

PROPOSED TEXT CHANGE

§ 215-4.7 Commercial District (C).

[Amended 3-9-1991 by Art. 158; 6-21-1997 by Art. 67; 6-20-1998 by Art. 72]

A.

Intent. To provide suitable locations for the development of particular types of commercial use; to encourage attractive commercial development; to generate convenient shopping areas for local residents and seasonal residents and visitors; to promote local areas siting for public-oriented service; and to promote safe and uninterrupted traffic flow by limiting the number of access points along Routes 302, 11 and 121. Toward the achievement of these purposes, the following land use standards are established.

B.

Development. A conceptual plan for residential and/or commercial use of each parcel shall be submitted to the CEO at the time of application for building permit. When Planning Board review is necessary, the conceptual plan will be included. The plan shall address such issues as curb cuts, wastewater management, already existing buildings, and potential lot subdivision and interior roads. Where applicable, clustering shall be possible.

C.

Permitted uses.

(1) The following uses are permitted:

(a) One-family dwellings (see general Town-wide performance standards).

(b) Modular housing (see general Town-wide performance standards).

(c) Timber harvesting.

(d) Agriculture that complies with performance standards herein.

(e) Mineral exploration.

(f) Home occupation.

(g) Businesses (see site plan requirements for Reviewing Authority applicability).

[Amended 9-24-2014 by Art. 6]

(2) The following uses require site plan review:

(a) Minor residential subdivisions.

(b) Commercial subdivisions.

(c) One residence and one commercial use on the same lot, provided the lot has a minimum of 80,000 square feet and 300 feet of road frontage.

(d) Two or more businesses in one or more structures on the same lot, provided the lot has a minimum of 80,000 square feet.

(e) Retail trade.

(f) Commercial sales and service: indoor and outdoor.

(g) Business and professional offices.

(h) Motor vehicle sales.

(i) Motor vehicle service stations.

(j) Motor vehicle repair garages.

(k) Restaurants.

(l) Drive-through facilities.

(m) Bed-and-breakfast establishments.

(n) Hotels/motels.

(o) Commercial recreation: indoor and outdoor.

(p) Visual and performing arts buildings.

- (q) Public utilities.
- (r) Municipal and state facilities.
- (s) Churches.
- (t) Public assembly.
- (u) Private assembly.
- (v) Schools.
- (w) Residential care facilities.
- (x) Nursing homes.
- (y) Medical facilities/walk-in services.
- (z) Day-care centers.
- (aa) Construction services.
- (bb) Light industrial uses that meet performance standards.
- (cc) Truck facilities.
- (dd) Enclosed warehousing and distribution facilities.
- (ee) Junkyards.
- (ff) Mineral extraction.
- (gg) Mineral processing.
- (hh) Kennels.
- (ii) Veterinary services.
- (jj) Campgrounds that comply with performance standards herein.
- (3) All other uses are prohibited.

D. Space standards.

(1) Minimum lot size: 80,000 square feet.

(2) Maximum impervious surface to lot area (see site plan review):

(a) Forty percent.

(b) Forty-percent coverage of lot may be expanded up to 75% with Planning Board approval, dependent on adequate provisions for disposal of surface water.

(3) Minimum road frontage:

(a) On Routes 302, 11 and 121: 300 feet.

(b) On Routes 302, 11, and 121, in development of land under one ownership that aggregates more than 300 feet of continuous road frontage, the Planning Board may require access from service roads.

(c) On service and/or internal roads: 200 feet.

(4) Minimum setbacks:

(a) On Routes 302, 11 and 121:

[1] Front:

[a] Buildings shall be set back 80 feet from the right-of-way.

[b] Setback shall be measured to the building line.

[2] Side: 40 feet.

[3] Rear: 40 feet.

(b) For service and interior roads:

[1] Front: 55 feet to the front of the building. The first 10 feet of the setback shall be developed as a landscaped buffer strip, except for approved curb cuts.

[2] Side: If the building is of flammable material, 40 feet. If the building is of nonflammable material, 20 feet.

[3] Rear: If the building is of flammable material, 40 feet. If the building is of nonflammable material, 20 feet.

(5) Maximum building height: 35 feet. Any request for height greater than 35 feet but not greater than 45 feet shall require Planning Board approval subject to fire protection.

E. Other.

(1) Standard curb cuts.

(a) Lots fronting directly on Routes 302, 11, and 121 shall be limited to one curb cut. Additional curb cuts shall require Planning Board approval.

(b) Lots fronting on interior or service roads shall be limited to one curb cut. Additional curb cuts shall require Planning Board approval.

(2) Buffers. All buffers for front, side, and rear yards shall conform to the performance standards as outlined in § **215-5.7**, Buffer zones.

[Amended 9-24-2014 by Art. 2]

(3) When two abutters bring a joint proposal to Planning Board, the Board may waive side and/or rear setbacks and side and/or rear buffers. The Planning Board shall have the authority to require the applicant(s) to record a copy of the Planning Board's final approval at the Cumberland County Registry of Deeds when the setbacks are waived.

(4) Outdoor storage areas shall be fenced.

(5) Outdoor storage in the front setback of Routes 302, 11, and 121 is prohibited.

(6) Outdoor storage in the setback of service and/or interior roads is prohibited.

(7) Display of goods and/or products is prohibited in all buffer areas.

(8) Signs. See sign standards § 215-5.28.

(9) Hazardous materials.

(a) The manufacturing and processing of hazardous materials may be permitted with specific Planning Board approval.

(b) The use of hazardous materials as part of a general operation of a business may be permitted with Planning Board approval.

(c) Retail sales and/or distribution, and storage of hazardous materials related to the same, may be permitted with Planning Board approval.

(d) Any use, reprocessing, transportation or storage of hazardous materials shall meet all applicable federal, state, and local standards.

(10) Performance standards. General Town-wide performance standards shall also apply.