

Section 32 – B1 zone (Downtown Business)

32.00- Description of Zone- This zone is composed and limited to the downtown retail area. It is recognized that within this zone there are two unique classes of structures:

- CLASS A structures are those located along Main Street and
- CLASS B structures are located to the rear of Main Street buildings.

The zone provides for the central retail, cultural and governmental activities of the community. Accordingly, these regulations are designed to permit retail development in the core of the community where there is a concentration of pedestrian activity. To these ends the regulations establish standards retaining such intensity of use and concentration of pedestrian and vehicular as is compatible with the function of this zone.

32.01- Uses- No land shall be used or occupied and no structure shall be erected, constructed, reconstructed, altered or used, except for any use which is indicated in the B-1 column of the Use Schedule, Section 61 of this Zoning Code and shall be subject of such provisions as referred to in that column. Further, the front fifty percent (50%) of the ground floor space of buildings fronting on Main Street shall be restricted to the following permitted uses: Eating and Drinking Places, Entertainment, Restaurants, Retail Business, Retail Sales, Retail Services, and Theaters. Any other use allowed in the B-1 zone in Section 61 proposed for the front fifty percent (50%) of the ground floor space of buildings fronting on Main Street shall be a Special Exception Use. Cafeterias are not permitted as accessory uses in this zone and exterior storefront security gates are prohibited.

32.02- Height- The maximum permitted stories shall be twelve (12) stories (168 ft.) except that any building fronting on Main St shall have a height of six (6) stories (84 ft.) and a minimum height of 35 ft. No building fronting on Main Street shall be demolished unless reconstructed to a height less than its previous height, or the minimum 35 feet whichever is greater.

32.03- Lot area, Width and Yard Requirements- No minimum lot area or frontage required. Yard requirement is that any building shall have yards sufficient to insure proper design and placement of buildings as determined in the site plan review process. The maximum setback from Main Street shall be five (5) feet with the front line of the building located within the maximum setback area for a minimum of eighty percent (80%) of the lot frontage on Main Street and there shall be no driveway access of parking lot fronting on Main Street.

32.04- Off-Street Parking and Off-Street Loading Requirements- Off-street parking and off-street loading shall be provided in connection with any use in this zone in accordance with the provisions of Section 40. In addition, requirements for the provision of parking facilities may be satisfied by the permanent allocation of the required number of spaces for each use in a common parking facility, cooperatively established and operated. The total number of spaces so provided may be reduced provided that such reduction is approved by the Commission upon a finding by them that such reduction is justified on the basis of common patrons, overlapping peak needs, and existing public parking facilities.

32.04- New Construction Requirements- No new building shall be erected, or constructed along Main Street, except with an entrance on Main Street. No new building shall be erected, or constructed along Main Street, except where the amount of area taken up by windows and doors shall be greater than 60% of the first floor facade area. No new building shall be erected, or constructed along Main Street, except where the amount of area taken up by windows shall be greater than 25% of the upper floor(s) facade area. The use of dormers above the roof line is encouraged.

Permitted Uses

- Single-Family Dwelling Detached (61.01.22B)
- Two Family Dwelling (61.01.22B)
- Urban Core Living Units (61.01.22B)
- Banks (61.01.05)
- Commercial Studios / Schools (61.01.08)
- Commercial Parking Lots (61.01.09)
- Eating & Drinking Places (61.01.12) – not including drive-in restaurants
- Entertainment (61.01.14)
- Hotels & Inns (61.01.17) – not including motels
- Funeral Homes (61.01.20) – including ambulance
- Newspaper & Job Printing (61.01.21)
- Non-commercial Institutions (61.01.22A)
- Elderly & Handicapped Housing (61.01.22B) – within 1,000 feet of public transportation
- Professional & Business Offices (61.01.23) – not to include medical / treatment facilities
- Public Buildings (61.01.25)
- Fitness Centers (61.01.28B)
- Restaurants (61.01.30) – with or without alcohol, prohibits nightclub liquor permits
- Retail Business (61.01.31) – “does not detract or interfere with pedestrian shopping activity”
- Retail Sales – workshop and outlet required (61.01.33) – no more than 50% of floor area used for workshop

- Retail Service (61.01.34)
- Service Establishments (61.01.35)
- Manufacturing & Distribution (61.01.47) – only in buildings 40,000 sqft and used historically for this purpose
- Medical & Dental Offices (61.01.54) – less than 5 practitioners & no treatment facilities

Special Exception Uses

- Public Utility Buildings (44.08.11) (60.02.11)
- Adaptive Historic Preservation (44.08.26) (60.02.19)
- Bus Stop Shelter (44.08.25) (60.02.32)
- Philanthropic Institutions (44.08.15) (61.02.05) – need not be enclosed
- General Retail Use (44.04) (61.02.06)
- Taxi Cab Stand (44.08.20) (61.02.13) – need not be enclosed
- Adaptive Residential Use (61.02.14) – from non-conforming use
- Public Utility Structures (44.08.11) (61.02.10)
- Natural Resource Extraction (44.08.10) (61.02.15)
- Alcoholic Liquor Establishments (44.08.23) (61.02.16)
- Banks (44.08.12) (61.02.20) – with drive-up
- Child Care Facilities (44.08.02) (61.02.21)
- Recreation (61.02.28) – commercial / prohibit drive-in theaters & prohibits nightclub liquor permits
- Medical & Dental Clinics (61.02.35) – more than 5 practitioners & excluding treatment facilities

B1