

CITY OF VASSAR ZONING ORDINANCE

ARTICLE 2, DIVISION 3: COMMERCIAL/MIXED-USE DISTRICTS

Sec. 86-50 Permitted Uses

In the Commercial/Mixed-Use Districts, land, buildings, and other structures shall be used only for one (1) or more of the uses specified in the table below. Uses denoted by a “P” are permitted by right, whereas uses denoted by “C” are considered conditional land uses and may be approved administratively while uses denoted by “S” are considered special land uses and may be approved by the Planning Commission subject to the applicable general and specific standards in *ARTICLE 5, DIVISION 3: SPECIAL LAND USES*. Any use requiring Planning Commission approval must be reviewed by a planning consultant and any other applicable consultants for compliance with zoning regulation and district intent.

Permitted Uses in the Central Business District	Central Business District		General Business District
	Downtown Core <i>*non-retail and office type uses are not permitted on the first/ground floor</i>	Downtown Transitional	
Residential			
Attached Residential (ground floor)		P	
Attached Residential (upper floor)	P	P	
Home Occupations (<i>in accordance with Section 86-143</i>)	C	C	
In-Home Office	P	P	
Nursing and Convalescent Homes	S	S	P
Senior Housing, not including Nursing and Convalescent Homes	S	S	P
Single-family detached (only existing)		P	P
Care Facilities			
Adult and child residential care facilities in accordance with <i>Section 86-132 Adult and Child Care Facilities</i> .	C	C	C
Entertainment and Recreational			
Amusement Parks, Carnivals, Fairgrounds, Fairs, and Other Types of Outdoor Entertainment Facilities			S
Banquet, Conference, Dance, Lodge and Union Halls, and Private Clubs	S	S	S

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Entertainment Establishments such as Video Arcades, Bowling Alleys, Billiard Halls and Similar Uses in an Enclosed Building	P	P	S
Golf Courses			S
Golf Driving Ranges and Miniature Golf Courses			S
Health Clubs and Fitness Centers	S	S	P
Recreation Facilities Public	P	P	P
Recreation Facilities, Private	S	S	S
Theaters, Cinemas and Similar Assembly Buildings	S	S	S
Finance, Medical and Professional Office and Research and Development			
Animal Grooming Establishments	P	P	P
Banking Centers, including Drive-Through ATMs which are Separate from a Financial Institution			S
Banking Centers, including walk-up ATMs which are Separate from a Financial Institution	P	P	P
Banks, S and L, Credit Unions and Similar with Drive-Throughs at rear of site	S	S	S
Banks, S and L, Credit Unions and Similar with No Drive-Throughs	P	P	P
Hospitals			S
Medical Offices and Clinics including Chiropractors, Osteopaths, Optometrists, and Similar or Allied Professions	P	P	P
Offices	P	P	P
Professional Services	P	P	P
Urgent Care Centers, Emergency Medical Stations and Similar Uses			P
Veterinary Hospitals			C
Veterinary Offices/Clinics	P	P	P

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Service and Retail Trade			
Automobile Gasoline Stations			S
Automobile or Vehicle Dealerships			C
Automobile Service Establishments (Routine Maintenance and Minor Repair)			S
Automobile Washes, Automatic or Self-Service			C
Bars, Taverns, Lounges, Microbreweries (Accessory Only) and Brewpubs	C	C	C
Bed and Breakfast Inns	C	C	C
Bus and Rail Passenger Stations	S	S	S
Commercial Printers			P
Convenience Stores without Gasoline Service	P	P	P
Drive-Through Window Facilities Restaurants or Other Permitted Uses			S
Dry Cleaners, Retail Outlet	P	P	P
Funeral Homes and Mortuaries, not including Crematoriums	C	C	C
Garden Centers	S	S	S
General Retail Uses	P	P	
Hotels and Motels	P	P	P
Hotels and Motels including Accessory Convention/Meeting Facilities and Restaurants	S	S	S
Laundromats			P
Outdoor Display	C	C	C
Outdoor Sales and Storage	S	S	S
Parking Lots and Parking Garages	S	S	S
Personal Service Establishments	P	P	P
Restaurants with Open Front Restaurant Windows	C	C	

