

**Section 19 DEFINITIONS:**

**CUSTOMARY HOME OCCUPATION:** a Retail Service, Personal Service, Professional Service, or Business Service when conducted as an Accessory Use to a dwelling, or the production of articles that require the skillful use of the hands and are not mass-produced, but not including the home or personal office of one whose principal place of business or employment for the same occupation is not in the home. *(amended 1/6/11; effective 3/1/11)*

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**3.3 PERMITTED USES, ZONING PERMIT REQUIRED** *(amended 1/6/11; effective 3/1/11)*

The following Accessory Uses when carried on by a resident of the premises:

- a) Customary home occupation,
- b) Family Day Care Home as defined in C.G.S. Section 19a-77,
- c) Bed and Breakfast with not more than four (4) guestrooms.

Said uses shall comply with all applicable regulations including parking (see Section 8) and shall not:

- a) employ more than two non-residents,
- b) occupy more than 25% of the floor area of the premises,
- c) change the residential character of, or be detrimental to, the character of the neighborhood,
- d) create adverse visual, noise, odor, or light impacts.

Application for said uses shall be made to the Zoning Enforcement Officer and shall include:

- a) a complete statement of use including hours of operation, number of employees, number of parking spaces, and anticipated traffic generation;
  - b) a plot plan including all existing structures and location of access and parking;
  - c) floor plans (with dimensions) indicating area of proposed activity.
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**3.4** The following uses are permitted by **SPECIAL EXCEPTION only**, pursuant to Sec. 4.2 through 4.8:

- ...
- g) Banks, professional and other offices within 300 feet of the centerline of Durham Road on the east side from the "D" District north to I-95 or within 250 feet of the "D", "DW", "DC", and "RS" Districts excepting:
  - i. The "D" area bounded on the west by Wall Street, on the south by the Boston Post Road, and on the east by Scotland Avenue.

*(Transitional zone extended 9/18/03; effective 10/1/03; and amended 1/6/11; effective 3/1/11)*

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*Section revised 6/18/92; effective 8/1/92  
Section again revised 7/16/98; effective 9/1/98  
Section again revised 9/18/03; effective 10/1/03  
Section again amended 1/6/11; effective 3/1/11*

**SECTION 6**

**COMMERCIAL DISTRICTS**

## **6.0 Commercial Districts.**

### **6.1 C District**

**6.1.1 Purpose.** The purpose of the C District is to encourage compatible development and redevelopment of Madison's commercial gateways to include mixed uses, architecture in keeping with Madison's character, enhanced landscaping, and consolidated development where adjacent parcels integrate parking access, and vehicular and pedestrian circulation. Development within this area should be consistent with the Design and Landscape Standards in Appendix A.

#### **6.1.2 Permitted Uses in the C District**

##### **6.1.2.1 Permitted Uses:**

- a) Single family detached dwelling

##### **6.1.2.2 Uses that require Special Exception Review:**

- a) Automotive Repair Shop, Machinery Repair Shop, subject to the additional requirements in Section 6.15.4
- b) Automotive Service Station
- c) Bus Passenger Station, Railroad Passenger Station
- d) Car Wash, subject to the additional requirements in Section 6.15.1
- e) Club
- f) Daycare Center or Nursery School
- g) Educational Institution
- h) Financial Institution, Business Office or Professional Office, including Medical Office
- i) Hotel, Motel, Bed and Breakfast, subject to the additional requirements in Section 6.15.3
- j) Medical Outpatient Clinic or Veterinary Outpatient Clinic, subject to the additional requirements in Section 6.15.5
- k) multiple family Dwelling Units above first floor commercial uses, subject to the additional requirements in Section 6.15.2
- l) Municipal or Governmental Building, Fire Station
- m) Park or Playground
- n) Public Recreation Facility
- o) Public Utility
- p) Research and Development Facility
- q) Retail Sales Establishment
- r) Retail Service, Professional Service, Business Service
- s) Full Service Restaurant or Take-Out Restaurant excluding drive through window service
- t) Theater
- u) Water Dependent Use
- v) Accessory Use customary to a use permitted by Special Exception including the manufacture or processing of materials as incidental to a permitted Retail Sales or Retail Service use

**6.1.3 Bulk Standards.** The required Lot Area, Width, Yards, Coverage, Height in the C District shall be as follows:

- a) The minimum **lot area** shall be 20,000 square feet.
- b) The minimum **lot width** shall be 100 feet.
- c) The minimum **side yard** shall be 20 feet.
- d) The minimum **rear yard** shall be 30 feet.
- e) The minimum **front yard** shall be 20 feet.
- f) The maximum building **coverage** shall be 25%.

- g) The maximum building **height** shall be 30 feet.

**Table of Dimensional Standards – See sections above for specific requirement.**

<b>Front Min.</b>	<b>Side Min.</b>	<b>Rear Min.</b>	<b>Coverage Max.</b>	<b>Height Max.</b>	<b>Lot Area Min. Sq. Ft.</b>	<b>Lot Width Min.</b>
<b>20 ft.</b>	<b>20 ft.</b>	<b>30 ft.</b>	<b>25%</b>	<b>30 ft.</b>	<b>20,000 sq. ft.</b>	<b>100 ft.</b>

**6.2 Downtown Districts**

**6.2.1 Purpose.** The purpose of the Downtown District (“D”, “DW” & “DC”) is to maintain and enhance the historic character and charm of the downtown, while allowing the existing downtown area along Boston Post Road and Wall Street to expand into adjacent lands within the District.

