

Planning and Zoning Code- Section 33A

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SECTION 33A- B-3 BUSINESS OFFICE/TRANSITIONAL ZONE-

33A.01- PURPOSES- The purpose of this zone is to establish a district for office and other compatible uses along state highways which are already predominantly commercial in character. The uses will be planned so they do not generate large volumes of traffic and do not negatively impact surrounding residential areas. This zone will help to encourage the most appropriate use of land in the most aesthetically pleasing manner while avoiding the negative aspects of strip commercial development, by limiting signage and promoting the consolidation of individual parcels of land into a total integrated plan.

(Amended effective 5/8/96)

33A.02- USES- No land shall be used or occupied and no structure shall be erected constructed, reconstructed, altered or used, except for any use which is indicated in the B-3 column of the Use Schedule, Section 61 of this Zoning Code, and shall be subject to such provisions as referred to in that column.

33A.03-

Lot Area for New Lots	20,000 sq. ft.
Lot Width for New Lots	150 ft.
Height Requirements	36 ft.
Lot Coverage	30%
Front Yard	50 ft.
Side Yard	10 ft.
Rear Yard	20 ft.

Lots of Record qualify for both permitted and special exception uses provided they satisfy all other zoning criteria. During the special exception and site plan review process the Commission may waive or modify the yard and lot coverage requirements so as to insure proper design and placement of building.

33A.04- TRAFFIC IMPACTS- Uses and addition to uses which generate one hundred (100) peak hour vehicle trips or more based on the trip generator table in Appendix I of

this Code shall be subject to the following: Submission of a traffic impact analysis by a traffic engineer containing present roadway conditions, existing roadway capacity, existing and projected traffic volumes (ADT, Peak A.M. and Peak P.M.), existing and projected volume capacity ratios, existing and projected levels of service, existing and proposed sight lines, site generated traffic distributions, traffic accident experience, and all on- and off-site improvements which will help mitigate anticipated traffic problems.

33A.05- SIGNS- In addition to Section 48 of this Code the following more restrictive standards shall apply:

- A. Attached Wall Signs: In a single tenant building the number of signs shall not exceed three (3) and the sum of the area shall equal one (1) sq. ft. per lineal foot of building frontage and no sign shall exceed 100 sq. ft. In a multi-tenant building each tenant is allowed one wall sign equal to one (1) sq. ft. per lineal foot of store frontage and no sign shall exceed 100 sq. ft.
- B. Detached Identification Signs: One (1) sign per lot, or consolidated parcel, not exceeding 12 sq. ft. in area for an individual lot and 24 sq. ft. for a consolidated parcel and not exceeding five (5) feet in height. Such sign shall be for identification of an occupant, building or complex.
- C. Temporary Signs: No temporary signs or banners are permitted with the exception of signs permitted in Section 48.02 - .03.

33A.06- CONSOLIDATED PARCELS- For the purpose of integrated development, any number of contiguous parcels may be consolidated for the purpose of development, and the consolidated parcel shall be construed to be one lot when computing building coverage and yard requirements, and permitted uses, provided:

- A. The owner of each lot shall give to the owner of each lot in the consolidated parcel by deed, easement, or agreement filed in the Office of the Town Clerk, the right of entrance, exit, passage, parking and loading.
- B. The consolidated parcel is developed with an integrated plan of buildings, curb cuts, parking, loading and unloading, and open space. The Commission may consider shared parking arrangements for uses when the peak hours for individual uses differ. (i.e., night club and office, movie theater and dental clinic)

33A.07- ORDERLY TRAFFIC MOVEMENT- In the absence of consolidated parcels and in order to assure future orderly vehicular movement onto the street by requiring shared points of ingress and egress between lots, the Commission or its staff during the site plan review process may require vehicular cross easements as part of individual development plans and may waive or modify setback requirements to facilitate unified, well planned development.

33A.08- MERCHANDISE AND MATERIALS STORAGE AND DISPLAY- Merchandise shall not be stored or displayed within the required front yard setback. Parking Spaces and Landscaped Areas shall not be used for sales, storage, display of

goods, or advertising purposes of any kind, except for detached signs installed in conformance with these Regulations.

33A.09- AREAS FOR LOADING AND UNLOADING- Any lot developed shall provide adequate space for the loading and unloading of goods and materials so located so as to avoid conflict with vehicular movement and shall be adequately screened from sight.

33A.10- ILLUMINATION- Interior and exterior lighting, including signs, shall not be of such intensity or located or directed in a way as to produce glare or discomfort on public streets or neighboring properties. All lights shall be directed away from residential zones unless specifically designed to enhance a pedestrian linkage.

33A.11- LANDSCAPING AND BUFFERING- A landscaping plan which identifies the location of all landscaped islands and the types of species within the islands shall be submitted with the application material.

In order to protect the integrity of residential zones abutting B-3 zones, sufficient buffering shall be required when a property in this zone (B-3) abuts a residential zone or primarily residential street. Further, no access drive shall cross through, traverse or interrupt the required buffer area.

All screening shall take maximum advantage of existing natural topographical features and existing plantings. In approving any site plan for a new use which abuts a residential zone screening of one of the following types of buffering shall be required. The Commission or its staff during the site plan review process shall exercise final determination of which option should be pursued:

- A. an earthen berm accompanied with a six (6) foot high evergreen planting on top of the berm.
- B. a six (6) foot high stockade fence on metal fence posts fixed in concrete footings with the side containing the posts facing the B-3 zone, accompanied with a six (6) foot high evergreen planting, at least four (4) feet in width, between such fence and the abutting residential use.
- C. an eight (8) foot high, six (6) foot wide protective planting strip in accordance with specifications established by the Planning and Zoning Department.