

**ARTICLE 8-A
HEAVY COMMERCIAL (C-2) DISTRICT¹**

Statement of Intent

The purpose of this district is to provide sufficient space and appropriate locations for commercial activities generally serving the complete town or region and located along existing major thoroughfares. These establishments are generally located in areas designated as commercial/industrial land uses in the Comprehensive Plan.

8A-1 Permitted Uses

Within this Zoning District, a building and/or land shall be used for the following purposes with an approved site plan:

- a. Arts, Crafts & Photography Studios
- b. Automobile Service Stations
- c. Business Service Establishments
- d. Civic, Social or Fraternal Facilities
- e. Commercial Accessory Structures
- f. Community Center
- g. Commercial Recreation Facilities
- h. Community Shopping Centers (facilities which do not exceed 99,999 square feet)
- i. Convenience Store
- j. Emergency Services (fire/rescue)
- k. Flea Markets.
- l. Funeral Homes
- m. Golf cart Sales/Service
- n. Hotels/Motels
- o. Live-work units
- p. Museums
- q. Offices
- r. Pawn Shops
- s. Parks/Open Space
- t. Private or Public and Commercial Piers
- u. Public Utilities, Buildings and Facilities
- v. Restaurants
- w. Stand alone Retail Sales Establishments (not exceeding 50,000 square feet)
- x. Service & Repair Establishment
- y. Theaters
- z. Training/Vocational School
- aa. Training Centers for the Physically or Mentally Disadvantaged
- bb. Veterinary Hospitals and Kennels
- cc. Watchman or caretakers living quarters employed by the business

8A-2 Conditional Uses (Conditional Use Permit Required)

Notwithstanding 8-1 of this Article, the following uses require a Conditional Use Permit. After review of the application and public hearing, thereon, in accordance with Article 16 herein, the Town Council finds as a fact that the proposed use is consistent with the intent of the Land Use Plan, and is in the public interest, the following uses may be permitted with an approved site plan.

- a. Auction Houses
- b. Big Box Retail
- c. Boat Building Establishments
- d. Bottling Establishments
- e. Bus and Railroad Stations
- f. Commercial Piers
- g. Conference Centers
- h. Go-cart Tracks
- i. Hospitals
- j. Major Shopping Centers (exceeding 100,000 square feet)
- k. Marinas
- l. New Motor Vehicle Sales and Repair Establishments
- m. Nightclubs
- n. Parking Deck/Lot
- o. Seafood Packing Facilities
- p. Truck/Freight Terminal
- q. Used Vehicle Sales, Service, and Repair Establishment
- r. Vehicle Major Service Stations
- s. Warehouse/Distribution Centers
- t. Wholesale Trade Establishments

8A-3 Development Standards

- a. Full frontage improvements required (curb, gutter & sidewalk)
- b. No chain link or other types of wire fences may be placed on the required front yard.
- c. Off street parking shall be to the side and rear of the principal structure. Parking shall be based upon the net public floor area excluding storage, halls, bathrooms, etc.
- d. Dumpsters must be screened from view by a board on board fence or masonry enclosure (see figure 8-1.1).
- e. Outdoor lighting shall not exceed 0.5 foot-candle at any property line and such lights shall be shielded to reflect the light down. The light source (bulb) shall be shielded so as not to be visible from adjoining property lines or public rights-of-way.
- f. Light standards or poles shall not exceed 15-feet in height.
- g. Across the front of the property a "street tree" standard shall be required as specified by the Director of Planning.
- h. Parapet walls or other screening device shall be used to screen roof top mechanical equipment from view.
- i. Hotel/motel parking shall be structured and attached to or adjacent to the principle building. It shall have architecture that is consistent with the principal building and it shall not be calculated as part of the building height when located below the principal building provided that the height of the parking shall not exceed 35 feet from finished grade.

8A-4 Area Regulations

The minimum lot area required is 130,608 square feet (three (3) acres).

8A-5 Front Yard Setback Regulations

For the principal structure the minimum front yard setback from the street right of way upon which the structure fronts shall be twenty-five (25) feet and the maximum shall be fifty (50) feet.

Parking lots shall be located to the rear or side of the principal structure and it shall have internal and perimeter landscaping in accordance with this ordinance.

