

Article VIA
Downtown Business (BD) District
(Added 5-7-2007 ATM, Art. 25)

§ 210-20.1. Size and setback requirements.

The following size and setback requirements shall apply:

- A. Minimum lot area: 15,000 square feet.
- B. Maximum lot coverage: 60%.
- C. Minimum setback from street line: 5 feet.
- D. Minimum side yard width: 0 feet adjacent to property used solely for non-residential purposes at the time of application; 10 feet adjacent to property used partially or wholly for residential purposes at the time of application, or zoned for residential purposes.
- E. Minimum rear yard depth: 20 feet adjacent to property used solely for non-residential purposes at the time of application; 30 feet adjacent to property used partially or wholly for residential purposes at the time of application, or zoned for residential purposes.
- F. Maximum building height: 35 feet.

§ 210-20.2. Permitted uses.

The following land uses and building uses shall be permitted in a BD District. Any uses not so permitted are excluded, unless otherwise permitted by law or by the terms hereof.

- A. Bed-and-breakfast establishments and inns with a maximum of 12 guest rooms.
- B. Retail stores and retail service shops.
- C. Business or professional offices, medical offices and banks.
- D. Municipal uses.
- E. Funeral homes and mortuaries.
- F. Restaurants where all patrons are seated and no live entertainment is provided.
- G. Signs:
 - (1) Limit one exterior sign per business, except that a business establishment on a corner lot facing two public ways shall be allowed one sign on each public way.
 - (2) Signs shall conform to the side yard and rear yard requirements for the Downtown Business District.
 - (3) Signs may be illuminated but shall be unflashing, nonmoving, non-animated and of a permanent nature. Neon signs shall not be permitted.
 - (4) The size of all signs shall be limited to 32 square feet.

- (5) The height of standing signs shall not exceed 10 feet measured from the average grade to the top of the sign. The height of signs on buildings shall not exceed the roof eave line of the structure.
- (6) Accessory signs: limit of two accessory signs per business, which may indicate identification of businesses or occupants or guidance or direction of traffic or parking. No accessory sign shall exceed two square feet in area.
- (7) Any existing nonconforming sign legally erected prior to the adoption of this Chapter or any amendment thereof, may be continued to be maintained, but shall not be enlarged, reworded, redesigned or altered in any way unless said sign shall conform with the provisions of this subsection.

H. Mixed use buildings comprised of retail space on the first floor, and office space or residential dwelling units on the second and third floors. The residential dwelling units shall have dedicated on-site parking spaces. No dwelling unit shall have less than 600 gross square feet.

I. Accessory uses.

§ 210-20.3. Uses allowed by special permit.

In addition to the foregoing permitted uses, the following uses shall be allowed in a BD District upon the granting of a special permit by the Board of Appeals:

- A. Gasoline service stations and automobile repair garages, expressly including the accessory use of retail sale of propane, provided the maximum size of a propane storage tank does not exceed 2,000 gallons, and also provided there is compliance with all other federal, state, and municipal regulatory requirements.
- B. Single and multifamily residences; buildings used for dwelling purposes. All residential uses must comply with the dimensional requirements contained in Article II, Residence A (RA) District.
- C. Live commercial entertainment.
- D. Drive-in, drive-through, or drive-up uses, but excluding the dispensing of food or drink, provided that: 1) an adequate dedicated area for at least four vehicles to queue shall be provided on the premises, 2) notification of the public hearing for such special permit shall be mailed to the owners of all properties within 1,000 feet of the premises, and 3) the Board of Appeals shall grant the Special Permit only if it finds that the proposed use will not be detrimental to the surrounding neighborhood.
- E. Car wash facilities.
- F. Theaters, halls and clubs.
- G. Off-street parking facility. The Planning Board and not the Board of Appeals shall be the Special Permit Granting Authority for such facilities.

§ 210-20.4. Off-street parking.

In addition to the provisions contained in § 210-124, Off-street parking, the following shall apply:

- A. No off-street parking shall be located between the principal building and a street.