

## **Chapter 102. ZONING**

### **ARTICLE V. District Regulations**

#### **DIVISION 8. Downtown Commercial District**

**Sec. 102-441. Permitted uses.** [Ord. No. 28-1997, § 607.1, 3-4-1997; Ord. No. 1-1999, 7-6-1999; Ord. No. 71-2001, 5-15-2001]

Permitted uses in the Downtown Commercial District are as follows:

- (1) Retail stores and services, excluding retail gasoline outlets.
- (2) Business, health care and professional offices.
- (3) Restaurants, excluding fast food restaurants and restaurants with a drive-through window.
- (4) Municipal uses deemed necessary by the City Council but prior to taking action thereon, the council shall hold a public hearing for which 10 days public notice shall be given.
- (5) Parking facilities.
- (6) Essential services.
- (7) School, day nursery, municipal building or use, public park, institution of an educational, religious, philanthropic, fraternal, political or social nature.
- (8) Accessory uses, including residential use of the upper stories of structures, and yard sales on no more than 10 days in any calendar year.
- (9) Art galleries.
- (10) Craft fairs, on no more than 10 days in any calendar year.

**Sec. 102-442. Permitted uses requiring Planning Board review.** [Ord. No. 28-1997, § 607.2, 3-4-1997; Ord. No. 1-1999, 7-8-1999; Ord. No. 71-2001, 5-15-2001; Ord. No. 21-2006, 2-7-2006]

Permitted uses requiring Planning Board review in the Downtown Commercial District are as follows:

- (1) Wholesale business establishments.
- (2) Public and private educational, amusement, and assembly facilities.
- (3) Manufacturing, provided that there is no exterior storage of materials, that the appearance of a retail establishment is maintained, and that the hours of operation begin no earlier than 7:00 a.m. and end no later than 11:00 p.m.
- (4) Congregate residential retirement housing.
- (5) Non-municipal public and quasi-public uses.
- (6) Bed and breakfast, including Class 1, Class 2 and Class 3.
- (7) Multifamily housing.
- (8) Health care facilities.
- (9) Hotels and motels.
- (10) Stealth telecommunications facilities.

**Sec. 102-443. Standards.** [Ord. No. 28-1997, § 607.3, 3-4-1997; Ord. No. 41-1999, 1-4-2000; Ord. No. 71-2001, 5-15-2001]

- (a) The general standards of performance in article IX of this chapter shall be observed in the Downtown Commercial District.
- (b) The following standards shall also apply:
  - (1) Minimum lot size is 1,000 square feet.
  - (2) Minimum lot frontage is 15 feet.
  - (3) The minimum setback is zero feet from the right-of-way line of all municipal roads and all property lines.
  - (4) Maximum structure height is 60 feet.

**Sec. 102-444. Applicability of shoreland zoning and floodplain regulations.** [Ord. No. 71-2001, *Editor's Note: This ordinance also renumbered former Section 102-444 as Section 102-445.* 5-15-2001]

Provisions of chapter 82, pertaining to shoreland zoning, and chapter 78, article II, pertaining to floodplains, may apply in the Downtown Commercial District. See the shoreland zoning maps and FIRM flood maps.

**Sec. 102-445. Prohibited uses.** [Ord. No. 28-1997, § 607.6.4, 3-4-1997; Ord. No. 71-2001, 5-15-2001]

Only those uses specifically listed as permitted uses or permitted uses requiring Planning Board review are allowed within the Downtown Commercial District. All other uses are excluded.

**Sec. 102-446. through Sec. 102-460. (Reserved)**