

§ 3. B-1 Local Business/Residential Mixed Use District.

(Sec. 3.01) Purpose. The B-1 Local Business/Residential Mixed Use District is established as a medium density, mixed use district in order to provide convenient locations for neighborhood shopping and for affordable moderate density multifamily housing with easy access to transportation routes and neighborhood shopping. To ensure compatibility of diverse uses within the district, development shall conform to applicable performance standards as set forth in this chapter, part II, division 1.

(Sec. 3.02) Permitted uses:

(Residential uses)

- (1) Accessory dwelling units.
- (2) Any permitted use in R-2.
- (3) Bed and breakfast house.
- (4) Boarding and lodging houses.
- (5) Multifamily development, including dormitories for students and fraternity or sorority houses on a development site of two (2) acres or more.

(Nonresidential uses)

- (1) Amusement, entertainment and fitness facilities, including bowling alleys, cinemas, health clubs, outdoor amusement, pool halls and private swim, tennis or similar clubs.
- (2) Automobile parts sales, new or rebuilt (over the counter).
- (3) Automobile parking lots (commercial).
- (4) Bakeries, retail sales only.
- (5) Banks, thrifts and similar financial institutions.
- (6) Bowling alleys, and other similar places of entertainment or amusement.
- (7) Churches and other institutions of a religious, educational, charitable or philanthropic nature, but not a penal or mental institution.
- (8) Cinemas and theaters for the performing arts.
- (9) Clinics limited to outpatient care.
- (10) Dancing or music academies.
- (11) Florist shops or greenhouses.
- (12) Frozen food lockers, for individual or family use.
- (13) Hotels and motels.
- (14) Laundries, self-service.

(Nonresidential uses)

- (15) Mortuaries.
- (16) Pet shops, retail.
- (17) Offices and office buildings, including, but not limited to, medical offices and office buildings.
- (18) Personal service uses including barbershops, beauty parlors, photographic or artist studios, messengers, taxicabs, newspaper or telegraphic service stations, dry cleaning and pressing, dressmaking, tailoring, shoe repairing, repair of household appliances, bicycles and lawnmowers, catering, restaurants, and other personal service uses of a similar character.
- (19) Retail stores, general sales and service, and other local business uses supplying the everyday shopping needs of immediate neighborhood and subject to the following conditions:
 - (a) That it be conducted wholly within an enclosed building.
 - (b) That required yards not be used for display, sale or storage of merchandise, except as provided by specific use permit in the B-1 District.
 - (c) That required yards not be used for the storage of vehicles, equipment, containers or waste material.
 - (d) That all merchandise be sold on or from the premises to retail customers.
- (20) Restaurants and cafeterias with or without drive-through or drive-in service.
- (21) Shopping centers less than three (3) acres.
- (22) Public facility entry monument sign as provided in Chapter 21, Signs, of the Code of Ordinances, City of Brenham, Texas.
- (23) Upholstering shops, not involving furniture manufacturing.
- (24) Accessory buildings and uses customarily incident to any of the above uses, provided that such uses meet applicable performance standards as set forth in part II, division 1 of this ordinance.

(Sec. 3.03) Specific uses:

- (1) Automobile service stations, including quick-lubes and windshield repair shops.
- (2) Automobile (car) wash.
- (3) Automobile detail shop.
- (4) Any extension or enlargement of floor area occupied by a legally existing

nonconforming use, provided that said enlargement does not include an increase in the land area that is occupied at the time of the effective date of this ordinance.

- (5) Educational institutions (private):
 - (A) Licensed kindergartens/nursery schools.
 - (B) Accredited elementary and secondary schools.
 - (C) Colleges and universities.
 - (D) Business and trade schools.
- (6) Food truck park.
- (7) Hospitals, acute or chronic care or nursing and convalescent homes or medical clinics and assisted living facilities.
- (8) Open (outdoor) display or storage of retail merchandise as an accessory use to uses permitted in the B-1 District.
- (9) Private clubs on a site of three (3) acres or more.
- (10) Radio broadcasting towers and stations.
- (11) Retirement villages with site areas of two (2) acres or more.
- (12) Shopping centers, retail stores, general sales and services on a site of three (3) acres or more.

(Sec. 3.04) Height regulations:

- (1) No building shall exceed forty-five (45) feet or three (3) stories in height.
- (2) Broadcasting and communication towers shall be limited to one hundred fifty (150) feet in height.

(Sec. 3.05) Area regulations:¹

- (1) Residential uses:
 - (A) Size of yards: Same as district “R-2.”
 - (B) Size of lots: Same as “R-2.”
- (2) Nonresidential uses:
 - (A) Size of yards:
 - (i) Front yards: There shall be a front yard having a minimum depth of twenty-five (25) feet.

1. In the event that new development is adjacent to a use that falls within a difference use category, a bufferyard shall be added to the applicable yard regulations (Part II, Division 1, Section 12, Table 3).

- (ii) Side yard: A side yard of not less than fifteen (15) feet in width shall be provided on the side of a lot adjoining a side street. Otherwise, no side yard is required, except as required for bufferyards.
- (iii) Rear yard: A rear yard of not less than ten (10) feet in depth shall be provided, except as required for buffer yards.

(B) Size of lot:

- (i) Lot area: No nonresidential building shall be constructed on any lot of less than five thousand (5,000) square feet.
- (ii) Lot width: The width of the lot shall not be less than fifty (50) feet at the front building line nor shall its average width be less than fifty (50) feet.
- (iii) Lot depth: The average depth of the lot shall not be less than one hundred (100) feet.
- (iv) Legally existing nonconforming lots: Where lots having less area, width, and/or depth than herein required existed in separate ownership upon the effective date of this ordinance, the above regulations shall not prohibit the erection of a nonresidential building thereon, provided the applicable setbacks as provided above shall be maintained.

(C) Lot coverage: In no case shall more than eighty (80) percent of the total lot area be covered by the combined area of the main buildings, and accessory buildings and other impervious surfaces.

(Sec. 3.06) Parking and loading regulations. Off-street parking and loading spaces shall be provided in accordance with the requirements for specific uses set forth in part II, division 1, section 15 and section 16 of this ordinance.

(Sec. 3.07) Screening and fencing regulations. As provided in part II, division 1, section 12 and section 13 of this ordinance.

(Ordinance adopted 10/3/96, sec. 3; Ordinance adopted 4/17/97, sec. 2; Ordinance O-19-012, sec. 9, adopted 3/7/19; Ordinance O-19-018, sec. 1, adopted 6/20/19; Ordinance O-21-018, sec. 2, adopted 9/2/21; Ordinance O-21-030 adopted 11/4/21)