

Chapter 515. Zoning

Article XII. GB General Business District

§ 515-50. Intent.

The GB General Business District is intended to promote the development of vehicle and pedestrian accessible areas with a variety of retail, office, civic and service uses, and strengthen economic conditions on Gratiot Avenue. The regulations of this district intend to:

1. Improve the economic development potential of the corridor.
2. Create an identity for New Haven through enhanced streetscape and site design elements, safe pedestrian-oriented design, trail connections, and attractive architecture. and pedestrian spaces;
3. Improve public health, safety and welfare by reducing the number of traffic hazards, reducing the number of pedestrian and vehicular conflict points, and improving emergency vehicle access and circulation. Encourage collaboration between adjacent property owners in the form of shared access and lot combinations;
4. Limit the impact of off-street parking access locations which interrupt the flow and consistency of the physical design.
5. Orient building entrances and storefronts to the street to add visual interest and increase pedestrian traffic, and create outdoor spaces.
6. Provide a visual connection to the Village downtown district.

§ 515-51. Principal permitted uses.

In the General Business District, no building or land shall be used and no building shall be erected except for one or more of the following uses:

- A. Generally recognized retail businesses which supply commodities on the premises, such as but not limited to groceries, meats, dairy products, baked goods, beverages, drugs, dry goods, clothing, books, hardware and similar uses.
- B. Banks, savings and loan, and credit unions.
- C. Cocktail lounges, bars and restaurants, excluding drive-in or drive-through window facilities.
- D. General, service, sales and professional offices.
- E. Laboratories.
- F. Medical and dental offices, including walk-in clinics and ambulatory care centers but excluding hospitals
- G. **Micro-businesses**
- H. Outdoor assemblies.
- I. Personal service shops, such as tailor, beauty parlor, barbershop, photographer, photo drop off with or without on-site processing, instant or quick printing shop, shoe repair, laundromats and dry cleaning establishments, provided the actual dry cleaning takes place off site, and similar uses. **I.** Private clubs, lodge halls and similar uses.

- J. Public buildings without outdoor storage yards, including community centers, libraries, museums, and post offices. K. Public parks.
- L. Theaters (excluding drive-ins).
- M. Veterinarian offices, excluding kennels.
- N. Antique, thrift and resale shops.
- O. Accessory uses and structures incidental to the principal use.

§ 515-52. Special land uses.

The following special land uses may be permitted only after review and approval by the Planning Commission, subject to the requirements and standards of Article **XX** and the submission of a site plan conforming with the requirements of § **515-100**: ~~A. Adult entertainment uses (§ 515-89).~~

- B. Bed-and-breakfast facilities (§ **515-125**).
- C. Cemeteries (§ **515-128**).
- D. Commercial greenhouse/nursery (§ **515-131**).
- E. Commercial outdoor recreation (§ **515-133**) or indoor recreation (§ **515-132**).
- F. Convalescent or rest home (§ **515-135**).
- G. Drive-through facilities (§ **515-136**).
- H. Educational facilities (§ **515-137**).
- I. Funeral homes (§ **515-141**).
- J. Hospitals (§ **515-143**).
- K. Hotels and motels (§ **515-144**).
- L. Kennels (§ **515-145**).
- M. New and used vehicle sales (see § **515-150** for outdoor sales lots).
- N. Nursery schools and child-care centers (§ **515-149**).
- O. Places of worship (§ **515-153**).
- ~~J. Small Scale Manufacturing (§ 515-169).~~
- P. Vehicle convenience stations without repair and with limited repair service (§ **515-160**).
- Q. Vehicle repair garages (§ **515-161**).
- R. Vehicle service centers (§ **515-162**).
- S. Vehicle wash facilities (§ **515-163**).
- T. Utility structures (§ **515-159**).
- U. Accessory uses and structures incidental to the principal use.
- V. Uses which, in the opinion of the Planning Commission based on findings of fact, are similar to the above permitted uses.

§ 515-53. Accessory structures and uses.

Accessory buildings, structures and uses shall be permitted in accordance with § 515-78. In addition, the following accessory structures and uses may also be permitted only when conducted within a completely enclosed building, subject to the following:

Garages shall be used exclusively for the storage of passenger motor vehicles and/or commercial vehicles of less than one-ton capacity, which are to be used in connection with a business permitted and located in the GB General Business District.