**6.2.2 Permitted Uses in the Downtown Districts**

**6.2.2.1 Uses that require Site Plan Review:**

- a) Any uses permitted in a Residence District.
- b) Financial Institution, Business Office or Professional Office, including Medical Office.
- c) Residential apartments located above the first story of any building if 1<sup>st</sup> floor is a commercial use; no more than 4 bedrooms per lot.
- d) Full Service Restaurant or Take-Out Restaurant excluding drive through window service, but including outside seating as long as it does not interfere with pedestrian traffic.
- e) Retail Sales Establishment (not including motor vehicle sale, motor vehicle fuel sale or motor vehicle repairs) or Retail Service, Professional Service, Business Service, including the manufacturing or processing of materials only as incidental to a permitted retail occupation and provided that no objectionable noise, smell or unsightly condition is created which is noticeable off the premises. All activities shall be carried on within a building, except for the display of merchandise within 20 feet of a building.
- f) Theater.
- g) Undertakers’ establishments.
- h) Accessory uses customary with and incidental to a permitted use, including parking areas and private garages for the storage of motor vehicles as accessories to a permitted use only. Any private garage shall be limited to no more than one space per living unit.

**6.2.2.2 Uses that require Special Exception Review:**

- a) Any building or addition over 10,000 square feet.
- b) Existing auto repair may expand only on the property they presently occupy, subject to these regulations.
- c) Bed and Breakfast.
- d) Bus Passenger Station, Railroad Passenger Station.
- e) Club.
- f) Daycare Center or Nursery School provided that no objectionable noise is audible off the premises.
- g) Educational Institution, philanthropic, recreational, religious, or governmental use, excluding correctional institutions.
- h) Hotel or motel subject to the additional requirements in Section 6.15.3.
- i) Municipal or Governmental Building, Fire Station.
- j) Park or Playground operated by a governmental unit, Non-profit Corporation or Community Association.
- k) Public Utility.
- l) Research and Development Facility.

- m) Retail lumber, building material yards and contractors' equipment storage, provided that all material is kept in a building or within an enclosure not less than eight feet high, but excluding the bulk storage of cement and concrete mixing.
- n) Washing machine rental establishment and laundries.

**6.2.3 Bulk Standards.** The required Lot Area, Width, Yards, Coverage, Height in the D, DW and DC Districts shall be as follows:

- a) The minimum lot area shall be 20,000 square feet. Minimum lot widths shall be 100 feet.
- b) **“D” & “DC” District:** Minimum side yards shall be 10 feet, but the total sum of the side yards must be a minimum of 30 feet. Properties with frontage on Wall Street or Railroad Avenue may reduce the minimum side yards to 6 feet, but the total sum must be 20 feet. **“DW” District:** Minimum side yards shall be 6 feet. The provisions of §6.3.1 shall apply in the “DW” District.
- c) Minimum rear yards shall be 15 feet.
- d) **“D” & “DC” District:** Minimum front yard requirements for properties with frontage on Wall Street and Railroad Avenue 10 feet, maximum 20 feet; Boston Post Road east of Wall Street 5 feet, maximum 20 feet; Durham Road 0 feet, maximum 20 feet; south side of Bradley Road 10 feet, maximum 20 feet; north side of Bradley Road 20 feet, maximum N/A; Meigs Avenue, Samson Rock Drive and Scranton Parking area 0 feet, maximum N/A. **“DW” District** minimum front yard requirements 0 feet, maximum 5 feet.
- e) **“D” District:** Maximum building coverage shall be 25%. The Planning and Zoning Commission, by Special Exception Permit per §4, may approve a building coverage of 30%.
- f) **“DW” & “DC” District:** Maximum building coverage shall be 30%. The Planning and Zoning Commission, by Special Exception Permit per §4, may approve a building coverage of 35%.
- g) **“D” & “DW” Districts:** All new buildings shall be a minimum of two stories.
- h) Building height shall be a maximum of 30 feet. The Planning and Zoning Commission, by Special Exception Permit per §4, may approve a height of 40 feet (excluding properties with frontage on Wall Street). The building height reductions for narrow lots in §2.7.1 shall not apply in the “D” or “DW” District.
- i) The maximum first floor interior building area of any structure on a lot fronting on Wall Street shall be 3,000 square feet. The maximum width (dimension of the building parallel to the street) of any building on such a lot shall be 50 feet.
- j) The maximum first floor interior building area of any structure on a lot fronting on Boston Post Road, Durham Road, Railroad Avenue or Bradley Road shall be 20,000 square feet and the maximum width shall be 80 feet. This shall not preclude the construction of party walls built to separate lots on Boston Post Road.
- k) Rear yard shall be 10 feet when rear yard boundary is railroad right of way.
- l) A landscaped buffer of 40 feet on, off, or adjacent to the property shall be required between the commercial development and the residential uses on the south border of the DC district.
- m) **Corner Lots:** Where dimensional standards conflict, front and side yard building width requirement shall be determined separately for each street as applicable; the less restrictive height and the most restrictive coverage and first floor area requirements shall apply. *(Section added 1/18/01; effective 2/1/01)*
- n) **Wall Street and Boston Post Road Corner Lots:** The minimum front setback from the Boston Post Road shall be 40 feet. *(Section Added 1/18/01; effective 2/1/01)*

