

Sec. 28-741. - Scope.

The regulations in this division shall apply in all R-B-1 districts.

(Ord. No. 563, § 1, 8-23-60; Ord. No. 705, § 1, 8-28-62; Ord. No. 807, § 1, 12-30-63; Ord. No. 808, § 1, 12-30-63; Ord. No. 809, § 1, 12-30-63; Ord. No. 970, § 1, 5-25-65; Ord. No. 973, § 1, 6-1-65; Ord. No. 1034, §§ 3, 4, 11-9-65; Ord. No. 1039, § 1, 11-30-65; Ord. No. 1076, § 1, 2-8-66; Ord. No. 1181, § 1, 1-3-67; Ord. No. 1282, §§ 1—3, 4-30-68; Ord. No. 1285, § 2, 4-23-68; Ord. No. 1377, § 1, 8-26-69; Ord. No. 1456, § 1, 8-4-71; Ord. No. 1627, § 1, 1-11-72; Ord. No. 1668, § 6, 6-13-72; Ord. No. 1730, §§ 1—8, 10-10-72; Ord. No. 1768, § 1, 1-9-73; Ord. No. 1975, §§ 1, 2, 5-14-75; Ord. No. 2176, §§ 1, 2, 7-8-75; Ord. No. 2203, § 1, 10-28-75; Ord. No. 2459, § 1, 2-8-78; Ord. No. 2726, § 1, 4-22-80; Ord. No. 2879, § 3, 1-31-81; Ord. No. 2970, § 2, 8-11-81; Ord. No. 3102, § 1, 7-27-82; Ord. No. 3615, § 1, 4-28-87; Ord. No. 3705, § 13, 7-26-88)

Sec. 28-742. - Permitted uses.

In R-B-1 districts, no building, structure, land, or part thereof shall be erected, altered or used in whole or in part for other than 1 or more of the following specified uses:

- (a) Banks and financial institutions.
- (b) Child care and adult care centers subject to the provisions of section 28-1416 et seq.
- (c) Hospitals, convalescent homes, assisted living facilities, and nursing homes.
 - 1. Any property zoned R-B-1 that is located contiguous to land zoned MC, and where that MC zoned land includes a hospital use, may be included within an application for approval of an MC master plan as provided in section 28-932; provided, however, that those portions of any such master plan zoned R-B-1 shall continue to be governed by the requirements of this division.
- (d) Places of public assembly.
- (e) Business, trade, technical or secretarial schools.
- (f) Business offices, professional offices and governmental buildings.
- (g) Duplicating, copying, letter and secretarial service establishments.
- (h) Personal service shops.
- (i) Retail stores.
- (j) Bakeries and similar places for preparation of food to be sold at retail on the premises subject to the provisions of section 28-1328.
- (k) Laundry and drycleaning pickup shops, and drycleaning and pressing establishments that:
 - 1. Use only nontoxic and nonflammable fluorocarbon solvents in equipment which requires no venting or emissions of fumes or gases into the atmosphere;
 - 2.

Utilize a total of not more than 5 full- or part-time employees; and

3. Utilize no pickup or delivery facilities to the establishment except those from members of the consuming public seeking the service at the site of the establishment.

- (l) Mortuaries.
- (m) Interior decorators, photographic galleries, artists' studios.
- (n) Parking lots or parking structures.
- (o) Reserved.
- (p) Retail establishments, established with the sole purpose of selling donated articles to the public for the sole benefit of religious, philanthropic and eleemosynary organizations not for profit upon written application to and approval by the city council.
- (q) Motorcar fuel stations (service stations) subject to the provisions of section 28-1386 et seq.
- (r) Restaurants, subject to the provisions of section 4-3, if applicable; provided, however, any restaurant which includes a dance floor or dancing area shall require conditional use approval pursuant to section 28-743(b).
- (s) Helistops, as herein defined, subject to the provisions of section 28-1451 et seq.
- (t) Utility substations subject to the approval of the planning and zoning board and the city council.
- (u) Retail pharmacies and medical marijuana treatment center dispensing facilities, subject to the requirements and limitations set forth in section 28-1312.
- (v) Uses accessory to any of the above uses, including living quarters for the owner or operator and outdoor storage of passenger cars, panel or pickup trucks used in the business or items otherwise provided for as a permitted use. Outdoor display or storage of merchandise or equipment is prohibited, except as provided in section 28-1309.
- (w) Telecom web-hosting facilities.
- (x) Those uses set forth in sections 28-1305(a) and (b).

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4573, § 2, 4-10-01; Ord. No. 5040, § 14, 9-9-08; Ord. No. 5392, § 5, 5-23-17; Ord. No. 5393, § 4, 5-23-17; Ord. No. 5436, § 1, 2-13-18; Ord. No. 5487, § 11, 6-11-19; Ord. No. 5513, § 3, 2-11-20; Ord. No. 5555, § 16, 1-26-21; Ord. No. 5572, § 1, 4-27-21; Ord. No. 5615, § 16, 7-26-22)

Cross reference— Supplementary district regulations for automotive service stations, § 28-1386 et seq.; child care and adult care centers, § 28-1416 et seq.; supplementary district regulations for helistops and heliports, § 28-1451 et seq.

Sec. 28-743. - Conditional uses.

Conditional use approval may be requested by the owner of the property in R-B-1 districts for the following uses in accordance with division 4 of article II:

- (a) Hotels, motels, tourist homes.
- (b) Any restaurant which includes a dance floor or dancing area.
- (c) Bars, nightclubs and drinking establishments, subject to the provisions of section 4-3, if applicable.
- (d) New car agencies in accordance with section 28-1302.
- (e) Substance abuse treatment facility, provided that such facilities shall not be located within a radius of 1,000 feet of another existing facility.

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