A. Sidewalk sales shall be permitted only as provided hereunder:

- (1) No person, firm, corporation or merchant shall vend, sell, dispose of or display any goods, wares, merchandise or produce on any public street or sidewalk or anywhere else outside a building without full compliance with this section for the period of said sidewalk sale.
- (2) Sidewalk sales shall be permitted for no more than three days. No more than two such sidewalk sales shall be permitted on a site to any person, firm, corporation or merchant in a single calendar year.
- (3) Sale of the merchandise under this subsection shall be limited to merchandise usually sold on the premises. No new merchandise shall be brought in to vend, sell, dispose of or display at the sidewalk sale.
- (4) All merchandise offered for sale hereunder must be displayed on private property. Merchandise shall be securely and adequately placed so that it will not endanger passersby or fall or extend into the public right-of-way. Such sales shall not be operated in any manner which would cause a nuisance or create a fire hazard or obstruct ingress and egress to premises.

§ 515-54. Development regulations.

- A. All uses shall be retail or service establishments dealing directly with customers. All retail goods produced on the premises shall be sold on the premises.
- B. All business, servicing or processing, except for off-street parking or loading, shall be conducted within a completely enclosed building, unless otherwise permitted through special land use approval.
- C. Site and Landscape Design Standards. Landscape, streetscape, and screening elements shall be required in accordance with Section 515-91 and the following.

(1) Pedestrian Access.

- (a) Sidewalks shall be required along all street frontages. Sidewalks shall be required along all street frontages and minimally allow for clear two-direction pedestrian passage and physical separation from the street curb, and shall be a minimum of eight (8) feet in width and meet applicable engineering standards.
- (b) A pedestrian walk shall provide a clear, publicly-accessible connection between the primary street upon which the building fronts and the building.
- (c) A dedicated pedestrian walkway shall be provided from rear and side yard parking areas to the building.

(2) Vehicle entries shall be well-delineated through landscape or hardscape features for

identification and safety.

- (3) Street trees, decorative lighting, and street furniture shall be considered along all frontages.
 - (a) Street trees shall be located in accordance with the standards of the governing authority.
 - (b) Street trees shall not be located within a corner clearance area per Section 515-76.
 - (c) Landscape areas adjacent to public rights-of-way, parks and residential uses shall have underground irrigation.
 - (d) Exterior site lighting shall be in accordance with § 515-90G. In addition, where a building wall faces an abutting residential district there shall be no floodlighting of such facade. This shall not preclude **the** lighting of doorways on such facades.
 - (e) Loading areas shall be designed and placed according to Section 515-101. Except in the case of offices and businesses that have a very infrequent incidence of deliveries, and when approved by the Planning Commission, an off-street loading space may be utilized within the off-street parking area, but shall not diminish the number of off-street parking spaces otherwise required.
 - (f) Waste materials of any sort shall be screened from public view by a masonry wall and shall be consolidated in a defined trash receptacle area in conformance with § 515-91K(1).
 - (g) No required front yard space in any GB General Business District shall be used for the storage or parking of vehicles or any other materials or equipment.
 - (h) Prohibited use of open areas: No machinery, equipment, vehicles, or other materials shall be stored or parked unless in full accordance with the Village of New Haven Nuisance Ordinance.
 - (i) See Article XVIII, General Provisions, relating to off-street parking, off-street parking layout, landscaping and screening requirements and other sections of the article as they relate to specific uses permitted in the district.

D. Building Design Standards. Proposed developments shall comply with the design standards set forth herein:

- (1) Building Materials and Colors. The exterior of buildings shall be constructed of high quality materials, including, but not limited to, brick, stone, architectural steel and glass, and integrally tinted/textured concrete masonry units.
- (2) Building Transparency. Ground floor facades that face public streets and parks shall have display windows, entry areas, or similar features.
- (3) Building Entrance. Each principal building on site shall have clearly defined, highly visible entrances with awnings, recesses/projections, or decorative architectural details. At least one pedestrian entry shall front a public right-of-way, unless the Planning Commission finds that there are unique circumstances associated with the use, building or parcel that would make the access requirement unreasonable.
- (4) Garage Doors. Garage doors shall not be permitted on a front façade with the exception that the Planning Commission may permit garage doors on the front façade subject to attractive

screening and landscaping or if the garage is utilized as a design amenity for uses such as outdoor dining patios or outdoor sales.

(5) All accessory buildings shall be similar in architectural design and materials to the principal building.

E. Except where otherwise regulated in this article, refer to Article XVII, Schedule of District Regulations, limiting the height and bulk of buildings, the minimum size of lot by permitted land use, the minimum yard setback requirements and development options.[1]

(1) Editor's Note: The Schedule of District Regulations is included at the end of this chapter.

F. All uses in this district require site plan review and approval. Site plans shall be prepared in accordance with the requirements of § 515-100 of this chapter and shall be reviewed and approved by the Planning Commission prior to issuance of a building permit.

G. Where the standards of this Section conflict with other sections of the Zoning Ordinance, the standards of this Section shall take precedence.