

## Redline Version illustrating specific changes to Article XIV of Chapter 16

### ARTICLE XIV - Central Business CB District

#### Sec. 16-241. - Statement of intent.

This district is intended to provide for the development of a concentration of commercial, office, recreational, cultural, entertainment and governmental facilities serving as the center of community activity with the walkable character, activity and concentration of development found in a traditional downtown area. It is the further intent of this district to conserve and enhance the historic qualities of existing central business area for the benefit of the community as a whole. Specialized housing for elderly residents is encouraged to take advantage of ~~nearby-walkability for~~ shopping and services. ~~Higher density housing contributes to the activity and energy of the area; while attached and detached s~~Single-family residential uses may continue to co-exist with commercial interests within theis district, as they have historically co-existed.

#### Sec. 16-242. - Use regulations.

The following uses shall be permitted in this district subject to approval by the Planning and Zoning Commission of a site development plan. Change of permitted uses and minor changes to site plans within existing properties and buildings is subject to administrative site development plan review for compliance with parking, loading and signage requirements.

(1) Principal uses permitted by right:

a. Retail stores:

1. Food store, supermarket;
2. Food store, convenience with vehicle fuel sales;
3. Delicatessen;
4. Bakery goods store;
5. Liquor store;
6. Hardware store;
7. Drugstore;
8. Clothing and accessories store; and
9. Media stores, including music, magazines and newspapers.

b. Customer service establishments:

1. Barber and beauty shops;
2. Ice cream shops;
3. Restaurant and bar, excluding drive-up or drive-thru windows;
4. Shoe repair shop;
5. Laundromat and coin-operated dry cleaning establishment; and
6. Fine arts or crafts studio, including a "live-work" space occupied by an artist or craftsperson and also used as a studio and/or sales gallery.

c. Business and professional offices, excluding special trades contractors;

- d. Banks and savings and loans;
  - e. Medical and dental clinics;
  - f. Public administrative offices and service buildings;
  - g. Public utility offices;
  - h. Public library;
  - i. Private club or lodge subject to Paragraph (2) below regarding frontage;
  - j. Commercial lodging;
  - k. Theater, live stage or recorded media, subject to restrictions of Paragraph (2) below regarding frontage;
  - l. Places of worship, subject to Paragraph (2) below regarding frontage;
  - m. Passenger transportation terminals, not including trucking terminals;
  - n. Dwelling units located above the first floor; ~~and~~
  - o. Elderly housing, including assisted living facilities and skilled nursing facilities; ~~;~~
  - p. Child day care center licensed and operated according to state law; ~~and-~~
  - q. Single-family residential uses, in structures originally built as detached single-family dwellings, and in accordance with the requirements contained in the SF-1 or SF-2 District.
- (2) Conditions on public assembly uses. To maintain a pedestrian-friendly experience along the major streets of the CBD, any theater, club, lodge, religious institution or other place of public assembly located in the CBD district shall be subject to the following limitation. Such use shall not have more than fifty (50) feet of blank wall (i.e., no active storefront windows) along street frontage on the first floor.
- (3) Permitted accessory uses, subject to site development plan review:
- a. Signs;
  - b. Residential quarters for the owner, proprietor, commercial tenant, employee or caretaker located in the same building as the business; and
  - c. Any other structure or use clearly incidental to and commonly associated with the operation of a principal use permitted by right.
- (4) Conditional uses. The following uses shall be permitted in this district upon approval of a conditional use grant as provided in Article VII of this Chapter:
- a. Commercial parking facilities;
  - b. Gasoline service stations;
  - c. Motor vehicle repair and maintenance within an enclosed structure; and
  - d. Residential uses, except in accordance with the requirements contained in the SF-1 or SF-2 District.

Sec. 16-243. - Intensity of use.

The intensity of use of a site shall not exceed a floor/area ratio of three-to-one.

Sec. 16-244. - Building location.

There are no minimum or maximum setbacks in this district. There is no minimum offset in this district. Notwithstanding the foregoing, residential uses permitted by Section 16-242(1)(q) shall meet the minimum lot size, setback, and offset requirements in accordance with the requirements contained in the SF-1 or SF-2 District.

Sec. 16-245. - Open space.

There is no minimum required open space in this district, regardless of whether a building includes one (1) or more dwelling units. Notwithstanding the foregoing, residential uses permitted by Section 16-242(1)(q) shall meet the minimum requirements in accordance with the requirements contained in the SF-1 or SF-2 District.

Sec. 16-246. - Special off-street parking requirements.

The parking standards of Section 16-143 of this Chapter shall apply to uses in the CBD District, except as set forth in this Section. To maintain the walkable character of the CBD, it is the policy of the Town to discourage to the maximum extent practicable the location of off-street parking or garages with driveways onto South Parish and South First Streets. Alternative parking arrangements, including shared parking, off-site parking, reserved or otherwise designated public parking or other arrangements are encouraged and shall be considered for appropriateness and adequacy as part of the site plan review process. The Town may provide additional downtown public parking tied to a fee-in-lieu-of-parking spaces in which developers would contribute to the cost of constructing such parking. The Planning and Zoning Commission shall have the authority to reduce or otherwise adjust the off-street parking requirements as part of the site plan review process, provided that the variance-adjustment does not exceed ~~ten-fifty~~ percent (~~1050~~%).

Sec. 16-247. - Off-street loading requirements.

To maintain the walkable character of the CBD, loading for retail uses is allowed from streets and alleys. Other permitted uses shall provide off-street loading that conforms to the requirements of Section 16-144 of this Chapter, but off-street loading areas shall not be located along or with direct access to or from South Parish or South First Street.