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Restaurants, including Carry-out, Delicatessens, Fast-food and Standard Restaurants	P	P	P
Retail Businesses and Centers up to 50,000 sq.ft. GLA			P
Retail Businesses and Retail Centers exceeding 50,000 sq.ft. GLA			S
Retail Businesses with drop-off areas			S
Small Manufacturing Establishment	C	C	C
Storage on Upper Levels, provided no storage shall be allowed on a floor having residential dwellings, and all storage shall be related to a principal use within the structure	S	S	
Studios of Art, Photography, Music, Dance and Similar Uses	P	P	P
Public, Institutional, and Utilities			
Business, Research, Vocational and Technical Training Schools			S
Churches, Temples, and other Places of Worship or Public Assembly	S	S	S
Colleges, Universities, and Other Institutions of Higher Learning			S
Essential Public Service Buildings			S
Essential Public Services	P	P	P
Public and Quasi-Public Institutional Buildings, Structures and Uses	P	P	P
Accessory			
Accessory buildings, structures and uses, customarily incidental to any of the above principal uses	P	P	P
Accessory buildings, structures and uses customarily incidental to any of the above special land uses	S	S	S

Sec. 86-51 Site Development Requirements

All principal uses, special land uses, and conditional land uses are subject to the following site development requirements:

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- a. *ARTICLE 3: GENERAL PROVISIONS*
- b. *ARTICLE 4, DIVISION 1: OFF-STREET PARKING AND LOADING STANDARDS*
- c. *ARTICLE 4, DIVISION 2: ACCESS MANAGEMENT AND DRIVEWAY STANDARDS*
- d. *ARTICLE 4, DIVISION 3: LANDSCAPE STANDARDS AND TREE REPLACEMENT*
- e. *ARTICLE 4, DIVISION 4: SIGNS*
- f. *ARTICLE 4, DIVISION 6: LIGHTING STANDARDS*
- g. *ARTICLE 5, DIVISION 1: SITE PLAN REVIEW*

Sec. 86-52 Central Business District (B-1)

a. Introduction

1. The Central Business District (B-1) is intended to provide for a traditional mixture of small office buildings, specialty retail stores, entertainment, public spaces, and related activities that are mutually supporting and serve the needs of both the City and surrounding communities.
2. The goal of these district regulations is the creation of a vital and coherent public realm for the district. While the form and function controls on building frontages are applied at the parcel level, they work together to frame the public realm for the entire district. These district regulations establish requirements related to form, character and design that will promote compatible infill and redevelopment and contribute to a greater sense of place.
3. Because this is a form-based district, the organization, procedures and standards of this section are more integrated and holistic than those in conventional zoning districts, with the intent that separate parcels and/or development projects will work together in conjunction with the public realm to create the type of place envisioned by the City.
4. Rules of Measurement and Definitions to aid in use of this Section are in *ARTICLE 1, DIVISION 2 DEFINITIONS*.

b. Applicability

1. The Central Business District (B-1) is established and applied to property as set forth on the Zoning Map.
2. All provisions of the Zoning Ordinance not addressed by the provisions of the Central Business District shall be applicable.
3. The provisions of the Central Business District, when in conflict with other articles of the Zoning Ordinance, shall take precedence.

c. Utilizing the Central Business District Regulations. The Central Business District is organized by sub-districts and frontage types, as identified on the Regulating Plan *IN SECTION 86-52(e)*. Frontage types define the transition and interaction of the building face with the street. To determine specific standards that apply to a property:

1. On the regulating plan, determine the sub-district in which the property is located.
2. Determine the building regulations for the sub-district. Each sub-district's regulations are divided by permitted frontage types. The applicant may choose which frontage type shall be applied to the property.
3. Building and siting shall comply with the Subdistrict standards of *SEC. 86-52. (f)* and the site development standards included outside this Division per *SEC. 86-51*.