**Table of Dimensional Standards – See sections above for specific requirement.**

*Regulation Sections Amended 1/6/11, Effective 3/1/11*

	Front Min.	Front Max.	Side Min.	Rear Min.	Coverage Max.	Height Max.	Lot Min.	L.Wdth Min.
Wall Street	10'	20'	6'T=20'	15'	25%/30%/sep	30'	20,000s.ft.	100'
Railroad Ave.	10'	20'	6'T=20'	15'	25%/30%/sep	30'	20,000s.ft.	100'
Boston Post Rd. (RT#79 to Wall)	0'	5'	0'T=6'	15'	30%/35%/sep	30'/40'/sep	20,000s.ft.	100'
Boston Post Rd. (East of Wall)	5'	20'	10'T=30'	15'	25%/30%/sep	30'/40'/sep	20,000s.ft.	100'
Durham Road	0'	20'	10'T=30'	15'	25%/30%/sep	30'/40'/sep	20,000s.ft.	100'
Bradley Rd So.	10'	20'	10'T=30'	15'	25%/30%/sep	30'/40'/sep	20,000s.ft.	100'
Bradley Rd No.	20'	n/a	10'T=30'	15'	25%/30%/sep	30'/40'/sep	20,000s.ft.	100'
Meigs & Samson	0'	n/a	10'T=30'	15'	30%/35%/sep	30'/40'/sep	20,000s.ft.	100'

**6.2.4 Restrictions on Demolition.**

a) In reviewing a Site Plan or Special Exception Permit for the demolition of a structure, the Planning and Zoning Commission shall consider the architectural quality and value of the structure and its contribution to the character of the Downtown District and the surrounding buildings. Where the Commission determines that the structure possesses architectural or historic character, it may deny a Site Plan or Special Exception Permit approval for demolition, unless it finds that the building proposed to replace the structure proposed for demolition will enhance the architectural and historic character of the neighborhood and will be consistent with this Section and any applicable design standards.

b) Minor Demolition. Demolition of less than (a) 100 sq. ft., or (b) 3% of the building coverage up to 500 square feet may be considered minor site modifications subject to reduced site plan requirements. After review by the Town Engineer and the Health Director, the Planning and Zoning Administrator may approve the minor demolition or refer it to the Planning and Zoning Commission for its action under the Site Plan or Special Exception Permit requirements of §29 and 4, respectively.

**6.2.5 Water Restriction Overlay District (DW)**

a) Within the area shown on the Zoning Map as the Water Restriction Overlay District, there are severe limitations on the capacity of the soil to absorb sewage effluent. Therefore, any applicant for a proposed new use or structure in this overlay district shall demonstrate to the satisfaction of the Commission that the proposed use will not consume in excess of 10 gallons of water per day per 100 square feet of gross floor area of all buildings or portions thereof involved in the use.

b) Any use approved in the Water Restriction Overlay District shall have a tamper-proof water meter measuring the water consumption of that use, available for periodic reading by the Zoning Enforcement Officer. Failure to comply with the water use restrictions in §6.4.6.1 for two months in any six-month period shall void the right to continue the use.

**6.2 Rural Shopping District (RS District)**

**6.3.1 Purpose.** The purpose of the Rural Shopping (RS) District is to maintain and enhance the historic character and charm of the colonial tradition of Madison, while allowing for development

using appropriate architecture and landscaping within the district. Development within this district shall be consistent with Appendix B.

### **6.3.2 Permitted Uses in the RS District**

#### **6.3.2.1 Uses that require Site Plan Review:**

- a) Financial Institution, Business Office or Professional Office, including Medical Office.
- b) Residential apartments located above the first story of any building if 1<sup>st</sup> floor is a commercial use; no more than (four) 4 bedrooms per 40,000 sq. ft.
- c) Full Service Restaurant or Take-Out Restaurant excluding drive through window service, but including outside seating as long as it does not interfere with pedestrian traffic.
- d) Retail Sales Establishment (not including motor vehicle sale, motor vehicle fuel sale or motor vehicle repairs) or Retail Service, Professional Service, Business Service, including the manufacturing or processing of materials only as incidental to a permitted retail occupation and provided that no objectionable noise, smell or unsightly condition is created which is noticeable off the premises. All activities shall be carried on within a building, except for the display of merchandise within 20 feet of a building.
- e) Undertakers' establishment.
- f) Accessory uses customary with and incidental to a permitted use, including parking areas and private garages for the storage of motor vehicles as accessories to a permitted use only. Any private garage shall be limited to no more than one space per living unit.

#### **6.3.2.2 Uses that require Special Exception Review:**

- a) Any building or addition over 10,000 square feet.
- b) Existing auto repair may expand only on the property they presently occupy, subject to these regulations.
- c) Bus Passenger Station, Railroad Passenger Station
- d) Club.
- e) Daycare Center or Nursery School provided that no objectionable noise is audible off the premises.
- f) Educational Institution, philanthropic, recreational, religious, or governmental use, excluding correctional institutions.
- g) Municipal or Governmental Building, Fire Station
- h) Park or Playground operated by a governmental unit, Non-profit Corporation or Community Association.
- i) Public Utility.
- j) Research and Development Facility.
- k) Retail lumber, building material yards and contractors' equipment storage, provided that all material is kept in a building or within an enclosure not less than eight feet high, but excluding the bulk storage of cement and concrete mixing.
- l) Washing machine rental establishment and laundries.

