Chapter 210. Base Zoning Districts

The purpose of this chapter is to describe the use and development standards that apply in each zoning district.

Section 2101. Town Center (TC) District

2101.A Purpose. The intent of the Town Center District is to recognize and reinforce this area as a regional service center by:

1. Establishing a well-defined, mixed-use, compact and walkable center.
2. Transforming Fisher Road and Berlin Mall Road into pedestrian-friendly streets defined by sidewalks, street trees and landscaping, and buildings located close to the road.
3. Encouraging infill with smaller buildings along Fisher Road and Berlin Mall Road, and within underutilized parcels and parking lots.
4. Attracting regional-scale retail and service uses that will reuse and/or redevelop sites and buildings over time in response to evolving lifestyle preferences and market needs.
5. Promoting site designs that feature reduced parking footprints, landscaping and green infrastructure.
6. Encouraging quality and efficient construction with durable, low-maintenance materials and distinctive architectural designs.
7. Allowing for higher density housing in areas that can be served by public infrastructure and transit.

2101.B Permitted Uses. The Zoning Administrator may issue a zoning permit for the following uses:

1. Multi-family dwelling
2. Accessory dwelling
3. Home occupation
4. Home business
5. Family childcare home
6. Congregate living
7. Assisted living
8. Skilled nursing services
9. Bed and breakfast or inn
10. Rooming or boarding house
11. Hotel or motel
12. Shop or store
13. Open market
14. Lawn, garden or farm supply sales
15. Lumber or building materials sales
16. Sales lot
17. Rental and leasing
18. Office or personal/business service
19. Restaurant
20. Tavern
21. Media broadcast facility or studio
22. Data center or information services
23. Indoor recreation
24. Outdoor recreation
25. Religious facility
26. Healthcare facility
27. Education facility
28. Government facility
29. Cultural facility
30. Funeral home or cremation facility
31. Supervision or rehabilitative services
32. Daycare facility
33. Transit facility
34. Essential services
35. Communication antenna
36. Agriculture or forestry
The applicant must receive site plan approval from the Development Review Board before the Zoning Administrator may issue a zoning permit for any of the uses not underlined.

The applicant must obtain conditional use approval from the Development Review Board before the Zoning Administrator may issue a permit for:
(a) Construction of more than 16,000 square feet of commercial or industrial space;
(b) A multi-family or mixed-use development containing more than 16 dwelling units; or
(c) A use with drive-through or drive-in service.

2101.C Conditional Uses. The applicant must obtain conditional use approval from the Development Review Board before Zoning Administrator may issue a zoning permit for the following:
1. Single-family dwelling
2. Two-family dwelling
3. Fueling station
4. Repair and service
5. Light industry
6. Warehouse or storage
7. Wholesale trade
8. Laboratory or research facility
9. Parking
10. Communication tower

2101.D Dimensional Standards. Land development within this district must conform to the following:
1. Lot size: 20,000 sf min
2. Lot frontage: 90 ft min
3. Lot coverage: 90% max
4. Front setback: 25 ft min to 95 ft max as measured from the edge of the external travel lane, and in no case less than 10 ft from the edge of ROW.
5. Side setback: 10 ft min or 25 ft if abutting a rural or residential district
6. Rear setback: 10 ft min or 50 ft if abutting a rural or residential district
7. Riparian setback: 20 ft min
8. Residential density: no maximum
9. Floor area ratio: 3.0 max
10. Building height: 25 ft min to 60 ft max

2101.E Walkability Standards. The Development Review Board may require the following standards for land development that requires major site plan approval (see Section 4302):
1. Installing and maintaining a sidewalk at least 5 feet wide along the lot frontage in accordance with Paragraph 3203.E(1).
2. Providing at least one building entrance that faces the road and sidewalk.
3. Installing and maintaining internal walkways from the sidewalk and any parking lots or transit stops to the building entrance(s) that are designed to separate pedestrian and vehicle traffic.
2101.F Architectural Standards. Land development that requires major site plan approval (see Section 4302) to construct or renovate a principal building must meet or exceed the following standards:

1. Orienting buildings to the road.
2. Incorporating visible changes in wall plane and roof form that break up wide facades into multiple bays. A bay must not be more than 40 feet wide.
3. Featuring a regular pattern of windows and entries on the facade. The facade of new retail buildings must incorporate a storefront design with clear glass windows offering views into the building interior that comprise a minimum of 60% of the ground-level wall area up to 10 feet above the finished grade. For new building facades wider than 40 feet, the bay with the principal entrance must have a storefront design and the Development Review Board may waive or modify the requirement for the remaining bays provided they incorporate other elements of architectural interest and/or screening as required below.
4. Screening any stretches of solid or blank walls between windows/entries that are more than 40 feet in length with landscaping.
5. Locating any vehicle or service entrances to the side or rear of the building.
6. The Development Review Board may allow applicants to modify the requirement of meeting the Architectural Standards if the applicant demonstrates that compliance prohibits the land development.

2101.G Access Management Standards. Applicants must design any land development within this district that requires major site plan approval to eliminate any pre-existing areas with uncontrolled or undefined access from the road in accordance with the access management standards of Section 3203.
Section 2105. Residential (RES) District

2105.A Purpose. The intent of the Residential District is to protect and promote compact and efficient residential neighborhoods in areas close to major transportation corridors and services that are or can reasonably be served by public transit and infrastructure.

2105.B Permitted Uses. The Zoning Administrator may issue a zoning permit for the following uses:

1. Single-family dwelling
2. Two-family dwelling
3. Multi-family dwelling
4. Accessory dwelling
5. Home occupation
6. Home business
7. Family childcare home
8. Bed and breakfast or inn
9. Rooming or boarding house
10. Religious facility
11. Cemetery
12. Essential services
13. Communication antenna
14. Agriculture or forestry

The applicant must receive site plan approval from the Development Review Board before the Zoning Administrator may issue a zoning permit for any of the uses not underlined.

The applicant must obtain conditional use approval from the Development Review Board before the Zoning Administrator may issue a permit for a multi-family development containing more than 8 dwelling units.

2105.C Conditional Uses. The applicant must obtain conditional use approval from the Development Review Board before the Zoning Administrator may issue a zoning permit for the following:

1. Congregate living
2. Assisted living
3. Skilled nursing services
4. Office or service business
5. Outdoor recreation
6. Educational facility
7. Government facility
8. Cultural facility
9. Funeral home or cremation facility
10. Daycare facility
11. Transit facility
12. Rural enterprise

Rural enterprises are only allowed on lots at least 5 acres in size.
2106.D Dimensional Standards. Land development within this district must conform to the following:

1. Lot size 12,000 sf min
2. Lot frontage 60 ft min
3. Lot coverage 40% max
4. Front setback 40 ft min as measured from the edge of the external travel lane
5. Side setback 15 ft min
6. Rear setback 30 ft min
7. Riparian setback 30 ft min
8. Residential density 1 dwelling unit per 6,000 sf of lot area max
9. Floor area ratio 0.3 max
10. Building footprint 6,000 sf max
11. Building height 35 ft max

2106.E Walkability Standards. The Development Review Board may require land development within this district that requires major site plan or major subdivision approval to:

1. Install and maintain a sidewalk at least 5 feet wide along the lot frontage in accordance with Paragraph 3203.E(1).

2. Install and maintain internal walkways from any sidewalk, parking lots or transit stops to the building entrance(s) that are designed to separate pedestrian and vehicle traffic.

2106.F Access Management Standards. Applicants must design any land development within this district that requires major site plan approval to eliminate any pre-existing areas with uncontrolled or undefined access from the road in accordance with the access management standards of Section 3203.