

4.17 Town Center Mixed Use Zone (TCMU)

4.17.1 Purpose and Intent

To authorize and encourage continued residential and modest commercial uses by maintaining the existing building scale and residential neighborhood characteristics, and preserving historic structures in the Curtisville National Historic District. A primary objective of this zone is to utilize/reuse existing structures for residential, commercial use(s), or a mix of residential and commercial use(s) while maintaining the overall existing appearance of the area. Further, maintenance of the existing streetscape by orienting parking to the side and/or rear of structures is an important standard. When combining parcels for development purposes, the scale of new structures will be an important design detail. Pedestrian and bicycle circulation improvements, including safer access to the Town Center, are also encouraged.

14.17.2 Permitted Uses

Land areas shall be used and buildings or structures shall be erected, altered, enlarged, or used only for the uses or use categories listed below and indicated in Section 5: Table of Permitted Uses of these Regulations, subject to such standards as may be referred herein.

Permitted Use (Prmt) and Special Permit with Design Review Use (SP) Categories

Prmt Uses and use categories permitted as a matter of right subject to the conditions of the TCMU Zone and any other applicable provisions of these regulations.

Dwelling, single-family

*Dwelling, two-family – if existing on the effective date of these regulations

Parks

SP Uses and use categories permitted following approval of Special Permit with Design Review by the Town Plan and Zoning Commission in accordance with the provisions of Section 12 of these Regulations.

Bed and breakfasts/Inns

Business services; except for warehousing and motor vehicle rental services

Day care centers

Dwellings, multiple (3 or more units, not to exceed 6 dwelling units/acre)

Dwellings, two-family

Governmental services

Office, general, medical and professional

Personal services

Places of worship/religious quarters

**Additions to existing two-family residential only dwellings that result in no increase in dwelling units, and meet all applicable development standards shall be a permitted use. Section 14.17.4(i) shall not apply.*

Mixed use development
Veterinary services

Any special permit use legally existing within the TCMU Zone on the date of adoption of the TCMU Zone is deemed to have been granted a Special Permit for such use.

Permitted Accessory Uses

Accessory uses are permitted in accordance with the list below and as indicated in Section 5: Table of Permitted Uses of these Regulations, subject to such standards as may be referred herein.

Permitted Accessory Uses and Use Categories

(0) Numbers in parenthesis indicate the subsection of Section 2 defining the use or use category.

Acc Uses and use categories permitted as an accessory use.

Accessory uses (2)
Garage, Parking (18)
Parking area, private (35)

In addition, all accessory uses shall conform to the provisions set forth in Section 7 of these regulations.

(0) Numbers in parenthesis indicate the subsection of Section 2 which defines the use or use category.

4.17.3 Development Plan

For the purpose of assuring orderly and integrated development in the TCMU, no building, structure, use or other form of development shall be established or constructed and no existing building, structure or use, other than existing single and two-family dwellings, shall be enlarged or altered until a special permit with design review approval by the Town Plan and Zoning Commission has been filed with the Town Clerk. Such plan shall be in accordance and consistent with the provisions of Section 12 of these regulations. The Section 12 Special Permit requirement shall not apply to buildings or uses that are permitted as a matter of right (Prmt) as listed above.

4.17.4 Development Standards

a) Lot Area

The minimum lot area for all SP uses and for two family dwellings shall be 10,000 square feet. Smaller legal lots of record may be developed with a single family dwelling.

The maximum area of any new lot created by the merger of smaller lots shall be 40,000 square feet in order to maintain the existing building scale and character of district.

b) Lot Frontage

Every lot shall have a minimum lot frontage of seventy-five (75) feet on a public highway, except that legal lots of record with reduced frontage on a public highway may be developed with a permitted (Prmt) or Special Permit (SP) use or uses in accordance with the standards set forth in of these regulations.

c) Building Coverage

All principal and accessory structures shall cover not more than twenty percent (20%) of the area of the lot, except in accordance with Section 14.17.4. (i)

d) Yard Setbacks

1. Front Yard

There shall be a minimum front yard of twenty (20) feet for every new building. Parking for commercial uses and multiple dwellings is not permitted within the front yard and must be located to the side or rear of any principal building with frontage on a public highway.

2. Side Yards

There shall be two (2) side yards for every principal building. The combined width of the two side yard setbacks shall be at least twenty (20) feet, with a minimum setback of eight (8) feet on one side, except in accordance with Section 14.17.4.(i).

3. Rear Yard

There shall be a minimum rear yard of thirty (30) feet for every principal building, except in accordance with Section 14.17.4.(i).

e) Maximum Height Limit

No building shall exceed 2 ½ stories or a height of thirty five (35) feet.

f) Required Open Space

Open space for Special Permit (SP) use properties shall be at least equal to the area of the principal building's footprint.

g) Required Parking

Parking for all uses shall be provided in accordance with the provisions of Section 9 of the Building Zone Regulations.

h) Floor Area Maximum

The maximum floor area of any new building shall not exceed 4,000 square feet. For the purposes of this section, floor area is defined as the total square foot area of all floors (excluding unfinished basements) as measured from exterior wall to exterior wall.

i) Mixed Use

A unified development consisting of commercial use(s) combined with a residential use (with up to two dwelling units) shall be permitted in accordance with the provisions of Section 12 of these regulations. Modified standards/incentives in connection with the adaptive reuse of existing buildings are permitted in accordance with Section 12 of these regulations and the following:

1. Special Provisions for Adaptive Reuse of Existing Buildings

a.) Side Yards

The combined width of the two side yards shall be at least ten (10) feet, with a minimum yard of four (4) feet on one side.

b.) Rear Yard

There shall be a minimum rear yard of twenty (20) feet.

c.) Floor Area Maximum

Existing buildings may be expanded to a maximum of 5,000 square feet in order to comply with current building codes (such as new stair wells, emergency access, handicapped access); and where the architectural style and scale of additions are consistent with the architectural style and scale of the building and the neighborhood.

d.) Building Coverage

All principal and accessory structures shall not cover more than twenty-five percent (25%) of the area of the lot.

The above modified development standards shall only be permitted where a minimum of fifty percent (50%) of the floor area (as defined in Section 4.17.4.h) of the existing building is being preserved, and the development is consistent with the Purpose and Intent (Section 4.17.1) of this regulation.