#### **6.3.3.3 Prohibited Uses**

- a) Franchise business operations that are not designed to harmonize with the rural residential mixed-use area.
- b) Separated one-story buildings set back from the street and surrounded by parking
- c) Trademark Buildings

**6.3.3 Bulk Standards.** The required Lot Area, Width, Yards, Coverage, Height in the RS District shall be as follows:

- a) The minimum **lot area** shall be 120,000 square feet.
- b) The minimum **lot width** shall be 400 feet.
- c) The minimum **side yard** shall be 20 feet.
- d) The minimum **rear yard** shall be 50 feet.
- e) The minimum **front yard** shall be 50 feet.
- f) The maximum building **coverage** shall be 20%.
- g) The maximum building **height** shall be 30 feet.
- h) The maximum first floor interior building area of any structure shall be 5,000 sq. ft. and the maximum width shall be 60 feet.

**Table of Dimensional Standards – See sections above for specific requirement.**

<b>Front Min.</b>	<b>Side Min.</b>	<b>Rear Min.</b>	<b>Coverage Max.</b>	<b>Height Max.</b>	<b>Lot Area Min. Sq. Ft.</b>	<b>Lot Width Min.</b>
<b>50 ft.</b>	<b>20 ft.</b>	<b>50 ft.</b>	<b>20%</b>	<b>30 ft.</b>	<b>120,000 sq. ft.</b>	<b>400 ft.</b>

**6.3.4 Buffers.** In addition to the requirements in Section 6.10, the following shall apply:

- a) Buffer areas at least 25 feet wide shall be maintained or established between the road and the developed site to preserve the rural tree-lined character of Route 80, to preserve the natural rock formations, to provide screening and to mitigate visual, noise and other impacts. Street rights-of-way shall not obviate the need for a buffer.
- b) The buffer shall be landscaped naturally or through plantings and permanently maintained. The minimum height of any plantings, natural or planted, shall be 10 feet. All buffer areas shall be designed by a qualified landscape professional and the buffer design shall be portrayed on the landscaping plan.

**6.4 Transition District (T District)**

**6.4.1 Purpose.** The purpose of the T District is to allow limited commercial development on properties adjacent to a Commercial District, provided such use and development is compatible with, and suitably buffered from, adjacent residential use. Development shall be residential in character, both as to building design and scale, and the Commission must find that the appropriate use of neighboring property will not be substantially or permanently injured. Development within this area should be consistent with the Design and Landscape Standards in Appendix A.

**6.4.2 Permitted Uses in the T District**

**6.4.2.1 Permitted Uses.**

- a) single family dwelling
- b) Accessory Use customary and incidental to a single family dwelling

**6.4.2.2 Uses that require Site Plan Review:**

- a) accessory apartment

**6.4.2.3 Uses that require Special Exception Review:**

- a) Daycare Center or Nursery School.
- b) Educational Institution.
- c) Financial Institution, Business Office or Professional Office, including Medical Office.
- d) multiple family Dwelling Units above first floor commercial uses, subject to the additional requirements in Section 6.15.2.
- e) Municipal or Governmental Building, Fire Station.
- f) Park or Playground operated by a governmental unit, Non-profit Corporation or Community Association.

- g) Public Utility including telephone exchange, transformer substation, sewer/water pump station.
- h) Retail Service, Professional Service, Business Service.
- i) Accessory Use customary to a use permitted by Special Exception.

**6.4.3 Bulk Standards.** The required Lot Area, Width, Yards, Coverage, Height in the T Districts shall be as follows:

- a) The minimum **lot area** shall be 20,000 square feet.
- b) The minimum **lot width** shall be 100 feet.
- c) The minimum **side yard** shall be 30 feet to an abutting non-residential District property and 40 feet to an R or RU District property.
- d) The minimum **rear yard** shall be 30 feet.
- e) The minimum **front yard** shall be 20 feet.
- f) The maximum building **coverage** shall be 10%.
- g) The maximum building **height** shall be 30 feet.
- h) The maximum floor area ratio shall be 25%.

**Table of Dimensional Standards – See sections above for specific requirement.**

<b>Front Min.</b>	<b>Side Min.</b>	<b>Rear Min.</b>	<b>Coverage Max.</b>	<b>Floor Area Ratio Max.</b>	<b>Height Max.</b>	<b>Lot Area Min. Sq. Ft.</b>	<b>Lot Width Min.</b>
<b>20 ft.</b>	<b>30 ft. / 40 ft.</b>	<b>30 ft.</b>	<b>10%</b>	<b>25%</b>	<b>30 ft.</b>	<b>20,000 sq. ft.</b>	<b>100 ft.</b>

**6.4.4 Screening.** Plantings and/or fencing shall be provided in a suitable width and height to screen abutting properties in any R or RU District from the commercial use in the Transition District. The design of said screening shall be sufficient to shield the residential property from adverse visual, noise, odor, or light impacts.

**6.4.5 Signs.** The maximum aggregate sign size permitted shall be 18 square feet. Internally lit signs are prohibited.

**6.5 through 6.7 intentionally omitted.**

**6.8 Refuse Containment Area.** The storage of trash and other refuse shall be appropriately located and screened from public view. The consolidation and sharing of these areas is encouraged. The material and design shall be compatible with the main building.

