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- c. Any recreational vehicle using a mobile home park space shall be required to connect to the mobile home park's water and sewer system.
- (3) Limitations. The permit authorized pursuant to this section shall be for a duration of time specified by the planning commission, but in no event shall the duration of time of the permit be more than six (6) months, and each permit approved by the planning commission shall be apply only to one (1) specific recreational vehicle.
- (4) Application. The property owner seeking a permit pursuant to this section shall submit an application to be provided by the town to the town clerk for referral to the planning commission. The application shall include the following:
 - a. Name and contact information for the owner of the mobile home park.
 - b. A narrative description of the proposed recreational vehicle use, including the proposed number of recreational vehicles and dates of occupancy.
 - c. A map of the mobile home park, clearly identifying the spaces proposed for temporary occupancy by recreational vehicles.
 - d. A fee deposit as adopted by the town by resolution of the town council.
- (5) Planning commission action. The planning commission shall review the proposal as soon as practical at a public meeting with the applicant and determine whether the issuance of a permit is in the best interests of the health, safety and welfare of the town, based on the criteria set forth in this paragraph. The planning commission shall then make a written determination of whether to issue a permit and shall specify the duration thereof. In the event the planning commission denies the request for a permit, the applicant may appeal the determination to the town council. Such an appeal must be filed within five (5) working days of receipt of the written determination by the planning commission.
- (6) Expiration; revocation. A permit issued pursuant to this section may be revoked by the planning commission or the town council in the event it determines at a public meeting after notice to the property owner that the property owner is not in compliance with the criteria for approval of the permit, or is otherwise a detriment to the public health, safety and welfare of the town.
- (7) Penalty. It shall be unlawful for a recreational vehicle to be placed overnight on a space within a mobile home park other than as provided herein. A violation of this subsection (h) shall be subject to the penalties set forth in sections 1-51 and 1-53 of this code.

(Ord. 10-08 §2, 2010; Ord. 13-13 §38, 2013)

(Ord. No. 16-11, § 1, 12-7-16)

Sec. 16-46. Business district (B).

- (a) Uses by right.
 - (1) Business and professional offices, medical and dental clinics.
 - (2) Post offices, banks, newspaper and printing businesses, assembly or convention halls, bowling alleys, dance halls, pool or billiard parlors, exposition halls, tennis courts, swimming pools, miniature golf courses and health studios.
 - (3) Laboratories, except those which involve any hazardous process or materials, or emit noise, dust and/or odor.
 - (4) Service establishments, such as barber shops, beauty shops, watch and jewelry repairing, pharmacies, pick-up stations for laundry or dry cleaning, package liquor stores, 3.2% fermented

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malt beverage stores or outlets, taverns, lounges, nightclubs, private clubs and bars, restaurants, drive-through restaurants and cafes.

- (5) Public, parochial and private schools (including private, vocational, trade and professional schools), colleges, universities, preschools and day nurseries (including those uses commonly accepted as accessory thereto when located on the same premises).
 - (6) Community buildings, recreational buildings, churches, libraries, parks, museums, aquariums and art galleries.
 - (7) Retail stores, provided that all merchandise is enclosed within a building.
 - (8) Mortuaries, homes for the aged, nursing homes and hospitals.
 - (9) Art, photographic, dance, radio and television studios.
 - (10) Parking of automobiles of clients, patients, patrons or customers of the adjacent business and commercial districts.
 - (11) Motels, licensed tourist courts and hotels.
 - (12) Car washes, automobile and truck repair businesses and/or motor fuel service stations in existence as of the date of adoption of Ordinance No. 89-3 and physically located on the premises.
 - (12.5) Small engine, motorcycle, snowmobile and other such small recreational vehicle sales and repair.
 - (13) Living quarters for a single family only of an owner/operator/caretaker of a business in a business building.
 - (14) Other such similar business uses as listed in paragraphs (1) through (13) above which are determined by the planning commission to be not more detrimental uses in said district than the uses by right hereinbefore enumerated. Such planning commission determination may be appealed to the town council.
 - (15) Building-mounted or pole-mounted CMRS facility, with administrative approval.
- (aa) Uses by Special Review (USR). The following buildings, structures and uses may be constructed, occupied or maintained in this district upon approval of a permit in accordance with the requirements and procedures set forth in section 16-63 of this chapter.
- (1) Oil and gas production facilities, reviewed pursuant to article 11 of this chapter.
 - (2) Freestanding microwave, radio, television or other CMRS facility, reviewed pursuant to article 10 of this chapter.
 - (3) Multiple-family dwellings located on second or higher stories in buildings containing permitted business uses on the ground floor.
- (b) Lot minimum requirements.
- (1) Minimum lot area - no minimum requirement.
 - (2) Minimum lot width - twenty-five (25) feet.
 - (3) Minimum lot frontage - twenty-five (25) feet minimum (minimum front lot line).
 - (4) Front setback - no minimum requirement.
 - (5) Side setback - if a building is constructed of masonry or fireproof material (refer to Building Code Standards for fireproofing), no side yard shall be required except when located on a corner lot. If a building is constructed of nonmasonry or nonfireproof materials, there shall be a side yard of

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not less than ten (10) feet on each side. On corner lots there shall be a side yard of not less than five (5) feet on the side adjoining the street.

