall be conducted within completely enclosed buildings. (*Ord. 52-20; 8/25/20*)

(3) Establishments where the principal use is the drive-in type offering goods or services directly to customers waiting in parked motor vehicles are not permitted.

(4) All activities involving the production, processing, cleaning, servicing, testing, or repair of materials, goods, or products shall conform with the requirements set forth in § 154.073, as applied at the boundaries of the lot on which such activities take place.

(M) *Greenway connection.* Uses which encourage public access located on a lot or parcel which abuts any portion of a greenway shall provide a direct linkage from the project to such greenway. (*Ord. 77-19, 09/10/2019*)

(N) *Pedestrian Connection.* Uses located on a lot or parcel which abuts any portion of a sidewalk shall provide a direct linkage to the main entrance. (*Ord. 77-19, 09/10/2019*)

(O) *Architecture.*

(1) *Additions to existing buildings.* All additions to existing buildings shall utilize building materials that are compatible and harmonious with the materials used on the existing building.

(2) *Exterior renovations, major additions and accessory buildings.* Exterior renovations, major additions and accessory buildings to existing buildings or facilities are encouraged to comply with the provisions in division (O)(3) below, for new construction, however, the minimum requirement for exterior renovations, major additions and accessory buildings shall be the same as in division (O)(1) above, for additions to existing buildings.

(3) *New construction.* In order to create variation and interest in the built environment, all new primary buildings shall comply with one of the following two sets of architectural regulations regarding building material and architectural features on each facade visible from a public street:

(a) All brick (excluding window, display window, door, roofing, fascia and soffit materials), provided that the brick used on each applicable facade shall include:

1. At least two architectural elements (e.g., quoins, pilasters, soldier courses, lintels, friezes, cornices, dentils, architraves, etc.); or,
2. At least two colors of brick, with the secondary color constituting a minimum of 10% of the façade (excluding windows, display windows, doors, roofing, fascia or soffit materials); or,

(b) Two or more building materials (excluding window, display window, door and roofing materials), provided:

1. *Primary building material.* The primary building material shall be either: brick; stone (limestone, granite, fieldstone, etc.); architectural pre-cast concrete, if the surface looks like brick or stone; or, exterior insulation and finish system (E.I.F.S.) or equivalent, and shall constitute a minimum of 50% of each applicable façade.
2. *Secondary building material.* The secondary building material shall constitute a minimum of 10% of the façade. Glass curtain wall or a faux window (not intended for use as a window or display window) may qualify as a secondary building material.

(c) *Architectural features:* In addition, the exterior building material selection shall be supplemented with the use of multiple colors, textures (e.g., rough, smooth, striated, etc.) or architectural elements (e.g., quoins, pilasters, soldier courses, lintels, friezes, cornices, dentils, architraves, etc.) on each facade visible from a public street.

(Ord. 51-05, § 8.04.03B, passed 5-10-2005) Penalty, see § 154.999