**6.9 Sidewalks & Connecting Properties:** When new commercial development or redevelopment is proposed for any Lot or Lots, the Commission may consider, in determining whether to approve or disapprove any site plan or special exception permit, the extent to which pedestrian (e.g. sidewalk) connections would be made available to adjacent lots in order to reduce risks to pedestrians, enhance safety and convenience, and encourage pedestrian (as opposed to vehicular) movement between commercial lots.

**6.10 Landscaping.**

- a) Landscape plans shall include a plant list, with plant names, quantities, size at planting, and size when mature. Typical sections may be required. Existing planting shall be identified on the plan. If existing planting is to be utilized then the plants must be identified by names, quantities, size.

b) All landscaping shown on the approved plan shall be completed prior to issuance of a final Certificate of Occupancy, or a bond in a form and amount satisfactory to the Commission assuring completion within a specific time (not to exceed one year) shall be filed with the Commission. Such bond shall be forfeited if the work shall not have been completed within such time limit. Bonds shall be executed in accordance with sample forms supplied by the Town, with proper reference made to all maps and plans showing improvements covered by the bond, and shall be satisfactory to the Town Counsel as to form, sufficiency and manner of execution.

**6.11 Alterations.** No addition or alteration of parking areas, or significant alterations to landscaping and/or buffer zone(s) shall be permitted in any of the Commercial Districts under Sec. 6 until such change(s) shall have been reviewed by the Advisory Committee on Community Appearance and approved by the Planning and Zoning Commission.

**6.12 Process - all applications submitted pursuant to this Section 6.**

a) Application for review and approval shall be made in writing on forms provided by the Commission and shall be accompanied by a filing fee as specified in Section 23. Such application shall include plans and documentation as required by the provisions of Sec. 29.

b) The Commission shall refer the application to the Advisory Committee on Community Appearance for its comments and recommendations pursuant to the applicable provisions of Sec. 22 of these Regulations.

c) The Commission may, at its discretion, require a Public Hearing on any application for a use requiring only site plan approval. However, the time limit for rendering a decision on such application shall still be 65 days from the official day of receipt of the application, or such other period as may be allowed pursuant to Sec. 8-7d of the Connecticut General Statutes.

**6.13 through 6.14 intentionally omitted.**

**6.15 Special Use Regulations**

**6.15.1 Car Wash**

a) A Car Wash operation shall utilize a system for the total reclamation of water and other materials used in such Car Wash and for the off-site disposal, in a manner satisfactory to the Commission, of all residue therefrom and from the operations permitted in (i) and (ii) below.

b) The facility may contain:

i) an operation for oil changes, oil and air filter changes, windshield wiper services, battery service and replacement, and such other similar services as the Commission may approve; and/or

ii) an operation for auto detailing; and/or

iii) retail space consisting of no more than 300 square feet for the sale of nonalcoholic beverages, snacks, sandwiches and other prepared items for on-premises consumption. The retail area will be restricted to use by customers utilizing the car care services described in (i) and (ii) above.

**6.15.2 Dwelling Units Above First Floor Commercial Uses**

a) Each Dwelling Unit shall be located above the first floor of the Building and shall be used solely as either (1) a residence by the owner thereof, or (2) an apartment leased for periods of no less than three months.

b) The total Floor Area of the Dwelling Units shall not exceed 67% of the Floor Area of the Building in which they are located.

- c) No dwelling unit shall have more than two (2) bedrooms.

**6.15.3 Hotel or Motel**

- a) Each Lot shall have at least 100 feet of Frontage on a Street or an exclusive right-of-way at least 50 feet wide to a Street.
- b) The area of each Lot shall be at least two acres.
- c) The average density per Lot shall be not more than 20 Bedrooms per acre.
- d) Not more than 10% of the Bedrooms or other individual units may have kitchen or cooking facilities.

**6.15.4 Repair Shop**

- a) Automotive Repair Shop
  - i) Repairs may include the replacing of batteries, tires, fan belts and the like.
  - ii) Such facility shall not paint or do body work on vehicles.
  - iii) Items such as tires, batteries, fan belts, head lights and the like may be kept in stock and offered for sale.
  - iv) Vehicles under repair may be stored overnight at the facility.
  - v) An Automotive Repair Shop may be operated as part of an Automobile Service Station.
- b) Machinery Repair Shop
  - i) No machine shall be stored outside the Building, except within suitably screened areas which have been approved for that purpose.
  - ii) Heavy duty machinery repairs are prohibited.

**6.15.5 Veterinary Outpatient Clinic**

- a) Such clinic shall be located within a completely enclosed Building, soundproofed and mechanically ventilated so as to prevent the emission of objectionable noise and odors.
- b) Such Clinic shall have no outside facilities or Accessory structures for animals.
- c) Boarding may be provided on a temporary basis for medical treatment of animals.

**6.15.6 Theater**

- a) The total seating of the facility shall not exceed 600 seats.

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*Section amended 6/18/98; effective 8/1/98  
Section again amended 1/6/11; effective 3/1/11*

**SECTION 8  
OFF STREET PARKING**

- 8. On all premises developed for any purpose after the adoption of these Regulations, off-street parking facilities shall be provided sufficient to accommodate the vehicles of all occupants, employees, customers and other persons normally visiting the premises at any one time.

