

ARTICLE III
Section 3-110

BUSINESS A GENERAL BUSINESS DISTRICT

Section 3-110.1 - Intent General Business Districts provide for the appropriate development and special requirements for the major business concentrations, which serve an area larger than the immediate neighborhood.

Section 3-110.2 - Use Regulations Buildings may be erected or used and a lot may be used or occupied for any of the following purposes and no other:

1. Any use allowed in Commercial A District, not requiring a Special Permit, except for multifamily dwellings. (12/15/88)
2. Retail store, including department store, variety store, furniture store, specialty shop, or any other retail store designed primarily to serve an area larger than the immediately surrounding neighborhood.
3. Hotel or motel.
4. Business or professional office building.
5. Club, lodge or business serving alcohol for consumption on the premises, including a taproom or pub where accessory to alcoholic beverage production (3/22/22)
6. Restaurants.
7. Indoor storage in conjunction with a retail store or permitted use, provided the area devoted to storage shall not constitute more than forty (40) percent of the gross floor area of the retail store.
8. Business, dance or similar schools, not to include trade schools which have training operations that create objectionable noise levels at the property line.
9. Bank or similar financial institution.
10. Accessory uses on the same lot with the customarily incidental to any of the above permitted uses.
11. Wholesale in conjunction with and accessory to a permitted retail use provided that the area devoted to the retail use is no less than sixty (60) percent of the gross floor area.

12. Dry Cleaning Establishments. (4/9/90)
13. All necessary utility lines that meet the requirements of 3-130.2.21. (12/3/09)
14. Home Occupation (See Section 5-100.1) (7/1/10)

Section 3-110.3 - Special Permit Uses

1. Motor Vehicle Service Station. Services to include such uses as gas station, lubrication service, washing-buffing, installation and service of radios, burglar alarm systems and all other electrical or electronic systems and engine tune-ups but may not include transmission overhaul, major engine repairs, tire recapping or retreading, auto body repair or, brake or muffler shops (Planning Board)
2. (Reserved for future use 6/3/04)
3. Mechanical, public car wash provided that (1) mechanical power used in conjunction with such used not exceed twenty (20) rated horsepower and (2) on-lot storage lane capacity is provided for at least ten (10) cars. Must have access to a municipal sanitary sewer line. (Planning Board)
4. Pet kennels and veterinary hospital (Planning Board)
5. Monument engraving and sales (Planning Board)
6. Theater, hall, club and other indoor places of amusement or assembly (City Council)
7. Conversion of an existing building to ten or more residential units, provided that two (2) off street parking spaces per unit be provided. (Planning Board)
8. New construction of multifamily dwellings which meet all area and density requirements of the District. (Planning Board) (6/15/89)
10. Funeral Establishments. (Planning Board) (5/20/93)
11. Shared Elderly Housing (Planning Board) (7/7/03)
12. Any proposed use that will discharge a cumulative total of more than 25,000 gallons per day of waste into the city's sanitary sewer system, or any use categorized as a Significant Industrial User (SIU). This shall apply to both new uses and to any alteration, extension or expansion of an existing use which would result in a cumulative total of more than 25,000 gallons per day of waste being discharged into the city's sanitary sewer system, or any use categorized as a Significant Industrial User (SIU). (Planning Board) (1/19/06)

13. Any proposed use involving a building or buildings with a cumulative total floor area equal to or greater than 25,000 square feet. This requirement applies to both new uses and buildings, and to alterations/extension/expansions of exiting uses and buildings whose cumulative total square footage meets or exceeds these thresholds. (Planning Board) (10/4/07)
14. Home Based Business (See Section 5-100.1) (7/1/10)

Section 3-110.4 - Area and Height Regulations For buildings in whole or part for business purposes the following regulations shall apply (2/1/90)

1. Building and lot area Minimum lot size in a Business A zone is seventeen thousand and five hundred (17,500) square feet. Lot coverage shall not exceed 25%.
2. Front Yard Minimum setback of buildings shall be not less than thirty (30) feet. Each lot will have a minimum frontage of one hundred (100) feet at the street line.
3. Side Yard For every detached building or group of attached buildings there shall be two side yards neither of which will be less than fifteen (15) feet.
4. Rear Yard There shall be a rear yard on each lot which shall be not less than twenty (20) feet.
5. Heights. No buildings or structures shall exceed two and a half (2 ½) stories or thirty-five (35) feet in height. Except that a school, college, library, municipal facility, Shared Elderly Housing, or barn may be erected to a height not to exceed three (3) stories or fifty (50) feet. For buildings or structures located within the designated Airport Landing Zone the maximum height will be whichever is the most restrictively regulated.