d. Administration

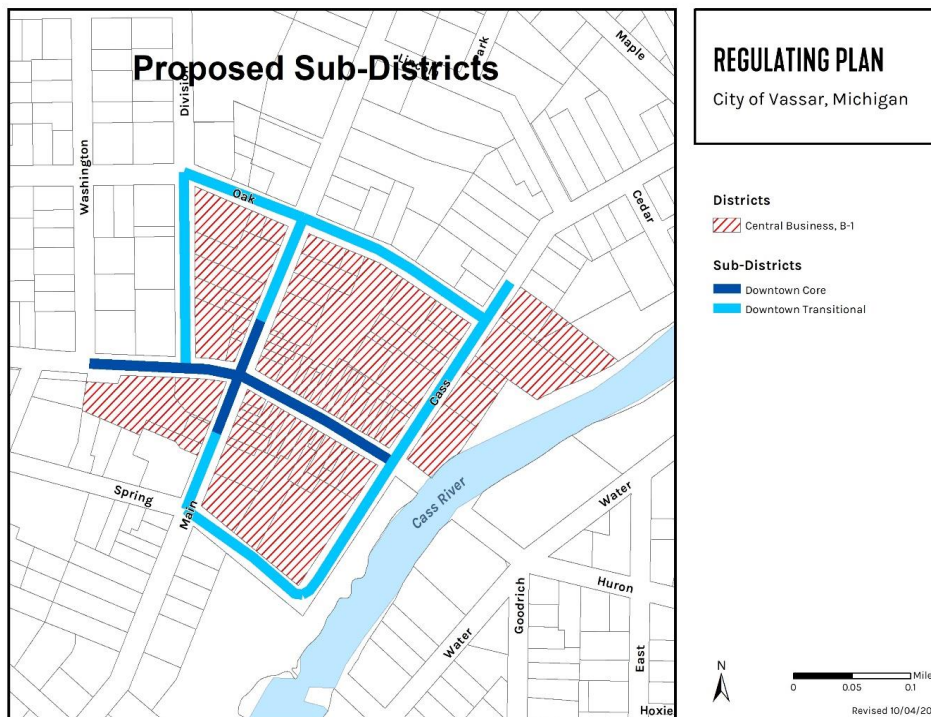
1. Plan Review and Administrative Approval. Development in the Central Business District requiring Site Plan Review shall follow the Site plan Review process set forth in *ARTICLE 5, DIVISION 1: SITE PLAN REVIEW*. Site Plan review for permitted and conditional land uses within the Central Business District will be reviewed administratively.
2. Modifications Requiring Approval. Modifications to the architectural standards of *SEC. 86-52* may be approved by the City. A modification shall require an application that includes a site plan and a front elevation drawing of the proposed building per *ARTICLE 5, DIVISION 1: SITE PLAN REVIEW*. The application shall be based upon the following criteria:

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- a) The design of the building shall be in keeping with the architectural character of Downtown Vassar, as articulated in the Master Plan. This shall not prevent innovation and creativity in design that is in keeping with the Master Plan.
- b) The building shall be oriented toward the front sidewalk, have a functioning entrance and enhance the continuity of the pedestrian-oriented environment. A modification shall not result in increasing the dominance of vehicular parking or garage doors along the front of the building.
- c) The design of the roof shall be compatible with character of other buildings along the block and shall meet district height requirements.
- d) The exterior finish material shall be of equal or better quality, in terms of durability and appearance/texture similar to brick, stone, or wood, as those permitted in the district. The intent is to accommodate new technologies and building materials while maintaining the desired character of Downtown Vassar, as defined in paragraph 1, above.
- e) Ground floor windows shall be provided along the front sidewalk to maintain the pedestrian-orientation of the streetscape and upper story windows and shall not be incompatible with the rhythm and proportion of windows on other buildings along the block.

e. Regulating Plan

1. A regulating plan is the controlling document and principal tool for implementing the form district. It is a subset of the zoning map.
2. Comparable to the zoning map, the regulating plan provides specific information on the development parameters for parcels within each sub-district.