**8.1 REQUIRED MINIMUM PARKING SPACES (PS)**

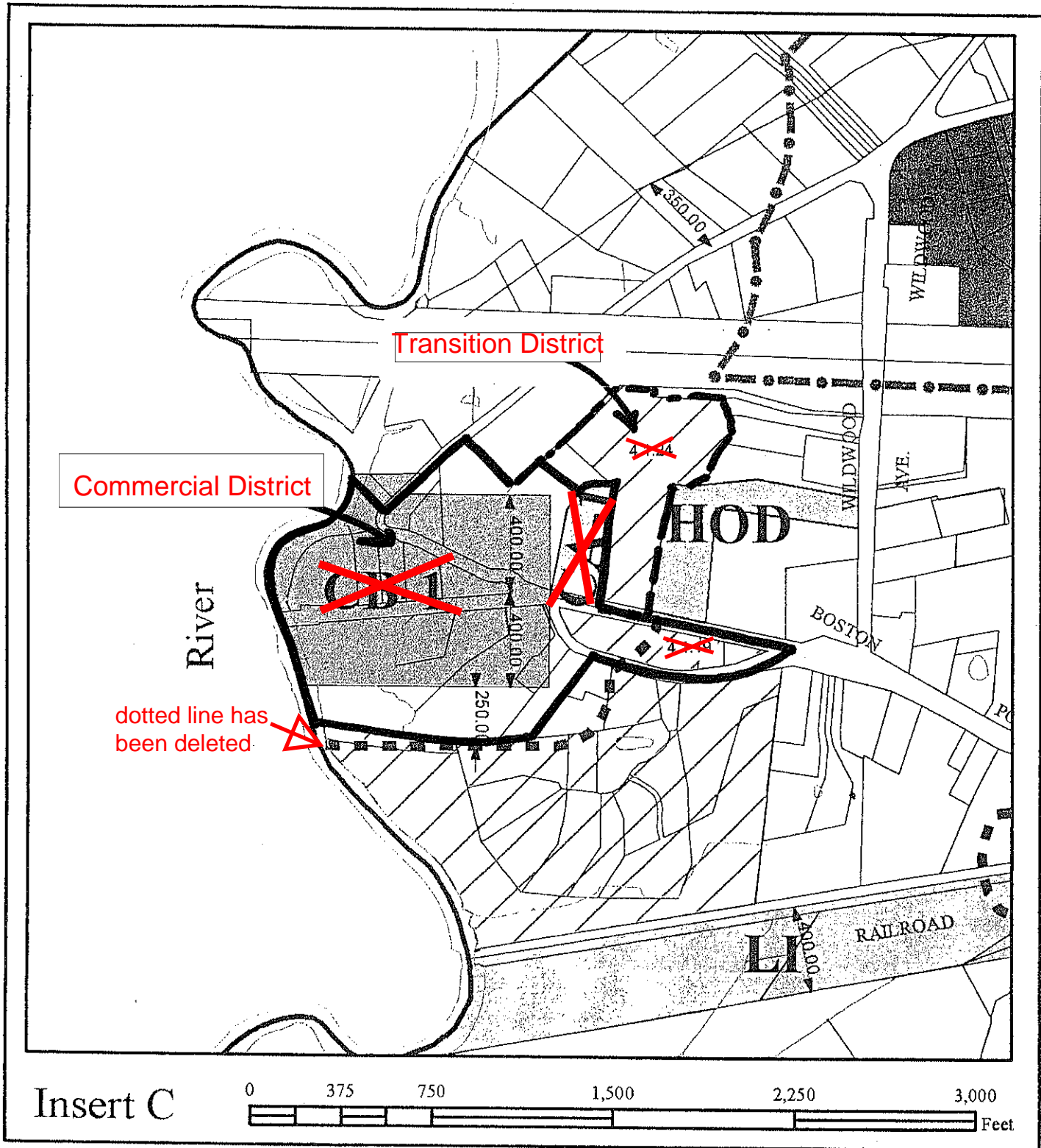
Unless parking facilities are otherwise specifically approved by the Commission, they shall contain not less than the following minimum amount. The Commission may allow parking facilities located within 1,000 feet from the building they serve.

