

ARTICLE XV - B-2 GENERAL BUSINESS DISTRICT

Section 1. Intent. To establish and preserve a retail business district convenient to the public and attractive for a wide range of retail uses. The regulations set forth in this article or set forth elsewhere in this ordinance, when referred to in this article, are the regulations in the B-2 General Business District.

Section 2. Permitted Uses.

1. Any use permitted in the B1 Zoning, however, the requirements set forth in B1 Neighborhood Business District, Article XIV, shall apply to this permitted use.
2. Retail Establishment.
3. Bakery.
4. Department stores.
5. Furniture stores.
6. Grocery stores.
7. Shopping Centers in accordance with the requirements of the Detailed Use Regulations set forth in Article XXV, Section 8.
8. Bank or Financial Service.
9. Motels and hotels.
10. Motion picture theater.
11. All types of restaurants.
12. Auto parts store.
13. Recreational vehicles, which are not self-propelled, or travel trailer display and sales room, but not including mobile homes.
14. Motor Vehicle Sales Lot in accordance with the requirements of the Detailed Use Regulations set forth in Article XXV, Section 11.
15. Minor vehicle repair or servicing. (See definition)
16. Vehicle Repair (Major), farm implement, or trailer repair or servicing, with damaged or inoperable items to be screened in a separate paved lot with a bituminous or concrete surface, all in accordance with the requirements of the Detailed Use Regulations set forth in Article XXV, Section 13.
17. Farm implement display and sales room.
18. Rental Establishment, with no outside storage of any kind. (See definition)
19. Rental and Sales of Light Equipment.
20. Building material sales -- no outside lumber yard.
21. Hardware store with no outside sales or storage allowed.
22. Veterinary clinic, veterinary hospital, dog training facility, or boarding facility -- (no outside kennels or dog runs), in accordance with the requirements of the Detailed Use Regulations set forth in Article XXV, Section 16.
23. Carpentry, painting, plumbing, tinsmithing, and electrical shops; provided, that all work on the premises is done within a building, and all materials are stored in a building. None of these uses shall create any objectionable noise, vibrations, smoke, dust, odor, heat, glare, or pollutants.
24. Warehouses, distribution centers and office warehouses, not to include mini-warehouses.
25. Gasoline service station in accordance with the requirements of the Detailed Use Regulations set forth in Article XXV, Section 12.
26. Convenience Store.

27. Amusement or recreation service, except drive-in theater or practice golf-driving range.
28. Medical or dental laboratory.
29. Churches.
30. Public schools.
31. Private schools.
32. Short-Term and Seasonal Businesses, in accordance with the requirements of the Detailed Use Regulations set forth in Article XXV, Section 17.
33. Special Events, in accordance with the requirements of the Detailed Use Regulations set forth in Article XXV, Section 18.
34. Laundromat.

Section 3. Special Exception Use. A use which is permitted in a particular zoning district only by special application and approval by the Board of Adjustment on such special exception as they are authorized to rule on by the terms of this ordinance, and which is subject to restrictions and safeguards as to number, area, character, location or relation to the neighborhood. This use is permitted further subject to appropriate permits and/or licenses being issued in accordance with the provisions of the ordinances of the City of Pelham. It should be noted that an application of a special exception is not an appeal, even though it is being considered by the board. In this case, the board is acting in an administrative role and is applying the general provisions of the ordinance to a specific site and project. The following uses are granted subject to approval by the Board of Adjustment, and further subject to appropriate permits and/or licenses being issued:

1. Broadcasting towers or wireless communications facilities shall be in accordance with the requirements for specific uses set forth in Ordinance Number 374-2, or the most current revision thereof.

Section 4. Prohibited Uses

1. No outside storage of any kind shall be allowed, with the exception of sales and rental of automobiles, light trucks, travel trailers, utility trailers, recreational vehicles, and light equipment and farm implements normally stored outside.
2. Residential dwellings.
3. The required parking spaces, maneuvering drive aisles, and pedestrian areas on a parcel in the B-2 General Business District, are not to be used in ways other than the intended designed uses for those areas.
4. No vehicles of any kind or no merchandise or materials of any kind associated with a business, shall be parked or stored within city, county, or state rights-of-way within the city limits of Pelham.
5. No storage trailers or temporary storage containers shall be allowed for storage on the premises.
6. None of the above activities listed in "Section 2 – Permitted Uses" shall involve resource production, foundries, processing or refining of raw materials such as ore, metals, rubber, plastic, fuel, petroleum, nor storage or disposal of hazardous chemicals or wastes.

ARTICLE XIV - B-1 NEIGHBORHOOD BUSINESS DISTRICT

Section 1. Intent. To establish and preserve areas for those commercial facilities which are especially useful in close proximity to residential areas, while minimizing the undesirable impact of such uses on the neighborhoods which they serve. The regulations set forth in this article or set forth elsewhere in this ordinance, when referred to in this article, are the regulations in the B-1 Neighborhood Business District.

