

Chapter 10

B-1 NEIGHBORHOOD BUSINESS DISTRICT

PURPOSE:

The purpose of the B-1 Neighborhood Business District is to establish areas of commercial activity that offer small scale retail goods and personal services that are located in proximity to the residential areas they are intended to serve. These commercial areas shall be located and designed as to encourage the clustering and integration of groups of businesses, to minimize the creation of undue traffic congestion and to minimize impact on adjoining residential.

10.01 USES PERMITTED:

- A. Retail Business
- B. Financial Institutions,
- C. Offices
- D. Personal Services
- E. Restaurants
- F. Bars, Taverns, Cocktail Lounges provided such use is conducted within a completely enclosed building and is located at least one hundred (100) feet from any Residential District.
- G. Medical and Dental Clinics
- H. Government Buildings and Utilities
- I. Car wash
- J. Automotive Service Stations, Repair Shops, Quik Lubes or similar use provided all the following are met:
 - 1. Any and all repairs are performed within a wholly enclosed building.
 - 2. Any vehicle parked and/or stored must either being awaiting repair or has been repaired and is awaiting removal. No vehicle may be parked or stored for parts. Under no circumstances may a vehicle be parked or stored for more than thirty (30) days. All vehicles must have current license plates.
 - 3. There can be no outside display or storage of materials or goods.
- K. Specialty Goods and Services, including photography studio, art gallery, antique store, copy/printing center, plant shop.
- L. Residential provided it is an integral part of the business development project and provided the entire project is part of a Planned Business Development Overlay.
 - 1. This provision will allow for mixed-use projects as well as mixed use buildings in a traditional village setting similar to the Branch Hill and Miamiville neighborhoods of Miami Township.

- a. Mixed-use buildings will be permitted with first floor retail, service and/or office and upper floor residential.
- b. Mixed-use projects will be permitted provided the project is compatible with the surrounding development and zoning; the project is fully integrated into the existing street system and a pedestrian pathway system is constructed providing access to every building within the development.
- c. The gross residential density shall not exceed 6 units per acre.
- d. All projects are subject to the site plan review requirements of Chapter 27.

M. Religious Institutions

10.02 CONDITIONAL USES:

The purpose of a conditional use is to permit a use that would not be appropriate generally, but may be allowed with appropriate restrictions upon a finding that 1) the proposed use meets the required conditions as stated in the zoning resolution, and 2) the use or development will not have an adverse impact on adjoining properties.

A. Indoor Commercial Recreation facilities, including arcades:

- 1. Access to the property must be from an arterial or collector roadway.
- 2. The site must be designed to minimize noise and glare emanating from the building. Noise levels shall not exceed the average intensity of street traffic noise at the point of complaint.
- 3. The site design and building design must comply with sections 10.05 and 10.06 of this chapter.
- 4. All projects are subject to the site plan review requirements of Chapter 27.

B. Nursing/Convalescent Homes providing access to the Home is from an arterial or collector street.

- 1. Access to the property must be from an arterial or collector roadway.
- 2. The site design and building design must comply with sections 10.05 and 10.06 of this chapter.
- 3. All projects are subject to the site plan review requirements of Chapter 27.

C. Day Care Centers

- 1. All outdoor play areas shall be located only in the rear and side yards and shall be a minimum of 50 feet from any adjoining residential zoning district.
- 2. A landscape screen must be provided to screen the outdoor play areas from adjoining residential districts.
- 3. A traffic circulation plan shall be submitted to evaluate adverse impacts on the roadway system and to ensure a safe drop-off and pick-up area.
- 4. Access to the property must be from an arterial or collector roadway.

5. The site design and building design must comply with sections 10.05 and 10.06 of this chapter.
6. All projects are subject to the site plan review requirements of Chapter 27.

10.03 ACCESSORY USES

- A. Signs as regulated in Chapter 24 of this Zoning Resolution
- B. Outdoor Dining Area - Outdoor dining areas on private property are permitted as accessory uses provided they are located a minimum of 75 feet from a residential zoning district; are screened with the use of landscaping and/or fencing; provide a minimum four (4) foot wide sidewalk clearance; any fencing or other barricade cannot block the entrance to the restaurant; and no music, recorded or live, or other amplified sound shall be permitted. In a multi-tenant center, any outdoor dining area must be a minimum of 25 feet from the entrance door to any adjoining tenant space. Noise levels shall not exceed typical conversational noise within a restaurant. Site Plan Review will be required for all outdoor dining areas.
- C. Any accessory uses or structures customary and incidental to any principal permitted use.

10.04 INTENSITY OF USE

- A. The intensity of use, setback requirements, and height requirements are shown on the Table titled Lot Area, Bulk and Yard Requirements in the B-1 Neighborhood Business District.