*Regulation Sections Amended 1/6/11, Effective 3/1/11*

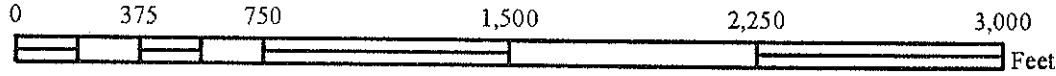
- 8.1.1** For dwellings, two parking spaces (PS) for each Family Unit.
  - 8.1.2** For Offices, Financial Institutions, Retail stores, Personal Service shops and for permitted Customary Home Occupations: one PS per 250 square feet for said use (two PS minimum).
  - 8.1.3** For Medical Office use: one PS per 200 square feet for said use.
  - 8.1.4** For Restaurants: one PS per four seats plus one PS for every person normally employed on the premises.
  - 8.1.5** For Theaters, assembly halls or Public Recreations: one PS per four seats.
  - 8.1.6** For industrial plants, wholesale establishments and similar buildings: one PS for every person normally employed.
  - 8.1.7** For Hotels, boarding and lodging houses and tourist establishments: one PS for every two guests plus one PS for every person normally employed on the premises.
- 8.2** The Commission may reduce or waive the off-street parking requirements contained in Section 8 of these Regulations if it finds any one or more of the following: **(a)** that such requirements are excessive for the proposed use, **(b)** that shared parking arrangements with adjacent parcels will provide adequate parking for the proposed use, **(c)** that sufficient parking is provided within the context of the surrounding area, or **(d)** that there are sufficient existing public parking facilities (including on-street spaces) available for the use of customers, employees, and other persons using the proposed building or buildings.
- 8.3** When new commercial development or redevelopment is proposed for any lot or lots, the Commission may consider, in determining whether to approve or disapprove any site plan or special exception permit, the extent to which parking and traffic connections would be made available to adjacent lots in order to minimize the necessity for additional driveways or curb cuts to be made on existing or proposed streets and to reduce safety hazards from otherwise unsatisfactory traffic patterns.
- 8.4** There shall be no parking in the Front Yard. The Commission may waive this requirement if it is in the best interest of the District.
- 8.5** No addition or alteration of parking areas or major alteration, including removal of or addition to landscaping shall be permitted in any Commercial District or any commercial use until such change(s) shall have been reviewed by the Advisory Committee on Community Appearance and approved by the Planning and Zoning Commission as required under Sections 29 or 4 of these Regulations.
- 8.5.1** Minor changes to the parking: A minor change to the parking may be considered adding, changing or removing (a) two PS or less; (b) less than 10% of the parking area up to 500 sq. ft. These minor changes may be approved by the Planning and Zoning Administrator. The Planning and Zoning Administrator may request that the changes be referred to the ACCA and/or to the Planning and Zoning Commission for review or approval.
- 8.6** Truck Loading Space: Space for loading and unloading of trucks shall be provided at the rate of not less than one loading space for each 30,000 sq. ft. of retail, wholesale, or industrial use and one additional space for each additional 30,000 sq. ft. of retail, wholesale or industrial use.
- 8.7** Surfacing: Required minimum parking and truck loading facilities shall have an adequate all-weather surface capable of allowing free and safe movement of all vehicles customarily using the facility.

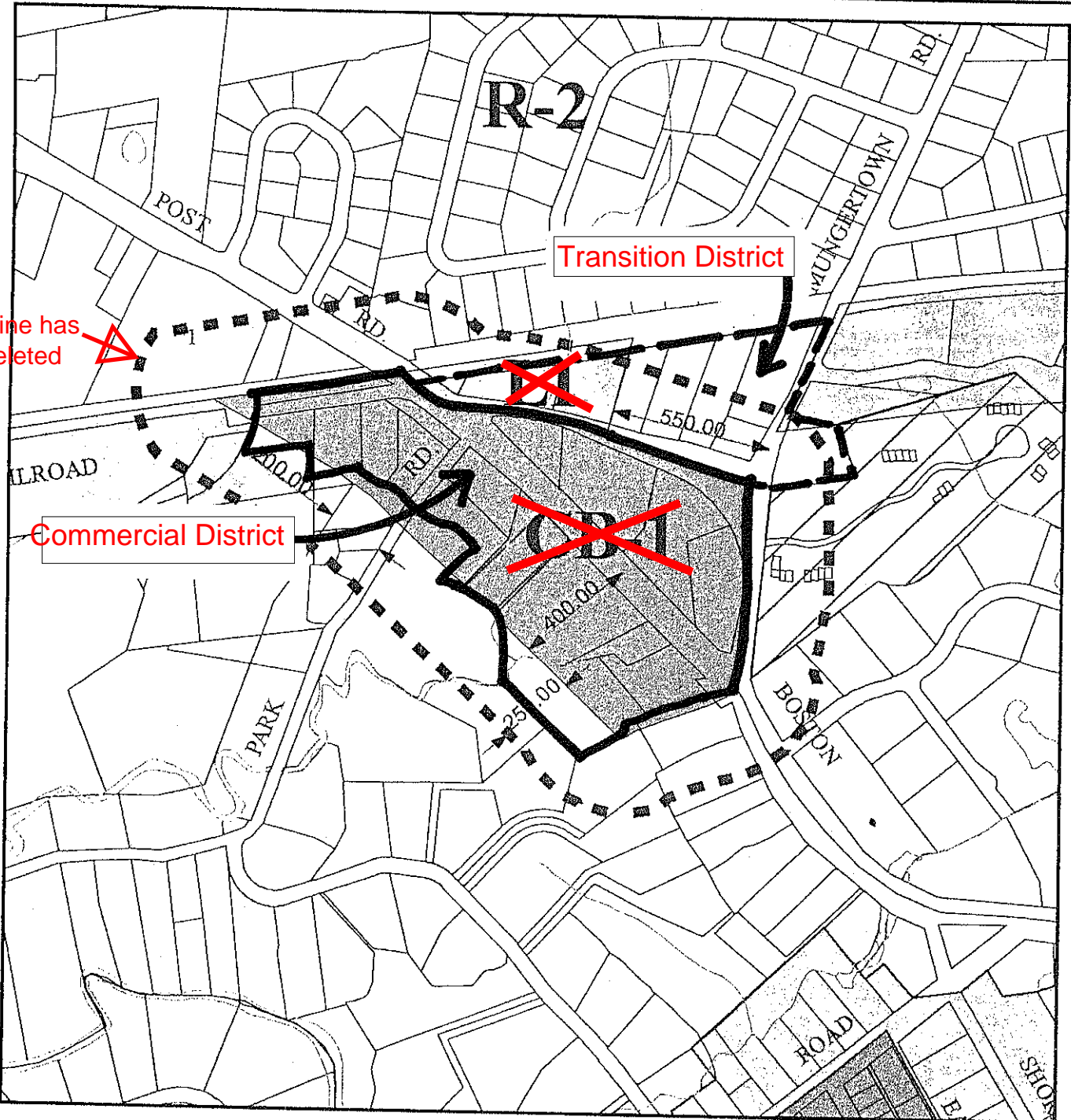
*Regulation Sections Amended 1/6/11, Effective 3/1/11*

