

Section V: General Commercial District

A. Location

The location and boundaries of the zoning districts are hereby established as shown on a map titled "Zoning Map of the Town of Rochester, Massachusetts" dated November 16, 1998, as amended, and is hereby declared to be part of this By-law.

(Amended: Articles II & III, November 16, 1999 Special Town Meeting)

B. Lot Dimensions

In the general commercial district for any principal permitted use, building or group of buildings there shall be provided a lot of land having an area and a street line of not less than that specified in the following table.

(Amended: Article XXV, June 4, 2007 Annual Town Meeting)

Any building located, moved, altered, or built within a lot shall conform to the yard, percent coverage and height requirements set forth herein, and no lot shall be changed in size or shape so as to result in a violation of the areas, frontage, and other dimensional requirements hereof.

<u>Min. Lot Area in Sq. Ft.</u>	<u>Min. Lot Frontage In Ft.</u>	<u>Min. Frontage Side, Rear Yards in Ft.</u>	<u>Max. Impervious Surface, % Lot Area</u>	<u>Maximum Floor Area Ratio Percent</u>	<u>Minimum Buildable Area in square feet</u>
43,560	150	30 front 40 side 40 back	70%	70%	20,000

(Amended: Article XIX, May 18, 2009 Annual Town Meeting)

(Amended: Article X, October 29, 2007 Special Town Meeting)

(Amended: Article XXV, June 4, 2007 Annual Town Meeting)

(Amended: Article XXIII, October 24, 2005 Special Town Meeting)

(Amended: Article XXV, May 17, 1995 Reconvened Annual Town Meeting)

C. Site Plan

1. Site Plan Review and Approval as specified in Section XVI applies.

(Amended: Article XIX, May 18, 2009 Annual Town Meeting)

(Amended: Article XVII, February 25, 2002 Special Town Meeting)

2. Excepts for lots abutting lots of residential use, a minimum 10 foot Perimeter vegetative boundary shall be provided with berms, curbs or other barrier at the inside edge to inhibit vehicular access. This boundary strip shall be landscaped with groundcover, grass, shrubs or evergreen screening.

For lots abutting lots of residential use, perimeter vegetative boundaries shall be 20 feet and provided with berms, curbs or other barriers at the inside edge to inhibit vehicular access. Screening shall

be four-season evergreen plantings plus a wall or fence to a height not less than 6 feet.

(Amended: Article XIX, May 18, 2009 Annual Town Meeting)

3. All service, loading and unloading shall be designed to be segregated from customer and employee parking.

(Amended: Article XIX, May 18, 2009 Annual Town Meeting)

4. No parking within the minimum front setback.

(Amended: Article XIX, May 18, 2009 Annual Town Meeting)

D. Permitted Uses

In the general commercial district, the following uses are permitted as of right:

1. Boarding or lodging houses, convalescent or nursing home.
2. Store for the sale of goods or services.

(Amended: Article XIX, May 18, 2009 Annual Town Meeting)

3. Showroom for building supplies (including plumbing, heating and ventilating equipment).
4. Salesrooms for automobiles.
5. Wholesale office or showroom.
6. Restaurant for the serving of food or beverages to persons inside a completely enclosed building, subject to the condition that no live entertainment is regularly furnished (except where authorized by entertainment license by the board of selectmen).
7. Any of the following service establishment dealing directly with the consumer, such as but not limited to, bakery, barber or beauty shop, business or trade school, clothing rental establishment, collection station for laundry or dry cleaning, dancing or music school, dressmaking or millinery shop, frozen food locker, funeral home, hand or self-service laundry, household appliance repair shop, interior decorating studio, meeting hall for hire, medical or dental laboratory, pharmacy, photographic studio, shoe or hat repair shop, tailor shop, or computer-communications repair shop.

(Amended: Article XXV, June 4, 2007 Annual Town Meeting)

8. Shop of a builder, carpenter, cabinetmaker, caterer, electrician, painter, paperhanger, plumber, printer, publisher, sign painter or upholsterer, but not including storage of materials or equipment

outdoors.