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f. **Sub-District Standards:** Frontage Types

Frontage Type	Intent	Sub-District	
		Downtown Core	Mixed Use Transition
Storefront	The intent of the Storefront frontage type is to preserve the traditional downtown character by establishing standards for appropriately designed mixed-use buildings that provide ground floor active uses with large windows with transparent views into the building interior. Buildings within the Downtown Core have two (2) Storefront frontages; one (1) frontage that faces Huron Avenue and Main Street and one (1) frontage that faces an alley or rear access/parking area of the building.	P	P
Stoop	The intent of the Stoop frontage type is to accommodate a flexible variety of uses and scales; preserve historic detached houses; integrate context-sensitive mixed-uses; establish standards for appropriately designed multi-unit dwelling development; and serve as a transition from the Storefront frontage types to the surrounding residential neighborhoods.	NP	P

P = Permitted, NP = Not Permitted

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- g. **Downtown Core.** As the core of the Central Business District, the lots in the Downtown Core sub-district face Huron Avenue and Main Street. The sub-district establishes a continuous building facade at the street frontage that maximizes ground floor fenestration to encourage an active interface between the public street and the ground floor. The second frontage/façade faces alleyways, rear yard parking, and provides public access via an alley, easement, or parking area and must also establish a continuous building façade that maximizes ground floor fenestration.

Downtown Core Frontage Type	Storefront
Height	
Minimum	2 stories / 24 feet
Maximum	3 stories / 42 feet
Siting	
Build-to	
Primary Frontage (min. % of lot width / build-to max.)	80% / 0 feet
Secondary Frontage	-
Setbacks	
Side, adjacent to residential district (min.)	10 feet
Rear, adjacent to residential district (min.)	10 feet
Parking	
Surface parking between building and frontage	Not allowed
Parking setback (min.)	30 feet
Design Elements	
Building Elements Heights	
Ground floor elevation (min. / max.)	0 feet / 1 foot
Ground floor clear height (min.)	14 feet
Ground floor sill height (max.)	2 feet
Ground Floor Fenestration	
Primary frontage (min.)	80%
Secondary frontage (min.)	80%
Pedestrian Access	

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Primary frontage	Entrance per 50 feet
Secondary frontage	Entrance per 50 feet

- h. **Downtown Transitional.** The Downtown Transitional District is located along the edges of the Central Business District and serves as a transition to the adjacent zone districts and urban patterns. The sub-district is characterized by a mix of uses, which include retail, offices, residential and civic uses. The frontage types will allow a flexible build-to and moderate fenestration requirements at the ground floor.

Downtown Transitional Frontage Type	Storefront	Stoop
Height		
Minimum	1 story	2 stories
Maximum	3 stories	3 stories
Siting		
Build-to		
Primary Frontage (min. % of lot width / min.-max. build-to)	80% / 0-10 feet	80% / 5-10 feet
Secondary Frontage (min. % of lot width / min.-max. build-to)	60% / 0-10 feet	-
Setbacks		
Side, adjacent to residential district (min.)	6 feet	6 feet
Rear, adjacent to residential district (min.)	20 feet	20 feet
Parking		
Surface parking between building and frontage	Not allowed	Not allowed
Design Elements		
Building Elements Heights		
Ground floor elevation (min. / max.)	0 feet / 1 foot	2 feet / 5 feet
Ground floor clear height (min.)	14 feet	-
Upper story clear height (min.)	9 feet	9 feet
Ground floor sill height (max.)	2 feet	-
Ground Floor Fenestration		
Primary frontage (min.)	70%	40%

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Secondary frontage (min.)	40%	-
Pedestrian Access		
Primary frontage	Entrance per 50 feet	Stoop
Stoop depth (min.)	-	5 feet

i. General standards

In addition to the general provisions and site design standards included in Articles 3 and 4, the following additional standards apply to parcels within the CBD.