- 8.8** Existing Building Exempt: the provisions of this section shall not apply to uses existing at the time of the adoption of these regulations to the extent that insufficient land area is available on the Lot on which such Building is located or on an adjacent Lot under the same ownership.
- 8.9** For each use, the area shall be calculated using inside dimensions of the Building excluding storage. A parking space shall be a minimum size of 9 ft. x 18 ft., except that a parallel parking space shall be a minimum size of 8 ft. x 22 ft.

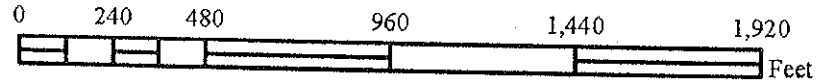


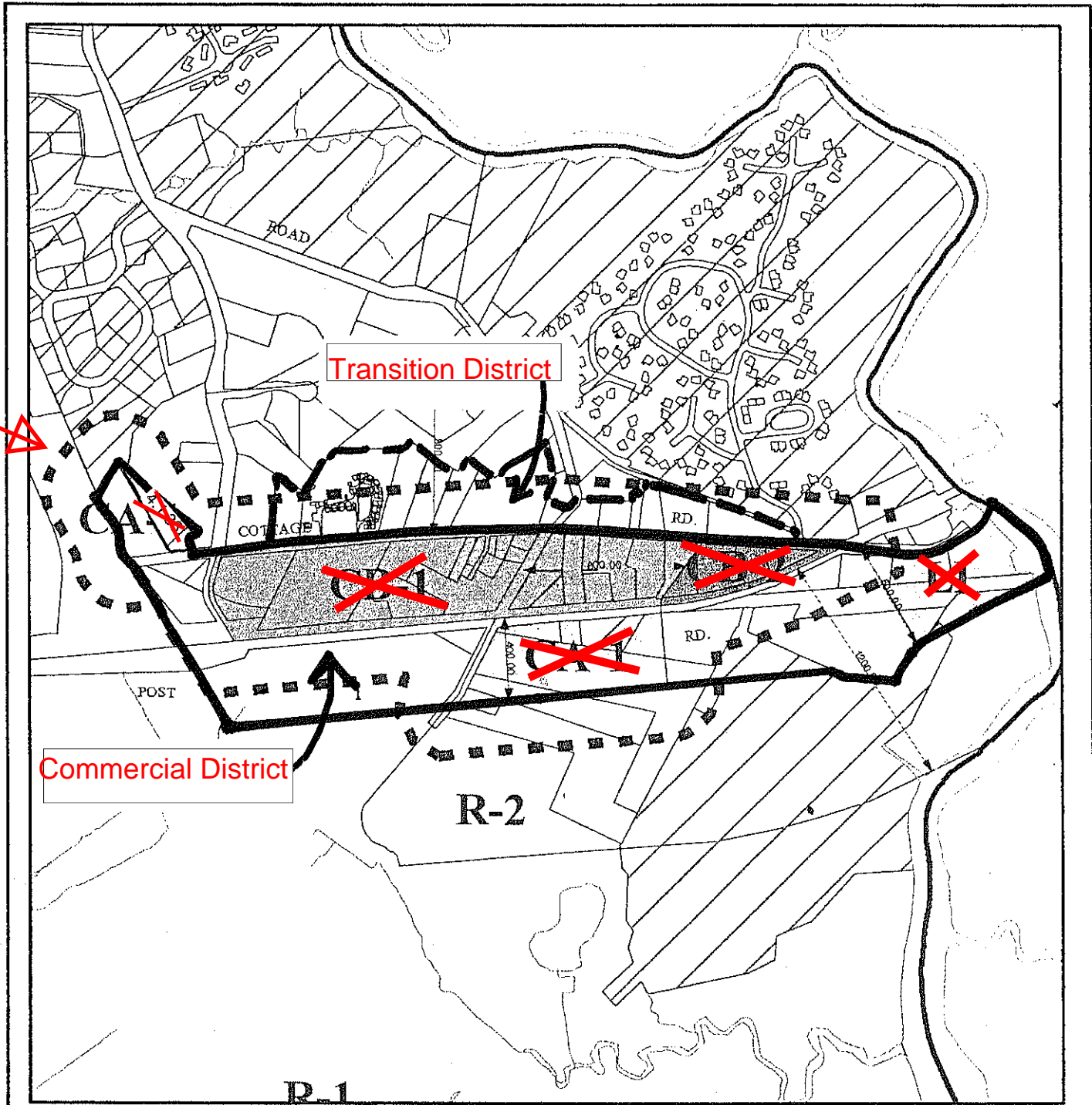
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Transition District

Commercial District

R-2

R-1

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