

ARTICLE III
Section 3-100

COMMERCIAL OFFICE RETAIL ENTERPRISE DISTRICT

Section 3-100.1 – Intent. The CORE district is intended to accommodate high intensity business uses appropriate for downtown locations and to set design standards commensurate with this special area of the City. Uses and structures should be consistent and complimentary with the existing character and scale of the downtown, maintaining its historic architectural style and continuity of its streetscape design. (05-04-06)

Section 3-100.2 – Permitted Uses. A building may be erected or used and a lot may be used or occupied for any of the following purposes and no other:

1. Any use permitted in Business A District, not requiring a Special Permit. (12-15-88)
2. Retail store, including department store, variety store, furniture store, specialty shop, or any other retail store designed primarily to serve an area larger than the immediately surrounding neighborhood.
3. Hotel
4. Business or professional office building.
5. Club, lodge or business serving alcohol for consumption on the premises.
6. Restaurants
7. Indoor storage conjunction with a retail store or permitted use, PROVIDED the area devoted to storage shall not constitute more than forty (40) percent of the gross floor area of the retail store.
8. Business, dance or similar schools, NOT to include trade schools which have training operations that create objectionable noise levels at the property line.
9. Bank or similar financial institution.
10. Wholesale in conjunction with and accessory to a permitted retail use PROVIDED that the area devoted to the retail use is no less than sixty (60) percent of the gross floor area.
11. Newspaper publishing, job printing or similar establishment.

12. Parking or passenger transit facilities, but excluding the storage of any commercial motor vehicle having a gross vehicle weight rating in excess of 14,000 lbs. (5/14/15)
13. Deleted in its entirety (11/07/96)
14. Accessory uses on the same lot with and customarily incidental to any of the above permitted uses.
15. All necessary utility lines for meet the requirements of 3-130.2.21. (12/03/09)
16. Home Occupation (see Section 5-100.1) (07/01/10)

Section 3-100.3 – Special Permit Uses. The following uses shall require a special permit from the designated authority:

1. Buildings containing three (3) or more residential dwelling units in addition to non-residential uses, provided such uses are otherwise described in Section 3-100.2 or 3-100.3 (Planning Board) (12/6/2012)
2. Deleted 5-04-06 and Reserved for future use.
3. Pet kennels and veterinary hospital. (Planning Board)
4. Theater, hall, club and other indoor places of amusement or assembly. (Planning Board) (3/4/19)
5. Conversion of a portion of an existing building to residential uses provided that no ground floor area be used for residential purposes, and parking is addressed in accordance with Section 3-100.5(3). (Board of Appeals) (12/6/2012)
6. Buildings used for commercial and business purposes with a total ground floor area larger than fifteen hundred (1,500) square feet. (Planning Board). This rule shall apply to both new construction and alterations to existing structures.
7. Multi-family dwelling or apartment house provided that all required parking be physically provided. (Planning Board) (12/6/2012)
8. 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) (01/19/06)

9. Home Based Business (See Section 5-100.1) (07/01/10)

Section 3-100.4 – Area and Height Regulations.

1. Building Area. Not more than ninety-five (95) percent of the area of each lot may be occupied by buildings. EXCEPT in the case of a building used in whole or in part for residential purposes, in which case not more than ninety (90) percent of each lot may be occupied by buildings.
2. Density. Every building used in whole or in part for residential purposes shall contain not more than one hundred fifty (150) dwelling units per acre.
3. Yards. None required. The minimum front yard setback is zero (0) feet, and the maximum front yard setback is five (5) feet. (05-04-06)
4. Height. No buildings or structures shall exceed a maximum height of seventy-five (75) feet. No buildings or structures shall have a minimum height of less than thirty-five feet (35) feet. For buildings or structures located within the designated Airport Landing Zone, the maximum height will be whichever is the most restrictively regulated. (05-04-06)
5. The Planning Board may issue a Special Permit permitting heights higher or lower, and setbacks in excess of the maximum permitted, where they specifically find that such changes would result in a better project and still be consistent with and maintain the Intent of the CORE District. (05-04-06)

Section 3-100.5 – Special Regulations for Residential Uses.