Section 2. Permitted Uses

1. Any use permitted in the O-I Zoning, however, the requirements set forth in O-I Office and Institutional District, Article XIII, shall apply to this permitted use.
2. Churches.
3. Public schools.
4. Private schools, where the type of school is compatible with nearby residential areas.
5. Barber or beauty shops.
6. Banks or lending institutions.
7. Drug stores.
8. Dry cleaning outlets.
9. Grocery stores.
10. Bakery with sale of all bakery products at retail on the premises only; except, that catering services direct to consumer shall be permitted.
11. Restaurant or coffee shop; with no drive-up or walk-up window service or service to customers in their vehicles.
12. Retail Establishment, limited in character and size to that which is of service to the City of Pelham only.
13. Shoe repair.
14. Business, dancing, and/or music school.
15. Utility service building.

Section 3. Special Exception Use. A use which is permitted in a particular zoning district only by special application and approval by the Board of Adjustment on such special exception as they are authorized to rule on by the terms of this ordinance, and which is subject to restrictions and safeguards as to number, area, character, location or relation to the neighborhood. This use is permitted further subject to appropriate permits and/or licenses being issued in accordance with the provisions of the ordinances of the City of Pelham. It should be noted that an application of a special exception is not an appeal, even though it is being considered by the board. In this case, the board is acting in an administrative role and is applying the general provisions of the ordinance to a specific site and project. The following uses are granted subject to approval by the Board of Adjustment, and further subject to appropriate permits and/or licenses being issued:

1. Broadcasting towers or wireless communications facilities shall be in accordance with the requirements for specific uses set forth in Ordinance Number 374-2, or the most current revision thereof.

Section 4. Prohibited Uses

1. No outside storage of any kind shall be allowed.
2. Residential dwellings.
3. Repair garages or storage yards for materials, vehicles or equipment, warehouses, buildings and other facilities having commercial or industrial characteristics.
4. The required parking spaces, maneuvering drive aisles, and pedestrian areas on a parcel in the B-1 Neighborhood Business District, are not to be used in ways other than the intended designed uses for those areas.
5. No vehicles of any kind or no merchandise or materials of any kind associated with a business shall be parked or stored within city, county, or state rights-of-way within the city limits of Pelham.
6. No storage trailers or temporary storage containers shall be allowed for storage on the premises.

Section 5. Area and Dimensional Regulations. Except as provided in Article XXIV – “Supplementary Regulations and Modifications” and XXVII – “Board of Adjustment” the area and dimensional regulations set forth in the following table shall be observed.

Maximum Height of Structures		Minimum Yards (Feet)		Minimum Side Yards	Minimum Lot Area	Minimum Lot Width
Stories	Feet	Front	Rear	Feet	Square Feet	Feet
3	42	50	*None	**None	***See Below	None

- * No rear setback - except on the rear of a lot abutting a dwelling district, in which case there shall be a rear yard of not less than 20 feet, and in accordance with the requirements set forth in Article XXIV, Section 9 – “Supplementary Regulations and Modifications – Landscaping and Buffers”.
- ** No side yard setback - except on the side of a lot abutting a dwelling district in which case there shall be a side yard of not less than 20 feet, and in accordance with the requirements set forth in Article XXIV, Section 9 – “Supplementary Regulations and Modifications – Landscaping and Buffers”.
- *** The size of the lot must be adequate to allow for the building and setbacks plus required parking, driveways, landscaping, delivery vehicles, refuse collection facilities, buffers, etc.

Section 6. Parking Regulations. Off-street parking spaces shall be provided in accordance with the requirements for specific uses set forth in Article XXIII – “Off-Street Parking and Loading Requirements”.

Section 7. Landscape Buffer Regulations. Landscaping and buffers shall be in accordance with the requirements for specific uses set forth in Article XXIV – “Supplementary Regulations and Modifications” – Section 9 – “Landscaping and Buffers”.

Section 8. Sign Regulations. Any signage shall be in accordance with the requirements for specific uses set forth in Article XXII – “Sign Ordinance”.

Section 9. Additional Regulations (when applicable)

1. All utilities shall be underground in new commercial parks in B-1 Neighborhood Business District Zoning.
2. Any garbage/refuse service areas shall be limited to the rear or side of the principal building or complex it serves, screened to a height which is adequate to conceal such facilities from public view, and covered if a sewer drain is required in the dumpster facility. Any screening used in B-1 Neighborhood Business District Zoning shall be in accordance with the requirements for specific uses set forth in Article XXIV, Section 13 – “Supplementary Regulations and Modifications – Screening”.
3. When adjacent to a residential zone, exterior lighting fixtures, including lighting for parking areas, walkways, general illumination or any other purposes, shall be constructed to direct the beam away from any residential area and to direct the beam entirely onto the property of the business.