- (6) Rear setback - the minimum depth of rear yard shall be ten (10) feet from the rear lot line.
- (c) Historical district. If areas of the B district should fall within the H district, zoning requirements of the H district shall apply in such instances, except that these lot area and yard minimum requirements will be adhered to.
- (d) Temporary uses. Temporary uses shall be allowed as follows, subject to the provisions of section 16-65.5 of this chapter:
 - (1) Retail sales.
 - (2) Farmers markets.
 - (3) Auctions.
- (e) Uses requiring planning commission approval. The following uses shall be permitted only upon approval of the planning commission:
 - (1) Single-family dwellings.
 - (2) Two-family dwellings.
 - (3) Multi-family dwellings.
 - (4) Governmental buildings, fire stations, but not including warehouses, storage or repair.
 - (5) Automotive repair, minor.

(Ord. 10-08 §2, 2010; Ord. 14-02 §2, 2014)

(Ord. No. 16-11, § 1, 12-7-16)

Sec. 16-47. Commercial one district (C-1).

- (a) Uses by right.
 - (1) Any use by right in the B district.
 - (2) Building supplies, provided that any outdoor storage is screened from public view.
 - (3) Cold storage lockers and meat processing (but not including slaughtering on the premises).
 - (4) Mobile home, travel trailer, boat, motorcycle, tractor, trailer, camper and motor vehicle display and sales.
 - (5) Car washes, automobile and truck repair businesses and/or motor fuel service stations. (For permitted aboveground storage of flammable liquids, see section 18-17 of this code.)
 - (6) Rental agencies, including those for automobiles, campers, trailers and light equipment (but not including heavy equipment).
 - (7) Ambulance services.
 - (8) Auction houses (no live animals).
 - (9) Lapidary shops, taxidermists.
 - (10) Veterinary hospital (small animal - enclosed).
 - (11) Self-storage.

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- (12) Other such similar commercial uses as listed in paragraphs (1) through (11) above which are determined by the planning commission to be not more detrimental uses in said district than the uses by right hereinafter enumerated.
- (13) Building-mounted or pole-mounted CMRS facility, with administrative approval.
- (b) Accessory uses. Any accessory use permitted in the B district.
- (c) Uses by Special Review (USR). The following buildings, structures and uses may be constructed, occupied or maintained in this district upon approval of a permit in accordance with the requirements and procedures set forth in section 16-63 of this chapter.
 - (1) Oil and gas production facilities, reviewed pursuant to article 11 of this chapter.
 - (2) Freestanding microwave, radio, television or other CMRS facility, reviewed pursuant to article 10 of this chapter.
- (d) Temporary uses. Temporary uses shall be allowed as follows, subject to the provisions of section 16-65.5 of this chapter:
 - (1) Any temporary use allowed in the B district.
- (e) Uses requiring planning commission approval.
 - (1) Any use requiring planning commission approval in the B district.
 - (2) Small scale manufacturing of items primarily for sale on the premises, construction, repairing, processing, fabrication, packaging, warehousing, storage and/or industrial operation or other such related activities of any kind not heretofore listed. Such planning commission determination may be appealed to the town council.
- (f) Maximum building height. Building height must be specifically applied for and approved by the planning commission if the proposed building is to exceed thirty (30) feet in height.
- (g) Lot minimum requirements.
 - (1) Minimum width of lot - twenty-five (25) feet.
 - (2) Front setback - except as hereinafter provided, the minimum depth of any front yard for any building, measured from the front lot line to the front setback line, shall be twenty-five (25) feet. Motor fuel pumps may be erected not less than eighteen (18) feet from such front lot line. A canopy may be erected over motor fuel pumps not less than five (5) feet from such front lot line.
 - (3) Side setback - if a building is constructed of masonry or fireproof materials (subject to Building Code Standards for fireproofing), no side yard shall be required on an interior lot or on that side of a corner lot which is not adjacent to the street. If a building is constructed of materials other than masonry or fireproof materials, the minimum depth of any side yard of an interior lot or of a side yard of a corner lot on that side which is not adjacent to a street, measured from the side lot line to the side setback line, shall be ten (10) feet. Motor fuel pumps may be erected not less than eighteen (18) feet from any side lot line. A canopy may be erected over motor fuel pumps not less than five (5) feet from side lot line.
 - (4) Rear setback - ten (10) feet (minimum depth of rear yard shall be ten [10] feet from the rear lot line).
 - (5) The planning commission may grant variances to lot area and yard minimum requirements in certain areas and circumstances.

(Ord. 10-08 §2, 2010; Ord. 14-02 §3, 2014)

(Ord. No. 16-11, § 1, 12-7-16)