8A-6 Minimum Street Frontage Regulations

The minimum street frontage required is one hundred (100) feet.

8A-7 Lot Width Regulations

The minimum lot width at the building restriction line is two hundred (200) feet.

8A-8 Side Yard Setback Regulations

- a. For main structures, there shall be no minimum side yard required.
- b. Notwithstanding Section 8-7(a), for main structures adjacent to the boundary line of a residential zoning district, the minimum side yard adjacent to such district shall be twenty-five (25) feet.
 - i. This may be reduced to ten (10) feet provided an eight (8) foot tall, masonry architectural wall consistent with the main structure or a board on board fence is constructed with a three (3) foot landscaped bed placed along the property line (see figure 8.8.1 for an example of an architectural wall).

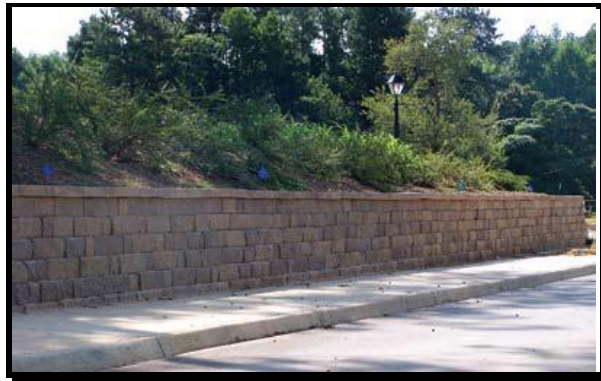


Figure 8-8.1 Example of an architectural wall

8A-9 Rear Yard Setback Regulations

- a. For main structures, there shall be no minimum rear yard required.
- b. Notwithstanding Section 8-9(a), for main structures adjacent to the boundary line of a residential zoning district, the minimum side yard adjacent to such district shall be twenty-five (25) feet.
 - i. This may be reduced to ten (10) feet provided an eight (8) foot tall, masonry architectural wall, consistent with the main structure or a board on board fence is constructed with a three (3) foot landscaped bed placed along the property line (see figure 8.8.1 for an example of an architectural wall).

8A-10 Height Regulations

Permitted structures may be erected up to thirty-five (35) feet from final grade with the following exceptions:

- a. Church spires, monuments, water towers, chimneys, flag poles, television antennae, and radio aerials.
- b. Parapet walls may be up to four (4) feet above the height of the building on which the walls rest.

8A-11 Accessory Structure Regulations

- a. Accessory structures shall have no minimum setback required.
- b. Notwithstanding Section 8-10(a), an accessory structure, shall be located no closer than twenty-five (25) feet to any property line which is adjacent to the boundary line of a residential district.
 - i. This may be reduced to ten (10) feet provided an eight (8) foot tall, masonry architectural wall, consistent with the main structure or a board on board fence is constructed with a three (3) foot landscaped bed is placed along the property line (see figure 8-8.1 above).
- c. All accessory buildings shall be less than the main building in height.

8A-12 Screening Regulations.

- a. Notwithstanding Section 2-10 of this Ordinance and in addition to the requirements contained in Article 24 of this Ordinance, the following uses shall be screened from view by a uniformly painted solid board fence or a masonry wall constructed consistent with the principal structure. Such screening shall be six (6) feet in height and shall not extend past the front corners of the main structure.
 - i. Areas provided or reserved for open air storage, display, or loading/unloading of material, merchandise, or equipment.
 - ii. Areas provided or reserved for the open air storage of damaged, or inoperable boats and watercraft, provided however that this shall not include those awaiting general repair or maintenance.
 - iii. Areas provided or reserved for the acceptance and collection of refuse.
- b. Notwithstanding Section 5-14 (a), outdoor display of merchandise provided or reserved for resale shall not require screening, if the area designated for such display does not exceed five percent (5%) of the floor area of the structure dedicated to the use.
- c. Such screening shall not obstruct the view of motorists using any street, private driveway, parking aisles, or the approach to any street intersection so as to constitute a traffic hazard or a condition dangerous to the public safety. Such screening shall be maintained in perpetuity by the property owner(s) in good condition as determined by the Director of Planning. Whenever the enforcement of the provisions of this Section would result in a traffic hazard, the Director of Planning may waive or modify such requirements.