10.05 SITE PLAN AND BUILDING DESIGN STANDARDS

- A. Building Elevations – Architectural design, building materials, color, roof style and detailing should all work together to express harmonious and consistent design. All building facades (exterior walls) shall be designed to reduce scale and add visual interest. There shall be no uninterrupted lengths of blank wall longer than 100 feet. Walls shall be differentiated with recesses, offsets, building height, variations in roofline, windows, awnings, and changes in color or material.
- ~~B.~~ Exterior Building Materials - Exterior building material shall be brick, decorative block, wood, stone, tile or other high quality building material. Tilt-up concrete panels or prefabricated metal panels will not be permitted. Smooth faced concrete block may be permitted only on the service side of a building. The block must be painted to match the prominent sides of the building. The service side of the building is typically not accessed by the general public, has no parking other than limited employee parking and is used primarily for deliveries to tenant businesses. A consistent architectural style shall be applied to all sides of a building except to the service side of a building where the service side is not visible to the general public. Awnings, canopies, recesses and offsets should be incorporated to help enhance the service side of the building.

- C. No single structure shall contain more than 50,000 square feet.
- D. Rooftop Equipment – All rooftop equipment shall be screened from view on all sides visible to the general public, by building parapet walls or other building elements that appear as integral elements of the overall building.
- E. Gasoline Canopies – Canopies, such as those associated with convenience stores with gasoline sales, must be designed in a manner to create a strong association with the primary building. Columns must be primarily masonry. A strong impression of three-dimensional roofs and supporting columns must be incorporated into the design.
- F. Customer Entryways – Entryways shall be clearly articulated and shall be pedestrian scale. Projected or recessed entryways, arches, higher rooflines, change in building material or color, canopies and signage shall be used to identify entryways.
- G. Pedestrian Walkways – Sidewalk shall be provided along all sides of a lot that front a public street or private right-of-way. A continuous pedestrian walkway shall be provided from the public sidewalk to the customer entryway to the building. A minimum 6-foot wide sidewalk shall be provided along all sides of any building where the façade features a customer entryway. The sidewalk shall be raised above the grade creating a curb at the edge of the sidewalk at the parking lot. This sidewalk shall be located at least five feet from the façade of the building to allow space for foundation plantings unless the sidewalk is covered by a canopy, awning, or similar structure.

10.06 GENERAL PROVISIONS

- A. All new development and redevelopment shall be subject to the site plan review requirements of Chapter 27.
- C. There shall be no minimum lot size or lot width required, however, the minimum area required for consideration of rezoning to the B-1 Neighborhood Business District shall be five (5) acres unless the request is for an extension of an existing B-1 District, then a smaller area will be considered.
- D. Except where otherwise indicated in this chapter, all business activities permitted within this District shall be conducted within a fully enclosed building.
- E. The dispensing of gasoline, parking, loading and unloading are permitted activities outside of a fully enclosed building.
- D. No outdoor storage of any material (usable or waste) shall be permitted within this District except in enclosed containers. The containers must be completely screened from the public right-of-way and from adjacent property by means of a wall that matches the building materials and colors. The enclosure must be located in the rear

yard and shall be setback a minimum of 25 feet from any residentially zoned property.

- E. All walkway, parking lot, or driveway lights shall be shielded so that substantially all the directly emitted light falls within the property lines.
- F. No motor vehicle, which is inoperable, or trailer, which is usable or unusable, shall be stored or used for storage of any items, unless it is located within a fully enclosed building.
- G. All uses permitted in this zoning district shall be conducted in such a manner so that no noise, odor, smoke, glare, vibrations, or other impacts are evident from beyond the property line.

Lot Area, Bulk and Yard Requirements in the B-1 Neighborhood Business District.

Requirements	B-1 District
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A. Lot Requirements	
1. Minimum Area for Rezoning	5 Acres
2. Minimum Lot Area	(Note 1)
3. Minimum Lot Width	(Note 1)
B. Maximum Height	
1. Principal Building	3 stories or 45 feet
2. Accessory Structure	15 feet
C. Minimum Yard Requirements	
1. Front – Primary & Secondary Arterial	110 feet from centerline
2. Front – Collector	90 feet from centerline
3. Front - Local Street	50 feet from r-o-w
4. Side	10 feet (Note 2 & 4)
5. Rear	10 feet (Note 2 & 4)
Accessory Structure	
1. Front	(Note 3)
2. Side	10 feet (Note 4)
3. Rear	10 feet (Note 4)

Note 1. There shall be no minimum lot area or lot width required, however, the minimum area required for consideration of rezoning to the B-1 Neighborhood Business District is five (5) acres.

Note 2. There shall be a 10 foot minimum side and rear yard setback for properties in this district except when abutting a residential district, then the minimum side and rear yard setbacks shall be 35 feet. A landscape buffer shall be provided by the developer/owner that may include fencing and/or mounding dependent on the intensity of the use. The Township must approve the screening during the site plan review process.

Note 3. Accessory uses must be located in the rear yard of the principal structure.

Note 4. A twenty five (25) foot setback is required when adjoining a Residence District.

Effective: Revised June 14, 2007; August 15, 2008