

DIVISION 6. - B-1 TOWN CENTER DISTRICT

Sec. 108-435. - Permitted uses.

The following uses shall be permitted and the following regulations and the applicable regulations contained in other articles shall apply in the B-1 Town Center District. All principal permitted uses and conditional uses shall require site plan review in accordance with article V of this chapter. Principal permitted uses are as follows:

- (1) Hotels and motels, subject to section 108-843.
- (2) Bed-and-breakfast, subject to section 108-326.
- (3) Any community retail business or service establishment, such as a food, drug, clothing, hardware, accessory, variety, hair salons, a beauty shop, florist or specialty shops, shoe repair shop, laundromat and dry-cleaning facilities, banks, funeral homes professional offices, a real estate offices or insurance offices or the like, supplying commodities or performing services primarily for residents and visitors of the town.
- (4) Restaurants, cafes (to include outdoor dining), pubs, and confectioneries.
- (5) Antique or gift shops.
- (6) Automobile service stations, light repair and storage garages and commercial parking lots for passenger vehicles, subject to provisions in section 108-817 and provided that all motor tuning or testing or other noisy activities are conducted within enclosed buildings.
- (7) Theaters, opera houses, live entertainment venues.
- (8) Furniture stores, interior decorating shops, provided that all principal buildings and workshops and all paint storage are located at least 50 feet from any lot in an R District.
- (9) Warehousing for products and goods sold on the premises, provided that the first 30 feet of any warehouse fronting Main Street be used for the sale of the goods produced or stored.
- (10) Boardinghouses and lodginghouses.
- (11) Any other retail business or service establishment which is determined by the board of appeals to be of the same general character as those specified herein, but not including any use prohibited herein or of a class first permitted in a B-2, B-3 or M District.
- (12) Dwellings above street level floors where street level floors are utilized for commercial, retail or other uses as allowed in this chapter.

(Code 1977, § 107-38(A); Ord. No. 2000-10, 9-25-2000; Ord. No. 2008-10, 11-24-2008)

Sec. 108-436. - Accessory uses.

The following accessory uses are permitted in the B-1 Town Center District:

- (1) Accessory buildings and uses customarily incidental to any permitted principal use, and not otherwise prohibited.
- (2) Exterior signs pertaining only to the uses conducted on premises. Such signs shall be integral with or attached to the building; or if any such building is more than 25 feet back from the street line, a freestanding sign located at the street right-of-way line shall be permitted. No such sign shall project over any street line unless attached to a marquee or canopy no more than three feet above a parapet wall or roof line if mounted on the building, nor shall it exceed 25 feet in total height if freestanding. The area of all such signs on the premises shall not exceed in aggregate one square foot for each linear foot of building frontage. Where the lot adjoins an R District, any

exterior sign 50 feet thereof shall be attached flat against the front of the building. Other requirements pursuant to article X of this chapter shall apply to signs in a B-1 District.

- (3) The manufacturing, processing or treatment of goods for sale primarily at retail on the premises or the cleaning, laundering, repairing or other treatment of objects as a retail service to customers on the premises, in which operations not more than three persons shall be engaged at any one time.

(Code 1977, § 107-38(B); Ord. No. 2000-10, 9-25-2000)

Sec. 108-437. - Required conditions.

The following conditions are required in the B-1 Town Center District:

- (1) All business and processing, except as stipulated, shall be conducted wholly within completely enclosed buildings, except for the sale of automotive fuels, lubricants and incidental services at service stations, and the parking or loading of vehicles, unless authorized as an exception by the board of appeals.
- (2) Where a B-1 District fronts directly across the street or abuts a lot line from any R District, the parking and loading facilities shall be set back at least 25 feet from the street line or lot line, and the intervening space shall be landscaped. All buildings in such cases shall be set back at least 15 feet.
- (3) Processes and equipment employed and goods processed or sold shall be limited to those which are not objectionable by reason of hazard, odor, dust, smoke, cinders, gas, fumes, noise, vibration, radiation, refuse matter or water-carried waste.
- (4) No lighting other than minimum protective night lighting shall remain on after business hours. All lighting shall be shaded so as to direct the light away from residential premises and public streets.

(Code 1977, § 107-38(C); Ord. No. 2000-10, 9-25-2000)

Sec. 108-438. - Height regulations.

No structures shall exceed three stories or 45 feet, and no accessory structure shall exceed two stories or 30 feet in height, except as provided in section 108-241.

(Code 1977, § 107-38(D); Ord. No. 2000-10, 9-25-2000)

Sec. 108-439. - Conditional uses.

Conditional uses require board authorization, in accordance with section 107-69 and 107-70, and site plan review, pursuant to article V of this chapter.

(Code 1977, § 107-38(E); Ord. No. 2000-10, 9-25-2000)

Sec. 108-440. - Lot area, width and yard requirements.

The following minimum requirements shall be observed, subject to the modified requirements in article IV of this chapter:

Use	Minimum Lot Area	Minimum Lot Width (feet)	Lot Area per Unit	Use Front Yard Depth ¹ (feet)	Side Yard Width Each Side (feet)	Rear Yard Depth (feet)
Hotels	40,000	100	2,000	25	20	20
Boardinghouses or lodginghouses	20,000	80	4,000	25	10	30
Community retail service establishments	6,000	60		10 ²	None, except 15 when adjoining an R District	30 abutting an R District, otherwise 15
Other permitted uses	—	—	—	10 ²	None, except 15 when adjoining an R District	30 abutting an R District, otherwise 15

Notes:

1. For narrow streets, see section 108-706; for built-up frontage, see section 108-243.
2. Or greater, as specified elsewhere in this chapter.

(Code 1977, § 107-38(F); Ord. No. 2000-10, 9-25-2000)

Sec. 108-441. - Group homes.

A group home as defined in section 108-5 may be permitted as a conditional use in the B-1 Town Center District subject to the approval of such conditional use in that district by the Board of Zoning Appeals. The area in which a group home may be permitted as a conditional use shall be restricted to the area of Old Ocean City Boulevard east of U.S. Route 113 in the B-1 Town Center District.

([Ord. No. 2018-06](#), 11-26-2018)

Secs. 108-442—108-463. - Reserved.