

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)
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3-90.3(8) added (10/04/07)
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3-90.3(3) SPGA change (03/04/19)
3-90.3(4) deleted (07/13/21)