The Planning Board may issue a Special Permit permitting heights in excess of the maximum permitted. (7/7/03)

6. Special Regulations In order to encourage sound and attractive commercial development, the following special requirements shall apply:
 - a. Every use, other than the parking lot, shall be completely enclosed within an approved building.
 - b. Along each side or rear property line, which directly abuts another residential property in the city or residential districts in an adjoining municipality, a buffer planting strip not less than twenty (20) feet in width, as defined in Article II, Section 2-20.01 shall be provided. The Special Permit granting authority may waive this requirement of in its opinion a suitable substitute is provided. (4/16/98)

- c. No permanent storage of merchandise shall be permitted outside of a building.
 - d. Off-street parking and loading, see Article VII.
 - e. Signs as permitted in Article VIII.
 - f. Five (5) percent of the required front yard shall be maintained with grass and live shade trees and ornamental shrubs with adequate spaces being left unpaved for their growth.
 - g. Trash receptacles such as dumpsters or trashcans shall be fully enclosed within a building or screened from public view.
7. Regulations for Shared Elderly Housing
- a. Every building used for Shared Elderly Housing shall comply with the area and yard regulations prescribed for Multi-Family Elderly Units in Residence C Districts (See Articles III, Sections 3-70.5 – 3-70.8) (7/7/03)

Section 3-110.5 - Area and Height Regulations for Residential Uses. Every building used exclusively as a single or two-family dwelling shall comply with the dimensional regulations prescribed for Residence C Districts (Section 3-70.5-6). For multifamily dwellings, the following regulations shall apply: (11/15/16)

- 1. Building and Lot Area Lot area in a Business A zone for the purpose of construction multifamily housing will be determined as follows: 60,000 sq. ft. (2/1/90)
- 2. Density On a lot there shall be no more than one (1) unit constructed per 15,000 square feet provided that all yard and height requirements are met. (2/1/90)
- 3. Yards No part of any building except the outside steps or handicap ramps shall be nearer to any street line than the corresponding parts of the nearest building on either side thereof facing on the same street. In no case shall this setback distance exceed twenty-five (25) feet. (2/1/90)
 - a. Front yard. Where the alignment of the building is not controlled by the preceding paragraph, no part of any building except the outside steps shall extend within thirty (30) feet of the street line of any street. At least seventy-five (75) percent of the required front yard shall be planted in grass or otherwise landscaped and no parking shall be allowed within the landscaped area. (2/1/90)
 - b. Side yard. Two (2) yards neither less than twenty (20) feet. In the case of a corner lot, there shall not be less than twenty-five (25) feet between multiple family buildings on the same lot. (2/1/90)

4. Heights – No buildings or structures shall exceed two and one half (2 ½) stories or thirty-five (35) feet in height. Except that a school, college, library, municipal facility, or barn may be erected to a height not to exceed three (3) stories or sixty (60) feet. Buildings or structures located within the designated Airport Landing Zone, height will be whichever is the most restrictively regulated.

The Planning Board may issue a Special Permit permitting heights in excess of the maximum permitted. (2/24/03)

5. Off-Street Parking Two and two-tenth (2.2) off street parking spaces shall be provided for each dwelling unit. For additional off-street parking and loading requirements see Article VII. (2/1/90)
6. Private Yards and Balconies Multiple family structures constructed after the adoption of this ordinance will have private yards set aside for each unit on the ground floor equal to at least fifty (50) percent of that unit's floor space. Each second story unit will be provided with a balcony of at least sixty (60) square feet, unless direct access to private yard space is practical. (2/1/90)

3-110.3(9) added second paragraph (10/07/04)

3-110.3(12) added (1/09/06)

3-110.3(13) added (10/04/07)

3-110.2(13) added (12/03/09)

3-110.2(14) added (07/01/10)

3-110.3(14) added (07/01/10)

3-110.5 clarified (11/15/16)

3-110.3(9) deleted (07/13/21)

3-110.2(5) revised (03/22/22)

ARTICLE III
Section 3-90

COMMERCIAL A NEIGHBORHOOD COMMERCIAL DISTRICTS

Section 3-90.1 – Intent. Neighborhood Commercial Districts are intended to provide for the special requirements of retail and service convenience establishments, which serve primarily the day-to-day needs of the immediately surrounding neighborhood. The intent of this section is to encourage attractive compact commercial developments in locations close to the residences served.

Section 3-90.2 – Use Regulations. Buildings may be erected or used and a lot may be used or occupied for any of the following purposes and no others:

1. Any use allowed in Residence C, not requiring a Special Permit, except for multi-family dwellings. (12/15/88)
2. Retail store designed primarily to provide daily service to the residents of the immediately surrounding neighborhood and within a ground floor area not in excess of seven hundred and fifty (750) square feet.
3. Service oriented stores, such as a barbershop, beautician, but not including laundry or dry cleaning establishments.
4. Retail service store or custom store such as a bakery or confectionery, food store (no booth or restaurant facilities) jewelry store, radio, television or household appliance repair store and florist provided that:
 - a. Any article made shall be sold at retail from the premises; and
 - b. The area devoted to processing or storage shall constitute not more than forty (40) percent of the gross floor area.
5. Branch bank or similar financial institution, realty office.
6. Automatic self-service laundry.
7. Medical or dental clinic.
8. Conversion of an existing building up to ten (10) residential units provided that Two (2) off-street parking space per unit be provided.
9. Accessory uses on the same lot with and customarily incidental to any of the above permitted uses.
10. Home Occupation (See Section 5-100.1) (7/1/10)

Section 3-90.3 – Special Permit Uses.