1. Building Materials. Building materials shall comply with the following additional standards apply to each B-1 subdistrict:

Wall materials visible from right-of way	Primary Building Material (min.)	Secondary Building Material and Trim
First and second floor elevations	75%	25%
Above second floor	50%	50%

	Primary Building Material		Secondary Building Material	Trim material and accents
	STORE-FRONT	STOOP		
Brick (include veneer)	P	P	P	P
Native stone/ synthetic		P	P	P
Wood lap siding		P	P	P
Fiber cement siding		P	P	P
Stucco		P	P	P
Split-faced block			P	P
Gypsum Reinforced Fiber Concrete				P
Metal		P	P	P
Molded Polyurethane trim				P
EIPS (above first floor only)				P

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2. Roofs and Parapets
 a) Permitted roof types

	Frontage Types	
	STOREFRONT	STOOP
Flat Roof with Parapet	P	P
Flat Roof with Projecting Cornice	P	P
Pitched Roof		P
Overhanging Eave		P

- b) Materials
- 1) Only the following roofing materials are permitted:
 - i. Tile
 - ii. Slate
 - iii. Metal (standing seam, equivalent or better);
 - iv. Dimensional Architectural Grade composition shingles; or
 - v. Wood shingles.
 - 2) Additional permitted roof elements include:
 - i. Skylights and solar panel.
 - ii. Cornices and soffits may be TBD
 - iii. Gutters and downspouts may be vinyl, and/or metal, in accordance with industry standards.
 - 3) Parapet wall material shall match the building wall.
- c) Other Elements. Roof vents or other roof-oriented equipment are permitted only on the roof plane opposite primary frontage or when shielded from view by the building's parapet wall.

j. Integrated Parking Design

1. Intent
 - a) To minimize the visual impact of surface parking lots and structured parking decks on the public realm, mitigate nuisances including noise and light, and design parking to be visually compatible with the surrounding character and development.
2. Configurations and Techniques
 - a) Parking decks exposed to view shall be subject to the same standards as buildings in terms of massing, form, and building character.
 - 1) For all exposed, above-grade parking structures, at least 50 percent of the ground floor level must be covered by an architectural screen.
 - 2) Spandrel panels or opaque architectural wall systems, a minimum of 42" high, shall be required to screen the view of parked cars and car headlights from the opposite side of the street.

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86-53 General Business District (B-2)

a. **Intent.** The General Business District (B-2) is intended to accommodate commercial establishments that serve community-wide shopping and service needs, including motorists using Goodrich, Huron, and Main Streets. This district is intended to create cohesive commercial areas that take advantage of access provided by the City's roadway system but also provide convenient vehicular access between businesses in attractive settings, thereby ensuring the safety and discouraging undesirable commercial development.

b. Area, Height, Bulk, and Placement Regulations

B-2	
Setbacks	
Front yard (min.) ⁽¹⁾	25 ft. or height of building, whichever is greater
Side yard (min.) ⁽²⁾	
Adjacent to residential ⁽⁴⁾	10 ft.
Adjacent to residential (lots 3 acres or more)	60 ft.
Rear yard (min.)	
Adjacent to residential ⁽⁴⁾ (lots 3 acres or more)	60 ft.
Building Height	
Stories (max.)	2.5
Feet (max.)	35 ft.
Lot Coverage	
Area of all buildings (max.)	(3)

¹Parking shall be permitted in the front yard after approval of the parking plan layout and points of access by the zoning administrator. The setback shall be measured from the nearest side of existing and/or proposed right-of-way lines, whichever is greater.

² If walls of structures, facing such interior side lot lines, contain windows, or other openings, side yards of not less than ten feet shall be provided.

³The maximum percentage of coverage shall be determined by the use and the provisions of required off-street parking, loading and unloading, and required yards.

⁴A four-foot obscuring wall, fence or greenbelt strip shall be provided on those sides of the property abutting land zoned for residential use.