1. Within any building containing both residential and non-residential uses, no floor area within one story of street level shall be used for residential purposes. (12/6/2012)
2. There shall be provided on the lot at least fifty (50) square feet of landscaped usable open space for each dwelling unit, except in the case of existing buildings where this provision shall apply only to the maximum extent practicable. Such usable open space may be provided on the ground or a balcony or on the roof of a structure, provided it is accessible to all residents of the building. (12/6/2012)

3. Parking Requirements (12/6/2012)
 - a. Recognizing the space limitations and alternative transportation methods available to residents in the CORE district, a minimum of 1.0 off-street parking space per dwelling unit shall be provided. (12/6/2012)
 - b. Notwithstanding 3(a) above, and where not otherwise indicated in this Article, a payment of \$2,500.00 for each of the required parking spaces not provided into a municipal fund dedicated to addressing the parking demand in the CORE District shall be allowed by right to satisfy zoning requirements. (12/6/2012)
 - c. Fees paid to the City, in lieu of providing some or all of the required parking spaces shall be deposited into the municipal fund and shall be used solely for expenses related to adding parking spaces, improving the utilization of existing parking spaces or reducing parking demands, but not for maintenance costs. Any requests to appropriate funds from this account shall be filed with the City Council and shall then be referred to the Off Street Parking Commission, which shall have 45 days to forward their comments and recommendations to City Council before a vote of the appropriation may be taken. (12/6/2012)

Notwithstanding the previous paragraph, the City Council may elect by the establishment of a separate ordinance to designate any funds collected under this section to the Off-Street Parking Revolving Account, and may establish limits on individual expenditures and total fund balances allowed in the Off-Street Parking Revolving Account at any given time. (11/20/2013)
 - d. Nothing in this section shall prevent the use of shared or off-site parking to satisfy the parking requirement nor relieve compliance with other parking provisions, as described in Article VII, except that a municipally-owned or operated parking facility may not be used to satisfy parking requirements for residential uses in the CORE district. (12/6/2012)
 - e. In order to restore the and maintain the continuity of the streetscape facade of the CORE District, the addition of a second story to an existing single story building shall not require the provision of additional parking or a payment into the dedicated municipal parking fund as required by this section. (12/6/2012)
4. All projects are subject to the requirements of Site Plan Approval Section (Article VI)

Section 3-100.6 – Special Regulations for Other Uses.

1. No permanent or periodic storage of merchandise or equipment shall be permitted outside a building.
2. Off-Street loading requirements prescribed in Article VII shall apply in CORE districts. (05-04-06)
3. All projects are subject to the requirements of Site Plan Approval Section (Article VI).
4. Parking for non-residential uses shall only be required for any increase in the square footage of a structure, which shall comply with the requirements of Article VII. The Planning Board may issue a Special Permit requiring payment of \$2,500.00 per required parking space into a municipal fund dedicated to addressing the parking demand in the CORE District where they find that; 1. the parking required cannot be physically provided to serve the use, and 2. the payment into the fund would ultimately lead towards addressing the parking demand generated by the use. In order to restore and maintain the continuity of the streetscape facades of the CORE District, the addition of a second story to an existing single story building shall not require the provision of additional parking or a payment into the dedicated municipal parking fund as required by this Section. (05-04-06)
5. All uses which utilize a drive-in, drive-up or drive-thru facility are prohibited, except that the Planning Board may issue a Special Permit for such facility for banks and drug stores (where such facilities are located to the rear of the structure and lots), and for hotel porticos, where the Board specifically finds that such facilities would result in a better project and still be consistent with and maintain the intent of the CORE District.
6. For all uses, all parking shall be located behind the principal building/structure on the lot and no parking may be in the front yard or along the lot frontage. The Planning Board may issue a Special Permit permitting parking elsewhere on the lot where they specifically find that said changes would result in a better project and still be consistent with and maintain the Intent of the CORE District. (05-04-06)

3-100.3 (8) added (01/19/06)

3-100.1 revised (05/04/06)

3-100.3 (1), (2) deleted (05/04/06)

3-100.4 (3), (4), (5) revised (05/04/06)

3-100.5 (1), (3) revised (05/04/06)

3-100.6 (2), (4), (5), (6) revised (05/04/06)

3-100.2 (5) added (12/03/09)

3-100.2 (16), 3-100.3 (9) added (07/01/10)

3.100.3 (1), (5), (7) revised (12/6/12)

3.100.5 Heading, (1), (2), (3) revised (12/6/12)

3.100.5(3c) added paragraph (11/20/13)

3.100.2 (12) revised (5/14/15)

3.100.3(4) SPGA added (3/4/19)