1. Conversion of an existing building to greater than ten (10) residential units provided that two (2) off-street parking space is provided per unit. (Planning Board)
2. Self-Storage facilities such as cargo box, individual storage containers or storage buildings, which are rented or leased as a commercial operation. (Planning Board)
3. New construction of multifamily dwellings which meet all area and density requirements of the district. (Planning Board) (3/4/19)
5. Funeral Establishments. (Planning Board) (5/20/93)
6. Shared Elderly Housing (Planning Board) (7/07/03)
7. Any proposed use that will discharge a cumulative total of more than 25,000 gallons per day of waste into the city's sanitary sewer system, or any use categorized as a Significant Industrial User (SIU). This shall apply to both new uses and to any alteration, extension or expansion of an existing use which would result in a cumulative total of more than 25,000 gallons per day of waste being discharged into the city's sanitary sewer system, or any use categorized as a Significant Industrial User (SIU). (Planning Board) (1/19/06)
8. Any proposed use involving a building or buildings with a cumulative total floor area equal to or greater than 5,000 square feet. This requirement applies to both new uses and buildings, and to alterations/extension/expansions of existing uses and buildings whose cumulative total square footage meets or exceeds these thresholds. (Planning Board) (10/4/07)
9. Home Based Business (See Section 5-100.1) (7/1/10)

Section 3-90.4 – Area and Height Regulations. Every building used exclusively as a dwelling shall comply with the area and yard regulations prescribed for Residence C Districts (See Article III, Sections 3-70.5 – 3-70.8). For buildings used in whole or in part for commercial purposes the following regulations shall apply:

1. Building and Lot Area. Minimum lot size in a Commercial –A district is fifteen thousand (15,000) square feet. Not more than twenty-five (25) percent may be occupied by buildings.
2. Front Yard. There shall be a setback on each street on which a lot abuts which shall be not less than thirty (30) feet and each lot will have a minimum frontage of one hundred (100) feet at the street line.

3. Side Yard. For every detached building or group of attached buildings, there shall be two (2) side yards, neither of which shall be less than fifteen (15) feet in width.
4. Rear Yard. There shall be a rear yard on each lot which shall be not less than twenty (20) feet in depth.
5. Heights. No buildings or structures shall exceed two and a half (2 ½) stories or thirty-five (35) feet in height. Except that a school, college, library, municipal facility, Shared Elderly Housing, or barn may be erected to a height not to exceed three (3) stories or fifty (50) feet. For buildings or structures located within the designated Airport Landing Zone the maximum height will be whichever is the most restrictively regulated.

The Planning Board may issue a Special Permit permitting heights in excess of the maximum permitted. (7/7/03)

6. Special Regulations. In order to encourage sound and attractive commercial development, the following special requirements shall apply:
 - a. Every use other than the parking lot shall be completely enclosed within a building.
 - b. Along each side or rear property line, which directly abuts another residential property in the city or residential districts in an adjoining municipality, a buffer planting strip not less than twenty (20) feet in width, as defined in Article II – Section 2-20.01 shall be provided. The Special Permit granting authority may waive this requirement if in its opinion a suitable substitute is provided. (4/16/98)
 - c. No permanent storage of merchandise shall be permitted outside a building.
 - d. Off-Street parking, loading, see Article VII. For each dwelling unit, two (2) off-street parking space shall be provided.
 - e. Signs as permitted in Article VIII.
 - f. Ten (10) percent of the required front yard shall be maintained with grass and live shade trees and ornamental shrubs with adequate spaces being left unpaved for their growth.
 - g. Trash receptacles such as dumpsters or trashcans shall either be fully enclosed or screened from public view.
7. Regulations for Shared Elderly Housing

- a. Every building used for Shared Elderly Housing shall comply with the area and yard regulations prescribed for Multi-Family Elderly Units in Residence C Districts (See Article III, Sections 3-70.5 – 3-70.8) (7/7/03)

3-90.3(4) added second paragraph (10/07/04)
3-90.3(7) added (01/19/06)
3-90.3(8) added (10/04/07)
3-90.2(10) added (07/01/10)
3-90.3(9) added (07/01/10)
3-90.3(3) SPGA change (03/04/19)
3-90.3(4) deleted (07/13/21)