9. Business or professional office or agency, bank or other financial institution.
10. Motor vehicle parking lot solely for the use of the employees and customers of the commercial establishment.
11. Hotel or motel

(Amended: Article XXV, June 4, 2007 Annual Town Meeting)

12. Display of one sign pertaining to the use of the premises with a total area of not more than nine square feet. The sign shall be limited to the identification of premises, their occupants or users, or the business conducted there. Flashing or rotating lights shall not be permitted.

(Amended: Article XIX, October 24, 2005 Special Town Meeting)

13. Accessory use incidental to a permitted main use, including such light manufacturing as is usual in connection therein, subject to the conditions that:
 - a. such manufacturing does not occupy an area exceeding fifty percent of the total floor area occupied by the principal permitted use,
 - b. the major portion of any products manufactured are to be sold at retail on the premises, and
 - c. not more than five operators are regularly employed in such manufacturing.

14. All lots with houses in existence at the time of conversion to General Commercial District status shall have the same permitted uses and the same rights of appeal for special permits and variances as permitted in the Agricultural-Residential District until such as residential use is discontinued for a period exceeding 2 years, as the permitted uses and rights of appeal may change from time to time.

(Amended: Article XXV, June 4, 2007 Annual Town Meeting)

15. *(Deleted: Article XXV, June 4, 2007 Annual Town Meeting)*

E. Uses Permitted by Special Permit

In the general commercial district, the board of appeals may grant, in a specific case, a special permit for any of the following uses:

1. Other retail business or serve establishment of commercial operation provided that such use is of the same general character and effect on adjacent property and improvement as the uses specifically permitted

in the general commercial district.

2. Business such as drive-in or stand for dispensing of food, beverages or goods from inside a building to persons standing or seated outside, outdoor dining area accessory to a restaurant or hotel on the same premises, automobile repair garage or service station, theater, bowling alley, or other indoor amusement, or the regular furnishing of entertainment at a restaurant or similar place; entertainment or a restaurant or similar place; provided that such use will not produce noise, vibration, smoke, dust, odors, heat, glare or other effect observable at the lot lines in amounts objectionable or detrimental to the use of the property in the immediate vicinity (whether or not in the same district), private club, hospital, or sanitarium.

(Amended: Article XIX, May 18, 2009 Annual Town Meeting)

3. Display of a sign pertaining to the use of the premises with a total area in excess of nine square feet. The sign shall be limited to the identification of premises, their occupants or users, or the business conducted therein. Flashing or rotating lights shall not be permitted.
4. No structure or accessory structure will be allowed to be erected greater than 100 feet in height without a special permit

(Amended: Article XIII, May 19, 1997 Special Town Meeting)

4. Personal wireless services facilities in accordance with Section XX.

(Amended: Article V, November 27, 2000 Special Town Meeting)

F. Enclosure of Uses

In the general commercial district, all uses permitted as a right or by variance, and all uses accessory thereto, shall be conducted within a completely enclosed building, except the following:

1. The dispensing of food, beverages, or goods at a drive-in or stand where authorized by special permit.
2. Accessory outdoor dining area, where authorized by special permit.
3. The dispensing of fuels, lubricants or fluids at a garage or service station where authorized by special permit.
4. Parking lots solely for the use of the employees and customers of the commercial establishment.
5. Display of a sign as provided under Section D.12 and E.3.
6. If authorized by the board of appeals by variance in a specific case,

the open display or storage of goods, products, materials or equipment, where accessory to a permitted main use conducted in a completely enclosed building on the same premises, providing that:

- a. The total ground area devoted to such open use shall be determined by the Board of Appeals.
- b. Where the open use is visible from adjacent property in an agricultural/residential district, the board of appeals shall impose such requirements for the screening of such open use as are, in its judgment, necessary to protect such property; and,
- c. No open display or open storage of junk, scrap metal, rags, waste paper, and similar used materials shall be authorized.